



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Máirt, 6 Feabhra 2018

Tuesday, 6 February 2018

Chuaigh an Leas-Cheann Comhairle i gceannas ar 2 p.m.

Paidir.

Prayer.

Leaders' Questions

Deputy Micheál Martin: The Taoiseach last week told rural dwellers and various campaigners to stop talking down rural Ireland. I put it to him that campaigning for and articulating the need for basic services such as housing, health and broadband connectivity or questioning the lack of spending on important projects in rural Ireland is entirely legitimate, as is calling to account the Government for its lack of delivery on promises made by it to rural Ireland many years ago. We need a reality check in terms of delivery on promises made to rural Ireland.

The previous Fine Gael-led Government undermined and arguably destroyed a very good model for rural development in the form of the then Leader programme, which was lauded by the European Union as an example of good governance and developmental community-led approach and was designed to revitalise rural areas, create jobs and so on. From 2007 to 2013 the previous programme allocated some €400 million. The Fine Gael-led Government came in and reduced that allocation to €250 million and destroyed it by undermining the governance structure with huge bureaucracy. There were also major delays in getting the programme off the ground. As of this month, only €13 million out of the 2014-20 programme allocation of €250 million has been spent. Forget all the rhetoric. This programme is there on the ground, waiting to be delivered, but it is not delivered in accordance with the promises made.

On broadband connectivity, back in 2011 Fine Gael said that it would connect 90% of homes by 2015. That was the promise then, and we had lots of promises in 2012, 2013 and 2014, such as Alex White's national draft strategy on broadband, and commitments such as the tendering process for the roll-out of broadband that commenced in 2013. SIRO pulled out and Eir has pulled out. Two years ago, the programme for Government promised that the contract would be awarded by 2017. If there was one project that would really enable rural Ireland and the regions to develop economically, it is the availability of high speed broadband. Everything else pales into insignificance with that vital piece of infrastructure.

Despite all the promises, the existing businesses are under huge pressure because of the lack of broadband speed, household quality is reduced and the potential of new micro enterprises is stymied because of the lack of broadband connection. Today, we learned that while there is no

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delivery on broadband, €466 million is also needed for the railways just to maintain them and ensure we can hold on to the existing network to connect to Galway, Mayo, Sligo, Kerry, Waterford and Wexford, not to mention the towns of Athlone, Longford, Roscommon and Carlow. All of those areas could now be affected. Is that €466 million in the existing estimates?

Rural crime is a real issue also, but I will deal with that later. My main point is that in a week when all sorts of promises are being made about billions of euro and we are going to do the roll-out in five years' time----

An Leas-Cheann Comhairle: The Deputy is out of time.

Deputy Micheál Martin: The Government seems incapable of doing the here and now in delivering existing programmes in accordance with the promises it made. Does the Taoiseach accept that the Government has failed on the Leader programme, has failed on broadband and is caught short on the railway investment programme?

The Taoiseach: There is a difference between advocating for a place and undermining it. I always support people who advocate for their area, be it a town, a city or the country from where they come, or the rural area they represent. There is a big difference between advocacy and undermining. Advocacy involves acknowledging problems and coming up with solutions, and undermining the place from where one comes from actually deters investment and puts people off moving in to those areas, making it harder to do what we need to do.

On the Government's and my commitment to rural Ireland, one of the first actions I took as Taoiseach was to appoint a Cabinet-level Minister for Rural and Community Development.

Deputy Thomas Byrne: He has nothing to do.

The Taoiseach: The Minister is here beside me. I will give the House some examples of things that have been done-----

Deputy Thomas Byrne: That Department has no function.

Deputy Timmy Dooley: Here we go.

The Taoiseach: -----in a short period of time to make rural Ireland a better place to live and make it more attractive for people to live, raise their families, set up businesses and do all the things we want. An investment of €21 million has been made in the town and village scheme.

Deputy Timmy Dooley: How much?

The Taoiseach: The local improvement scheme-----

Interruptions.

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

The Taoiseach: It says a lot about the different approach that Members on this side of the House are willing to listen to the charges and then the question is thrown in at the end.

Deputy Timmy Dooley: Go on. This is good.

An Leas-Cheann Comhairle: I remind Members that the Taoiseach should respond without interruption please.

The Taoiseach: The Opposition hates the facts, so I will go through the facts again.

Deputy Barry Cowen: It was €13 million out of €400 million.

An Leas-Cheann Comhairle: Deputies, please.

The Taoiseach: Some €21 million has been invested in the town and village scheme, and there will be a lot more to come, making our towns and villages a lot more attractive to live in.

Deputy Thomas Byrne: Yes, they are just thriving.

The Taoiseach: The local improvement scheme has been restored with €17 million spent already on that, improving rural laneways and access-----

Deputy Barry Cowen: The Taoiseach should visit some of them.

An Leas-Cheann Comhairle: Some order please.

The Taoiseach: -----to farms and homes in rural Ireland. There will be more funding there also. The rural recreation scheme has been granted €11 million and €30 million is provided for the Leader programme. There has been an underspend in the Leader programme-----

Deputy Barry Cowen: That is the understatement of the year.

The Taoiseach: -----but there is always an underspend in the first two years. The Minister for Rural and Community Development, Deputy Ring, has made 32 changes already to simplify the Leader process and to make sure money is drawn down and is spent. The social inclusion and community activation programme is receiving €43 million. The CLÁR programme is receiving €5 million to help restore small-scale infrastructure projects in rural areas.

Deputy Thomas Byrne: Very small.

The Taoiseach: Perhaps most important of all, 80% of jobs that were created in the last quarter in this country were created outside the Dublin area. The Government's target - the Deputy asked me about delivering on our targets - was to ensure 68% of new jobs created were outside the greater Dublin area. We have exceeded our target by providing 80% of new jobs outside the greater Dublin area. I do not think there is anything more we can do for rural Ireland than ensuring there is employment in rural Ireland.

Deputy Barry Cowen: I am afraid there is.

The Taoiseach: That is what sustains communities. If there are jobs there, people can stay in those areas.

Deputy Eugene Murphy: There are no jobs in many rural areas.

Deputy Timmy Dooley: The people who got the jobs might be in rural Ireland-----

An Leas-Cheann Comhairle: I will not tolerate a continuation of this.

Deputy Timmy Dooley: -----but they have to drive into the city every day.

An Leas-Cheann Comhairle: I will not tolerate this. I ask Deputies to restrain themselves. They might not like what they are hearing.

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Deputy Timmy Dooley: I am hearing nothing.

An Leas-Cheann Comhairle: I have no responsibility for that.

The Taoiseach: In addition, changes were made to ensure GPs have more funding to establish in rural areas.

Deputy Timmy Dooley: What?

Deputy Thomas Byrne: Is the Taoiseach joking?

Deputy Mattie McGrath: He is not serious.

Deputy Timmy Dooley: Who told the Taoiseach that?

The Taoiseach: I did not need to be told it because I signed the order to make it easier for GPs-----

Deputy Thomas Byrne: That is a few years back.

The Taoiseach: -----to qualify for the rural practice allowance and to increase the rural practice allowance.

Deputy Mattie McGrath: They are not there.

The Taoiseach: I signed the order so I do not need to be told about these things.

Deputy Thomas Byrne: It has not had any effect in those few years.

The Taoiseach: I would like to make a final point about the railways. In the past ten years, much of which was a very difficult period of budget cutbacks, we did not close any railway lines in rural Ireland or any other part of Ireland. Now that we are in a position to invest in our railways again and to increase Iarnród Éireann's subvention, which has increased by 35% in three years, Deputies can be absolutely assured that having got through the worst recession in a generation without closing any railways, we are certainly not going to start doing it now.

Deputies: Hear, hear.

An Leas-Cheann Comhairle: I have given the Taoiseach some injury time.

Deputy Micheál Martin: I note the Taoiseach's reply was devoid of any reference to the Government's failure with regard to broadband connectivity.

Deputy Alan Farrell: The Deputy must not have been listening.

Deputy Micheál Martin: I was intrigued by the Taoiseach's opening remarks, in which he referred to what the Government has been able to do "in a short period of time". It is as if he is trying to wave a magic wand so we will ignore the fact that he has been a Minister since 2011.

Deputy Eugene Murphy: Seven years.

Deputy Micheál Martin: The Taoiseach and his colleagues promised that there would be broadband connectivity by 2015.

Deputy Mattie McGrath: Keep the recovery going.

Deputy Micheál Martin: I remind the Taoiseach that he was a member of the Government which, contrary to its promises, destroyed the esprit de corps of the effective and successful Leader programme.

Deputy Mattie McGrath: Hear, hear.

Deputy Micheál Martin: Fine Gael politicians wanted to take it away from the community and give themselves some credit.

Deputy Michael Ring: That is not true.

Deputy Micheál Martin: That is exactly what happened.

Deputy Paul Kehoe: That is totally wrong.

Deputy Micheál Martin: That is what happened. It went from €400 million to €250 million. It was snarled in bureaucracy because individual Deputies and Ministers wanted the credit. They did not like non-politicians in community-led groups developing through the Leader programme.

Deputy Paul Kehoe: Wrong.

Deputy Mattie McGrath: Big Phil again.

Deputy Micheál Martin: I say very calmly that we are now in 2018 and we have spent just €13 million of the €250 million budget that was provided for a programme that lasts from 2014 to 2020.

Deputy Mattie McGrath: It is disgraceful.

Deputy Micheál Martin: By any yardstick, we are failing to deliver on something that could have a very real impact in parishes throughout the country.

An Leas-Cheann Comhairle: I call the Taoiseach for his final response.

Deputy Micheál Martin: I have travelled the length and breadth of the country from Merville to Kanturk. I have met people involved in very good industries. Those who advocate for rural Ireland do not talk it down. Most of them are self-reliant. They want the best for their towns, villages and rural areas. They do not like being talked down to by the Taoiseach. They do not like lecturing from a Dublin-centric Government.

An Leas-Cheann Comhairle: The Taoiseach to respond.

Deputy Micheál Martin: They would like genuine delivery on existing projects.

Deputy Bernard J. Durkan: The old-fashioned way.

Deputy Micheál Martin: It is important to point out that, as the public knows, there is a huge gap between the promises and commitments and the actual delivery of them on the ground.

An Leas-Cheann Comhairle: The Taoiseach to respond.

Deputy Micheál Martin: I ask the Taoiseach to address-----

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An Leas-Cheann Comhairle: You have exceeded your time by a minute.

Deputy Micheál Martin: When does he think people can expect connectivity with broadband?

An Leas-Cheann Comhairle: The Taoiseach to respond. You have got the question.

Deputy Micheál Martin: When will the Leader programme be changed-----

An Leas-Cheann Comhairle: The Taoiseach to respond, please

Deputy Micheál Martin: -----so that we can get a much more effective programme on the ground in rural Ireland?

The Taoiseach: The Minister, Deputy Ring, will make a statement on Leader in due course.

Deputy Micheál Martin: No, I want the Taoiseach to speak on it.

The Taoiseach: I will pick up on the other points mentioned by the Deputy.

Deputy Micheál Martin: I have asked the Taoiseach to speak on Leader.

An Leas-Cheann Comhairle: Deputy, please.

The Taoiseach: I have answered the Deputy's question about what has already been spent.

Deputy Micheál Martin: The Taoiseach has not answered it.

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

Deputy Thomas Byrne: This is unprecedented.

The Taoiseach: I mentioned that 230 measures have been taken to speed up the funding. I am not one to come into this House and-----

Deputy Thomas Byrne: Give answers.

The Taoiseach: -----deliver history lessons. I remind Deputy Martin, who sought to remind me that my colleagues and I have been in government for seven years, that in our first years in government, we had to restore this country's economic sovereignty and put us back into a place where we could build a future for Ireland again.

Deputy Michael Ring: Hear, hear.

Deputy Micheál Martin: The Taoiseach should answer the question.

The Taoiseach: As I have already mentioned, unemployment is falling in every county and employment is increasing in every county. Some 80% of new jobs are being created outside the greater Dublin area.

Deputy Thomas Byrne: The Taoiseach should stop lying.

The Taoiseach: The biggest single transport investment in the past two years was the Gort to Tuam motorway, costing €550 million. The biggest single transport investment in the past two years was in the west of Ireland, helping us to connect Galway and Limerick and we will

connect Limerick to Cork in due course. The Deputies will know about the investment in projects such as greenways around the country and the Wild Atlantic Way. I also meet the people the Deputies meet around the country and they do not talk down their communities. It is politicians on the other side of the House who talk down their communities and counties.

Deputy Eugene Murphy: That is outrageous.

Deputy Timmy Dooley: If we raise an issue, now we are talking down.

The Taoiseach: I greatly regret that they do so.

Deputy David Cullinane: Last December, the Taoiseach described the Brexit joint report as cast iron and rock solid. At the time, if the Taoiseach recalls, we in Sinn Féin acknowledged the positive language in the joint report but we warned that it fell far short of what is needed to truly protect the national interest, North and South. We cautioned that the promises contained in the joint report were not legally binding. We pointed out that the report was full of holes and open to interpretation. We warned that the Government needed to be very careful dealing with a Tory Government, especially a divided one. That was sound and solid advice, and how right we were.

Mr. David Davis, the lead negotiator for Britain in the talks, described the joint report as nothing more than a statement of intent. The European Commission described it merely as a gentlemen's agreement, a far cry from cast iron and rock solid. This was a fudge designed to get Britain and the European Union into wider trade talks. The assumption the Taoiseach made was that Britain would commit itself to staying in the customs union and Single Market or some variation of that. That is what we would want to see as well.

The Government accepted a bag of promises from Theresa May and Boris Johnson. Those promises have been cast to the wind and the Taoiseach's cast-iron guarantee is now not worth the paper it is written on. The future of this island is still subject to Theresa May's Cabinet battles and Boris Johnson's leadership ambitions. There will be a hardening of the Border on this island if the hard Brexiteers have their way and Britain and the North leave the European Union. We cannot have a situation where the North is dragged out of the customs union and Single Market against its will.

We have consistently said that the only practical solution for Ireland is for the North to have special status in the European Union. This would simply reflect the will of the people; as the Taoiseach knows, a majority in the North voted to remain. Sinn Féin is very clear on what that special status would mean. In practical terms, it would mean the North staying in the customs union and Single Market; both the Assembly and the Good Friday Agreement staying in the legal framework of the European Union and the European courts; and the protection of the rights of those who live in the North of Ireland who are Irish and European citizens, who should be able to enjoy exactly the same rights post-Brexit as they do now. The sooner the Government realises this and works towards those alternatives, the better.

The Taoiseach's naive guarantees in December have damaged his credibility. He allowed himself and the Government to be led by the nose by Theresa May, with the Tánaiste, Deputy Coveney, being patted on the back by Boris Johnson as the best boy in the class. Will the Government finally accept the reality that there was no cast-iron guarantee in December? Will the Taoiseach and Tánaiste accept that because of their naivety, we are essentially back to square one? Will the Taoiseach explicitly call for the North to stay in the customs union and Single

Market? Will he call for the Good Friday Agreement to stay within the legal architecture of the EU? Does he see that as the only practical, sensible, realistic solution to protect the interests of Irish people, North and South?

The Taoiseach: I said a number of things about the UK-EU joint report which was agreed in December. The contents are there in black and white for everyone to see. The language used is one of commitments and guarantees - commitments and guarantees written in black and white. I also said it was the end of the beginning, not the beginning of the end, and that we would need to stay vigilant, focused and engaged as we moved into phase two. That is exactly what we have been doing. We are now seeking that those commitments and guarantees written in black and white in the December report are written into the EU-UK withdrawal agreement, which will be legally binding. What we are working on at the moment is making sure those commitments and guarantees that were agreed back in December are made legally binding by writing them into the withdrawal agreement. That is the work we are doing in the background at the moment. We are also beginning work on the transition agreement because we want to make sure there is a transition period during which Irish people and Irish businesses have time to adjust to any permanent changes that may take place. That is what we are working on at the moment. It is significant that the work being done at present is on the withdrawal agreement, making those commitments legally binding, and the transition arrangement for the period after the UK leaves the EU. We are not into talks about trade yet because we believe it is important that we prioritise the withdrawal agreement and the transition phase and making sure that what was agreed back in December is written into the legal text of that agreement.

Deputy David Cullinane: I want the Taoiseach and his Government to succeed. I want the best possible outcome for the people of this island. The concerns I have are concerns which are shared and have been expressed by many people. The European Commissioner for Agriculture and Rural Development, Phil Hogan, said last week that a border on the island of Ireland is inevitable if Britain leaves the customs union. I agree with that. The EU negotiator Sabine Weyand said that meeting commitments on the all-island economy would imply that the North effectively remains within the customs union and the Single Market. Michel Barnier has said exactly the same, that is, without a customs union and being outside the Single Market will mean barriers to trade in goods and services are unavoidable. If the North is taken out of the customs union and Single Market, we will see a hardening of the Border irrespective of whatever backdrop agreement the Taoiseach believes he has in place. It simply will not be good enough and will fall far short of what is necessary to make sure that we do not have that hardening of the Border.

The Taoiseach knows that the issue of the Border is about more than trade. While trade is important, it is also about the peace process. It is deeply political. We want to ensure the Good Friday Agreement is protected in all its parts. We are trying to so do in respect of talks in the North, as the Taoiseach knows, and we want the same outcome in terms of the negotiations.

Does the Taoiseach accept that the North needs to stay in the customs union and Single Market? Does he accept that nothing short of that is required to ensure the best possible outcome for the people of this island?

The Taoiseach: The Deputy is correct to be concerned. This is not done yet. No one on this side of the House has ever claimed that everything was sorted and resolved in December. Phase 1 ended in December, and we are now in phase 2. We need to stay engaged and stay vigilant and we shall.

There are a number of ways in which we can avoid a hard border - meaning new barriers to the movement of people or to trade - between Northern Ireland and the rest of Ireland. Our preference is that it be done in the context of the new relationship that will exist between the UK and the European Union. Movements between Britain and Ireland are as important as movements between Northern Ireland and the rest of Ireland. For farmers, people involved in the agri-food industry or exporters, or for those people whose jobs depend on any of those things, the importance of maintaining free movement of people and free trade between Britain and Ireland is obvious. I get a little concerned sometimes when I hear other parties imply their preferred solution is some sort of special status or special arrangement for Northern Ireland, because that by definition would mean new barriers to trade between Britain and Ireland and all the problems that would arise from that.

Deputy Bernard J. Durkan: Hear, hear.

The Taoiseach: It would also mean new barriers to trade between Northern Ireland and the rest of the UK, and all the political problems that would arise from that, particularly for the unionist community.

We are working towards a new relationship between the United Kingdom and the European Union that allows free trade and free movement of people to continue between all parts of Britain and all parts of Ireland, if that is possible. If that is not possible, we have that guarantee around what I call the backstop and what Prime Minister May calls the last resort, which is a unique arrangement for Northern Ireland. That should not be our preferred solution. Our preferred solution should be ongoing free trade and free movement of people between Britain and Ireland, which is so important not only for citizens in Northern Ireland but also for Irish industry and Irish jobs.

Deputy Clare Daly: Six years ago this week, 31 year old Nora Hyland died in Holles Street hospital. She died from a cardiac arrest as a result of a massive haemorrhage after giving birth to her son, Frederick, by emergency caesarean section. There were no emergency blood supplies in the operating theatre. The coroner believed that the 37-minute delay in getting a transfusion probably cost her her life. Holles Street said it would rectify this situation but although fridges were installed in theatres, they were not sufficiently stocked when Malak Thawley bled to death in the same hospital in May 2016.

Five years ago yesterday, while giving birth to her fourth child, Sally Rowlette died in Sligo General Hospital as a result of a catastrophic mismanagement of HELLP syndrome, the same condition as a result of which Dhara Kivlehan died in the same hospital a few years earlier. The HSE's brutal opposition to the truth coming out, fighting her husband, Michael, for four years and resisting that inquest, probably cost Sally Rowlette her life and her children their mother.

We are hearing a lot lately that Ireland is one of the safest countries in which to give birth but when something goes wrong, there is no appetite for transparency or no appetite to learn. It is a battle every time with the bereaved and stunned families on one side and the HSE lawyers on the other. It is a case of litigate, delay and deny. That is the HSE way. The report on Portlaoine University Hospital still has not been released. Investigations were ongoing in seven out of the 19 maternity hospitals last year. Twice in the past three years, the HSE has gone to court to prevent the truth coming out, first, to prevent the Health Information and Quality Authority, HIQA, publishing the report on Portlaoine and, now, Holles Street hospital effectively taking the Minister to court to stop an external investigation into Malak Thawley's death.

There is something very wrong in our health service. There were 27 maternal deaths between 2011 and 2013 but only three inquests. The culture of deny and defend has to end. While I welcome the Minister's measure to have an external investigation, the reality is that mandatory inquests in respect of maternal deaths are a key step in ending this culture and improving maternity care. That is something on which this House has agreed since Second Stage of my legislation was passed in the dying days of the previous Dáil. That legislation was prioritised by the current Joint Committee on Justice and Equality. We gave the Department of Justice and Equality six months to table amendments. On the night before the committee hearing, it pulled the plug and did not proceed with that investigation. The legislation in question is supposed to be a priority for the Government.

Two years ago, the Taoiseach met Sean Rowlette, who gave him a letter from his children in which they said they miss their Mam every day. Can the Taoiseach ensure that this will never again happen to another mother? Since the meeting to which I refer, it has happened at least twice. Will the Taoiseach indicate when the legislation for mandatory inquests in respect of maternal deaths will be forthcoming?

The Taoiseach: I would like once again to extend my condolences to the families of the women Deputy Clare Daly mentioned. As she is aware, I met some of those families when I was Minister for Health and I know they still suffer every day from the loss of their loved ones and as a result of the traumatic events that occurred to them. My sympathies and those of the House are with the families.

Ireland is one of the safest countries in the world in which to give birth, both in terms of maternal mortality and neonatal mortality. However, that should not give rise to complacency in any way because we need to ensure that the number of maternal deaths and neonatal deaths is minimised. It is never possible to eliminate them entirely but they can be reduced further and minimised. Any time a maternal death occurs, there should be total transparency. Hospitals should be upfront about what happens and should carry out full investigations so that lessons can be learned and further events avoided into the future.

In terms of the actions of the Minister for Health, Deputy Harris, Deputy Clare Daly will know that he has sought an independent review of the Thawley case, and the Government is totally behind him in that regard. We are very disappointed and dissatisfied that Holles Street hospital is threatening to take the Minister or the HSE to court in order to avoid an external inquiry. There should be an external inquiry. Rather than trying to block it, the hospital authorities should welcome it. If they have nothing to hide, they should welcome it. We are totally behind the Minister in that regard.

Legislation was passed in recent months to provide for open disclosure. As a result, for the first time open disclosure by doctors and other health care professionals is protected. I know that was a long time coming but it has now been done and it is important that we turn this legal mechanism into a culture and a practice across our hospitals whereby doctors and health care professionals are upfront with patients and their families when something goes wrong and understand why it is in their interest to be upfront. We know that is the case for many different reasons.

In terms of inquests, that legislation is under consideration. There are strong arguments in favour of a mandatory inquest in the case of every maternal death but there may be cases in which that is not appropriate, for example, where a family does not want one. We have cases

of maternal death where it is known immediately why the mother died. An inquest may not be necessary in such cases. However, there is a strong basis for a mandatory inquest where the family requests it.

Deputy Clare Daly: I welcome the Minister for Health's initiative to put in place an external review, but it is not enough and it is not a substitute for an inquest. There are a lot of questions around the review, including what the terms of reference and qualifications of a reviewer will be and whether it will be capable of public scrutiny. There is something very wrong in the Department of Justice and Equality. I wonder whether we would be waiting this long if men were dying. Both the former Tánaiste and Minister for Justice and Equality, Deputy Frances Fitzgerald, and the current Minister, Deputy Flanagan, gave me guarantees that the legislation was a priority matter for them and the Government. Objections such as those the Taoiseach has raised are obvious and have already been dealt with. It is a priority for the whole of the justice committee. Local authorities the length and breadth of the country and representatives from all parties and none have supported this call. Nevertheless, the Department of Justice and Equality, which promised that we would have this legislation through every Stage before the summer, has yet to deliver the heads of a Bill.

The justice committee, on which Deputy Ó Caoláin and I sit, has met with the Department's officials. Either they do not understand what priority is or they are not listening to the Taoiseach's Ministers. There is no excuse for this. Babies have been conceived and delivered in the time the Department of Justice and Equality told us the legislation would be seen through every Stage. It is about fighting for better maternity care. We need these measures and we need the Taoiseach to get behind forcing the Department to stop messing about and simply deliver the legislation.

The Taoiseach: The Minister for Health has already announced that all deaths in maternity hospitals will be subject to an external review, which is necessary and welcome. It is also a provision of the national maternity strategy which was published not too long ago. I am advised by the Chief Whip and the Minister for Justice and Equality that this legislation is on the A list and that he intends to publish it this month. If it is published this month, we can perhaps get it through the Houses sooner rather than later. I have no doubt the Deputy will hold us to account in that regard.

Deputy Eamon Ryan: In autumn 2016, the Taoiseach said the following in a Dáil debate:

It is a great regret that the previous Government, of which I was a member, did not hold a plebiscite on the issue or allow people in Dublin to have a say on directly electing a mayor for the city.

He was in favour of the concept. In 2013, Deputy Eoghan Murphy, who is now the Minister for Housing, Planning and Local Government, published a statement:

I'm a big supporter of having a directly elected Mayor for Dublin. There's a big democratic deficit at the moment in that the person who runs the city, the City Manager, is unelected and yet has all of the power and responsibility for the capital, whereas the Lord Mayor (elected by the Councillors) is largely a ceremonial role.

Late last year, the Dáil was told it was likely the Government would hold a plebiscite on the mayoral issue next autumn, around the time there might be a presidential election. It was also reported that in a report to Government, the Department had come out in favour of directly-

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elected mayoral system for Dublin and possibly Cork. I would add Limerick, Waterford and Galway as all our cities should have that sort of leadership.

This is not about an urban-rural divide. We all have rural and urban connections wherever we live in this country. It is not about Dublin versus the rest either. It seems the Government has a cunning plan at the moment whereby it will cripple Dublin with gridlock in an attempt to help the rest of the country develop. A planning proposal which involves being stuck in traffic for 75 minutes to get from Castleknock to Kildare Street every day is not a clever one. Things are worse around the country. Speaking for Dublin, the city is in crisis. Every other city is the same.

We need real leadership with a mandate to tackle the housing crisis. One cannot get that when one has four different city managers who are unelected and answer to no one but the mandarins in the Custom House and Merrion Street who run everything in this country. We need mayors to sort out the housing crisis and a transport crisis which is just as bad, if not worse, in Galway as it is in Dublin. We need someone to represent each of our cities and the enterprise culture we have to develop business and the economy in a co-ordinated way rather than according to a divided approach. We need a mayor who has real power so we can develop the cultural life in our cities, as well as a mayor who can help to lead community development. Dublin Culture Connects is a fantastic example of bottom-up leadership that is happening but it will not work when it is controlled and led just by the Civil Service, rather than by elected officials.

Will the Taoiseach put this to the people? Will we have a plebiscite this autumn in order that we can introduce directly-elected mayors in our cities, starting in 2019? I do not believe he could introduce a plebiscite that would say to the people we are thinking of doing it six years later. Will he put it to the people? Will he live up to what he said numerous times in the Dáil and what the Minister, Deputy Eoghan Murphy, has also said, namely, they believe, like us, that a directly-elected mayor is needed? If we are going to do it, the Taoiseach must decide now so we can have the plebiscite in time. Is it going to happen?

The Taoiseach: I am and remain in favour of a directly-elected mayor for Dublin. I think the same logic applies to other cities as well, and even potentially to counties and other local authorities. That would involve a major transfer of power from county and city managers, or chief executives as they are now called, to somebody elected. That would be a very big change in the way our local government works. The relationship would be similar to that which exists between a Minister and a Secretary General, as opposed to all the power, or almost all the power, residing with the chief executive, as it does now. However, we need to be more definitive on what proposal we are actually making to people before we have a plebiscite. We have pencilled in a plebiscite for this autumn and the Minister, Deputy Eoghan Murphy, will bring proposals to Cabinet in the next few weeks.

I was very much against the proposals that were made by former Minister Gormley from Deputy Eamon Ryan's party because he proposed, essentially, to have a super-mayor who would be a mayor over the four existing local authorities in Dublin. Therefore, we would have the four existing local authorities all with their own chief executives, all with their own mayors, and then another super-mayor over that with very little power indeed. The last thing we need is another layer of bureaucracy in local government or between local government and national government.

I believe the exact role of an elected mayor needs to be fleshed out. The Deputy mentioned,

for example, transport. Are we suggesting that Dublin Bus be transferred from national government to a Dublin executive mayor? How would it apply to the DART, for example, which runs on rail lines that also connect other parts of the country? What would happen with the housing budget and would it be a transfer from the Department of Housing, Planning and Local Government to that authority? If that mayor had an enterprise role, would the IDA and Enterprise Ireland cease to operate in the Dublin region or would there be some sort of double structure? Those things need to be fleshed out before we actually put a proposal to the people.

Realistically, if we look at what was done in London, for example, while I am not sure a plebiscite was held there, even after the decision was taken to establish a directly-elected mayor in London, it did not just happen six months later and they had a programme as to how that was done over time. There also is the question of revenue-raising powers and how any directly-elected mayor with no revenue-raising powers would be able to do any of the things the Deputy mentioned. Would the property tax go to the mayor's office? Would VAT collected in a particular city go to the mayor's office? All of those things need to be fleshed out and thought through and I do not think this had been done adequately yet.

Deputy Eamon Ryan: The mayor has to have a real role. That Bill introduced by the former Minister, Mr. Gormley, gave real powers in the transport sector, over the planning system and in the enterprise and cultural sector in helping communities develop. That was done on a cross-party basis where we got agreement from all sorts of parties on the side. We got it through the Dáil and it was almost on its last stages in the Seanad before it was pulled because that Government fell. If the Taoiseach has some amendment to that or some additional powers, we will happily debate that here.

We put forward a very detailed Bill which said exactly how it could be done. The then Minister, Deputy Coveney, took it and said, "We will discuss it", and we have not heard a word back since. If the Taoiseach is to do it, if he is to be more than just stylish socks, if he is to be something of substance and not just a protector of the *status quo*, he needs to do this quickly. If we are to have the plebiscite in the autumn, he needs to be getting ready now. The Taoiseach may laugh about it. I was told it was going to Cabinet today but it obviously did not. It has been ready for months. I have been told it is the Taoiseach's own party, his own people, the same backbench people in other counties, who are saying, "We would not like that because it is pro-Dublin". If Dublin crashes because of gridlock and a lack of housing leadership, the Taoiseach will be responsible. If he does not get this agreed in the next couple of weeks and get it to the people in the autumn, we are going to suffer another five years with a lack accountability, leadership and trust in the people of this city and others to lead. That is what the Government will be doing unless it turns this around quickly.

The Taoiseach: The Deputy and his party had several years in government to bring this about, but they did not do so.

Deputy Eamon Ryan: We got it right through.

The Taoiseach: It is something the Government is working on now. No proposal was brought to Cabinet today. I have not had backbenchers from outside Dublin object to this, or at least they have not made objections to me. Proper consideration of how this would work and what the role would be is required. It may be that a directly-elected mayor for the city of Cork on the new city boundaries might work more logically than one for Dublin, particularly as the latter is divided among three local authorities. That would need to be fleshed out. Each of those

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four local authorities in Dublin, the “four Dublins” as they like to call themselves, is a housing and planning authority. Are we discussing stripping housing and planning functions away from Dublin City Council, Dún Laoghaire-Rathdown County Council, South Dublin County Council and Fingal County Council and giving them to a new mayor? Will that mayor have all those powers vested in himself or herself or will there be another council elected between the mayor and those authorities? All that must be figured out. It was not properly figured out when the then Minister, John Gormley, put forward his proposals, which is why they never became a reality.

Deputy Eamon Ryan: The Government has had seven years. Fine Gael is the *status quo* party.

Order of Business

Deputy Clare Daly: Today’s business shall be No. 9, motion re Sectoral Employment Order (Mechanical Engineering Building Services Contracting Sector) 2018, referral to joint committee, without debate; No. 30, statements on the centenary of women’s suffrage; and No. 1, Public Health (Alcohol) Bill 2015 [*Seanad*] Second Stage. Private Members business shall be No. 170, motion re rural broadband, selected by Fianna Fáil.

Wednesday’s business shall be No. 31, National Archives (Amendment) Bill 2017 Order for Report and Report and Final Stages; No. 1, Public Health (Alcohol) Bill 2015 [*Seanad*] Second Stage (resumed); No. 4, Industrial Development (Amendment) Bill 2018 Order for Second Stage and Second Stage; and No. 32, statements on the national broadband procurement process. Private Members’ business shall be Second Stage of No. 48, Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018, selected by Solidarity-People Before Profit.

Thursday’s business shall be No. 1, Public Health (Alcohol) Bill 2015 [*Seanad*] Second Stage (resumed); and No. 4, Industrial Development (Amendment) Bill 2018 Order for Second Stage and Second Stage. Second Stage of No. 49, Parental Leave (Amendment) Bill 2017 will be taken in the evening slot.

I refer the report of the Business Committee dated 1 February 2018. In relation to today’s business, it is proposed that the motion re Sectoral Employment Order (Mechanical Engineering Building Services Contracting Sector) 2018, referral to joint committee, shall be taken without debate; and statements on the centenary of women’s suffrage shall be brought to a conclusion after 45 minutes. Statements shall be confined to a single round for a Minister or Minister of State and the main spokespersons for parties or groups, or a Member nominated in their stead, of five minutes each, with a five-minute response from a Minister or Minister of State and all Members may share time.

In relation to Wednesday’s business, it is proposed that the Dáil shall sit later than 10.15 p.m. and shall adjourn not later than 11.15 p.m.; that Second Stage of the Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018 shall be brought to a conclusion, if not previously concluded, after two hours; and that notwithstanding Standing Order 58, statements on the national broadband procurement process shall be taken at 8.50 p.m. and shall conclude not later than 11.15 p.m. and the order shall not resume thereafter. Statements by a Minister or Minister of State and the main spokespersons for parties or groups,

or a Member nominated in their stead, shall not exceed ten minutes each. All other Members shall not exceed five minutes each with a five minute response from the Minister or Minister of State and all Members may share time.

An Leas-Cheann Comhairle: There are two proposals to put to the House. Is the proposal for dealing with Tuesday's business agreed to? Agreed. Is the proposal for dealing with Wednesday's business agreed to?

Deputy Micheál Martin: I suggest a slight amendment that, with the agreement of the House, the proposed concluding of statements on broadband at 11.15 p.m. on Wednesday be changed to adjourning of statements on this issue so as to facilitate the continuation of that business on Thursday and indeed into next week to give Deputies an opportunity speak on the issue, and that Deputies could be given a ten minute as opposed to a five minute slot because there is a need to facilitate the participation of backbench Members across all parties in debates of this kind and not unduly restrict such debates on important issues. There may be other business. I merely propose to keep it on the Order Paper for Thursday and next week and to change what is there from "conclude" to "adjourn".

The Taoiseach: I do not have any objection to that. Four and a half hours are being allocated this week for Private Members' business and statements on the issue of broadband but if four and a half hours is not enough for everyone to make his or her contribution, I have no objection to the debate being adjourned rather than concluded so that further time can be provided.

An Leas-Cheann Comhairle: There is a second proposal that, where all other Members shall not exceed five minutes shall change to "not exceed ten minutes". Is that agreed? Agreed. Regarding Wednesday's business, statements on the national broadband procurement process shall adjourn not later than 11.15 p.m. and the contribution of all other Members shall not exceed ten minutes. Is that agreed? Agreed.

Deputy Micheál Martin: De réir Phríomhchigire an Roinn Oideachais agus Scileanna, tá an caighdeán sa Ghaeilge ag laghdú bliain i ndiaidh bliana, go háirithe ó 2013 amach. Níl dul chun cinn sásúil le feiscint sa Ghaeilge sna bunscoileanna ar fud na tíre. Bhí 26% de na ceachtanna a dhearnadh iniúchadh orthu gan chruinneas agus míshasúil de réir an Phríomhchigire. Gealladh sa chlár Rialtais go gcuirfidh an Rialtas an straitéis 20 bliain i bhfeidhm, go méadóidh líon na gcainteoirí Gaeilge dá bharr agus go mbeidh an Ghaeilge níos sofheicthe i gcúrsaí litríochta agus ar chomarthaí ar fud tuaithe agus sna bailte go léir ar fud na tíre. Bhí díomá ar an-chuid daoine nuair a léigh siad an méid a bhí le rá ag an bPríomhchigire. Cá seasann na gealltanais sa chlár Rialtais anois i leith an mhéid a dúirt an Príomhchigire sa tuarascáil maidir leis an nGaeilge agus a múineadh sna scoileanna?

The Taoiseach: Iarraim ar an Aire Oideachais agus Scileanna an cheist a fhreagairt.

Minister for Education and Skills (Deputy Richard Bruton): I acknowledge that the report on Irish was different from those in the other subjects where we saw consistent improvement, in English, in mathematics etc. In relation to Irish, there was an improvement at second level but no improvement at primary level and this is a cause of concern raised by the inspector.

In terms of the policy to address this, we have new curricula at both primary level and junior cycle. Currently, we are investing in the support of teachers to adopt these new curricula. They have a much higher emphasis on the communicated language and the oral language, and that is strongly advised as being a key route to improve performance in this area. In addition, we are

investing in new routes to both improve the existing skills of teachers, with masters qualifications being tendered for, additional resources in NUIG to support such improvement and a new undergraduate route into post-primary teaching of Irish. These policies are being implemented but, based on those findings yesterday, we will be consulting more widely to ensure the policies we have in place are adequate to address this problem.

An Leas-Cheann Comhairle: Does Deputy Cullinane wish to speak on the Order of Business or ask about promised legislation?

Deputy David Cullinane: I wish to ask about promised legislation. The Taoiseach will be aware that the programme for Government committed to a second cath lab at University Hospital Waterford. He will also be aware of a report by Dr. Niall Herity, which did not make a positive recommendation. I am sure he is also aware that since then, a mobile lab has been deployed at the hospital. My understanding is that that mobile lab is to come out of the hospital next week. It was deployed for a number of months. The waiting times for diagnostic testing have been dramatically reduced because of the deployment of this mobile lab. The problem is that for those who are then tested and diagnosed and need an intervention, the waiting times for interventions has increased. The reason for this is that the temporary mobile lab cannot carry out intervention work, and all the data show that this spells out the need for a second permanent lab. A meeting is to take place next week, I think, with the Minister for Health and regional Oireachtas Members from across the south east. A protest in Waterford is planned for Saturday, which I encourage people to attend. As the Taoiseach knows, this is a very important issue for people. If the data show, as they seem to do, a need for a second permanent lab, how can he and his Government ensure the appropriate urgency is given to this issue in order that we can get the necessary capacity into the hospital to treat people in cardiac arrest as quickly as possible?

The Taoiseach: I discussed this briefly with the Minister of State, Deputy Halligan, and the Minister, Deputy Harris, and the other public representatives from Waterford just last week. It does seem the second mobile cath lab has produced results and reduced waiting times for patients who need cardiac procedures. It seems to me there is a strong case to keep it in place while the other review - a review of the locations of cath labs across the country is ongoing - takes place. If it were to be removed, I think we would just see waiting times worsen again, so there is a strong case to be made for keeping the second mobile cath lab in place while work is completed on the review, which will examine whether to locate a second one on a permanent basis in Waterford. The Minister, Deputy Harris, is working on this.

Deputy Paul Murphy: I wish to ask about a commitment in the programme for Government to more investment in social, regional and economic infrastructure. How does this tally with the news that due to underinvestment over years, a huge proportion of the rail network will face closure unless additional investment of in excess of €460 million is made? Given the verbal commitment on the part of the Government to balanced regional development and given the occasional lipservice paid to climate change, as seen recently from the Taoiseach, will the Government make the necessary investment to develop public transport in general and the rail network in particular or is the Government instead prepared to face significant opposition from workers, unions and communities who will not accept the running down of the rail network?

The Taoiseach: I understand that report is old news. It relates to a rail review published back in 2016. As I said earlier, over the past three years there has been a 35% increase in the subvention for public transport, that is, Irish Rail, Dublin Bus and Bus Éireann, so we are now increasing the subvention for public transport again. Capital spending is increasing, fares have

risen, which has helped the financial position of these companies, and because of the recovery in the economy more people are using public transport, which is bringing in more fares. As I said earlier, if we did not close any rail lines during the ten years when the subvention was being reduced and fewer people were using the railways, we will hardly do it now that the subvention is increasing, passenger numbers are increasing and fare income is rising.

Deputy Mattie McGrath: I wish to raise another issue concerning rural Ireland. It relates to roads.

An Leas-Cheann Comhairle: The programme for Government, please.

Deputy Mattie McGrath: The programme for Government is strong on its commitment to support roads. The people, whether mothers or fathers, ordinary men or women or youngsters trying to get to school, work or college, must have a car. A significant amount of damage is being done to those cars, including to their wheels and tyres. I wish to raise another issue. These cars must pass the national car test, NCT, which we all support as it is a good system. These drivers get their certificates from the NCT and get their cars passed, their vehicles having suffered huge damage and having got them repaired at huge cost. Now they are being told by insurance companies that if the car is ten years old or older, even though it may have a valid NCT certificate passed only two days or a week earlier, they will not insure them. This is pure blackguarding and an attack on rural Ireland and rural drivers, as well as some urban drivers where the roads are bad. They are doing their best to keep within the law and now they are being told they will not be insured-----

An Leas-Cheann Comhairle: A question, please.

Deputy Mattie McGrath: -----despite their cars being perfect and having valid NCT certificates. What is the Government going to do to rein in the insurance companies? This is “rip-off Ireland” carry-on again and blackguarding of the people of rural Ireland once more.

The Taoiseach: There is no programme for Government commitment on that matter.

Deputy Mattie McGrath: It relates to rural roads and investment in roads.

The Taoiseach: I thought it was about NCTs and insurance.

Deputy Mattie McGrath: Yes. The Taoiseach has no answer for anything.

Deputy Michael Collins: On page 101 of the programme for Government, under the heading “Crime Prevention, Justice and Equality”, there is a promise on the part of the Government to launch a pilot scheme to reopen six Garda stations in urban and rural areas. One of these Garda stations is in Ballinspittle in west Cork. When can we expect the Ballinspittle Garda station to be reopened? It is in a coastal area that has a high number of tourists during the summer. Will the Government also look at reopening the stations it closed in other coastal locations, namely, Adrigole on the Beara Peninsula and Goleen on the Mizen Peninsula?

An Leas-Cheann Comhairle: I understand the Minister for Justice and Equality, Deputy Flanagan, is taking the matter.

Minister for Justice and Equality (Deputy Charles Flanagan): The Deputy is correct that six Garda stations are to be reopened on a pilot basis. I can inform him that work is ongoing as far as this issue is concerned. There was an exchange of correspondence as recently as

last week between the Garda Síochána and the Office of Public Works to accelerate the process. I expect that we will see further positive developments in the area over the coming months.

An Leas-Cheann Comhairle: I thank the Minister for his brevity.

Deputy Imelda Munster: The Data Protection Bill 2018 was published last week, when, yet again, there was another patient data breach at Our Lady of Lourdes Hospital in Drogheda. Four pages from a consultant's report were found on the street, with the names and personal details, medical conditions and treatment of 18 patients. This is the third patient data breach in as many years. Will the Taoiseach instruct the HSE to meet those patients who are affected and apologise to them? How will the Data Protection Bill address such repeated breaches? Why are public bodies such as the HSE exempt from fines for data breaches? Will this also be addressed in the Bill?

Deputy Charles Flanagan: I share the Deputy's concern on the point at issue. However, as Minister for Justice and Equality, I am not in a position to direct anything towards the HSE. Subject to the Business Committee's approval, I would be very keen to have the legislation debated at a very early stage. With this in mind, I hope we can do so by the end of this week. There are a number of issues involved in the legislation, one of which was mentioned by the Deputy, that can be the subject matter of debate. I am very keen that we introduce the legislation this week.

Deputy Robert Troy: Almost two years ago, the Minister for Transport, Tourism and Sport, Deputy Ross, sought submissions for the national rail review. As with many other reports he has sought, he has failed to act on it. Incidentally, why is the Minister never here for the Order of Business to answer questions? Earlier, the Taoiseach said that the Government will not close any lines because it did not do so in the bad times and it will certainly not do it now. However, it has failed to invest in the infrastructure. There is now a serious capacity issue on all of our rail lines. Trains are bursting at the seams. The CEO of Irish Rail came before the transport committee prior to Christmas and indicated that not one new carriage would be supplied to Irish Rail for a minimum of 18 months. When are we going to get real about public transport? The Government has sought submissions. When can we expect to, at a very minimum, debate those submissions? If decisions have to be taken, they need to be taken.

Deputy Thomas Byrne: I wish to speak on the same issue.

An Leas-Cheann Comhairle: Does the Deputy have a card?

Deputy Thomas Byrne: Yes, No. 6.

An Leas-Cheann Comhairle: I am not doubting anybody but it is no harm to see the numbers because it is not beyond some to turn cards upside down at times.

Deputy Thomas Byrne: That cannot be done.

An Leas-Cheann Comhairle: The clock is ticking.

Deputy Thomas Byrne: It is no laughing matter for my constituents, particularly in the context of public transport. When they read the newspapers this morning, they will have seen a lot of good news about proposals to electrify the line to Maynooth, Dunboyne and Drogheda, but what my constituents really want to know is what is the Government doing here and now. What is happening today? What is it delivering on now rather than planning for in the next

ten, 15 or 20 years? That is the problem. There is nothing for the commuter stuck on a train between Gormanston or Balbriggan and Dublin or between Dunboyne and Dublin or in a traffic jam on the N2 each morning.

There is nothing for them today and perhaps the Taoiseach could enlighten us as to whether there is anything or if they have to wait for the Government's capital plan to deliver in a decade's time or so.

The Taoiseach: The Minister, Deputy Ross, takes questions every couple of weeks, as all Ministers do.

Deputy Robert Troy: Every eight weeks.

The Taoiseach: He is available for Topical Issues and-----

Deputy Robert Troy: He is never here for the Order of Business.

Deputy Barry Cowen: He has a big party to run.

An Leas-Cheann Comhairle: Please, Deputy Troy.

The Taoiseach: He takes Minister's questions and he also does Topical Issues. To answer the Deputy's question, as I mentioned earlier, there has been a 35% increase in subvention for Dublin Bus, Bus Éireann, and Irish Rail combined in the past three years. There has been a capital investment of €5 billion between 2008 and 2016-----

Deputy Robert Troy: Journey times are getting longer.

An Leas-Cheann Comhairle: Deputy, please.

The Taoiseach: -----75% of which went to Iarnród Éireann. What that has allowed, for example, is the opening of the new station in Oranmore-----

Deputy Thomas Byrne: Did the Taoiseach say 2008 to 2016?

An Leas-Cheann Comhairle: Please Deputies.

The Taoiseach: -----in Galway, the opening of the Phoenix Park tunnel which has improved services through to Kildare, and linking up the Luas to Broombridge station, which is another option for people on the Maynooth line. There have been increases in off-peak services. Integrated ticketing and real time passenger information have also been introduced so
3 o'clock people know when the trains are coming. However, it is evident that we need much greater-----

Deputy Robert Troy: The trains are getting slower.

An Leas-Cheann Comhairle: Please allow the Taoiseach to speak.

The Taoiseach: -----investment in public transport in the years ahead. That is the case and we all understand this. Investment in new roads and public transport takes time. It takes many years and we lost ten years.

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

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Deputy Thomas Byrne: That should be the subtitle to this Government, “it takes time”.

The Taoiseach: We have a lost decade of underinvestment in housing, transport, and health care because of mistakes made-----

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

The Taoiseach: -----by other people.

Deputy Michael McGrath: A year ago, we had the publication of the costs of insurance working group. One of the main recommendations in that was the establishment of a national claims information database so that, for once and for all, we could get a proper handle on the data surrounding claims. The legislation, which is called the Central Bank (national claims information database) Bill, was to be enacted by the end of last year but it was not.

The Government agreed the heads of a Bill and the database was to be in place by the second quarter of this year. Clearly now, it will not be. Will it be in place this year? Can the Taoiseach confirm when the full Bill will be published and brought before the House?

The Taoiseach: Heads were cleared by the Cabinet a few weeks ago, as the Deputy mentioned, and it is on the priority list for publication in this session but I do not have an exact date yet.

An Leas-Cheann Comhairle: Question No. 7.

Deputy Charlie McConalogue: It is No. 5.

An Leas-Cheann Comhairle: I am sorry - it is No. 5.

Deputy Charlie McConalogue: With regard to page 58 of A Programme for a Partnership Government and the commitment to build capacity in our hospitals, I raise again the issue of Letterkenny University Hospital. I have raised this several times before, including last week, and I raise it again because people are still on trolleys. People are still waiting for access to a bed in a hospital and people are still waiting for a response from the Government as to whether bed capacity will be increased at the hospital. I have outlined to the Taoiseach and the Minister for Health, Deputy Harris, on several occasions that a request was made for an additional 20 beds to be opened in an empty ward in the hospital. The Government has simply ignored this request. When I raised it with the Taoiseach last week, he listed a number of other hospitals across the country where the number of beds had been increased and he made some throwaway remark about Letterkenny and the need to change practices. Was that a throwaway remark or was a specific request made of Letterkenny to change work practices in order to get additional beds because that has not been communicated to people there? They have simply been ignored and the people of Donegal are being ignored.

An Leas-Cheann Comhairle: The Taoiseach to respond.

Deputy Charlie McConalogue: It is time for an answer. If we cannot have it today, we need it immediately after this session from the Taoiseach.

The Taoiseach: I saw the note from the Deputy on that last week and I got a note this morning which informed me that funding to open those beds in Letterkenny had not been approved but it did not give me a reason as to why not. I asked why 170 additional beds were funded in

other hospitals around the country and why Letterkenny did not make the cut. I do not know the answer to that yet, but perhaps the Deputy would get a quicker response by asking about it in the form of a parliamentary question or a Topical Issue to the Minister for Health.

Deputy Charlie McConalogue: I can assure the Taoiseach that is not the case. I have been asking for a month and there is no response. It is simply being ignored.

The Taoiseach: I have made the request myself to find out why because I would like to know.

An Leas-Cheann Comhairle: Question No. 6 was taken. We will move onto Question No. 7.

Deputy Michael Moynihan: I refer to A Programme for a Partnership Government and the delivery of State contracts. There was also some discussion about some Government legislation in relation to State contracts in respect of EirGrid and others which give a company a contract. A road opening licence is given to the company and it proceeds with the contract but it leaves the public roads, paid for by the taxpayer, in a disgraceful state. The residents in those communities have no redress afterwards. What is the Government going to do? Is there promised legislation? We were told at a meeting in Ballydesmond last night that there was such legislation. Is there promised legislation to ensure a bond is put in place by these companies so that if they do not fulfil the contract to the letter of the law, there is redress for the people living by these roads?

The Taoiseach: I am not aware if there is specific promised legislation on that. I know from my time on a local authority that where road opening licences were granted to a company the company was expected to leave the road as it found it or in a better state. When it does not do so, local authorities have recourse to the courts at that point.

Deputy Margaret Murphy O'Mahony: A commitment was made in the programme for Government to enhance the services of the Department of Justice and Equality. With regard to the modernisation and renewal programme and particularly the protective services unit, when will the protective services unit in west Cork be established? The Women Against Violence group in west Cork was told that the unit would be up and running by the end of 2017. This has not happened. It is yet another missed target and broken promise. Can the Minister or the Taoiseach give a definite date for when the unit will be up and running?

Deputy Charles Flanagan: I do not have a specific date for the service in west Cork. However, immediately after this session I will seek a reply and communicate directly to the Deputy on this issue of importance.

Deputy Tony McLoughlin: The health transport support Bill is to provide for a scheme to make individual payments as a contribution towards transport costs for people on low incomes with severe disabilities who cannot access public transport. What is the up-to-date position with that Bill?

The Taoiseach: The Bill is currently being drafted. I have spoken to both the Minister for Health and the Minister for Public Expenditure and Reform and requested that the Bill be published and brought to the House this year so it can be funded in the Estimates for next year.

Deputy John Curran: The programme for Government refers to greater openness and im-

proved accountability. In that regard, my colleague, Councillor Ed O'Brien, recently brought it to my attention that the response from Ministers on issues raised directly by South Dublin County Council has been very poor. In an effort to be helpful on the matter and to quantify it, he made a freedom of information request and provided the information to me. The number of letters issued to Ministers following motions at council meetings from the period September 2016 to December 2017 is 87 but the council has received 43 replies to date, which have been included in the correspondence. The number of replies outstanding is 44, or half. If it would be of assistance we could probably publish, name and shame, but it is not about that. A significant number of replies have not been issued. Can the Taoiseach arrange with his colleagues to deal with this effectively? It is not just one Department, but multiple Departments. I am sure that if it applies to South Dublin County Council, it also applies to other local authorities.

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): Transparency is very important when it comes to the work of local authorities and ensuring that the questions they put to Departments are answered efficiently. I will take that correspondence from the Deputy, because I have not seen it, and I will talk to officials in the Department to see how we can ensure that every Department replies to questions from local authorities across the country.

Deputy Eugene Murphy: The programme for Government states that there will be a gradual improvement in our health services. It also refers to the ambulance service. I wish I did not have to bring to the Taoiseach's attention an incident that occurred in my county about a week ago.

An Leas-Cheann Comhairle: Is this about the programme for Government?

Deputy Eugene Murphy: It is part of the programme for Government with regard to health. A 13 year old girl with severe cardiac issues waited an hour for an ambulance in Loughglinn in west Roscommon. Eventually an ambulance from Sligo arrived at the scene. However, only for neighbours and a nurse I do not know if that girl would be alive today. As the Minister, Deputy Ring, will be aware, there is no ambulance in west Roscommon. What is most insulting is that the HSE took over the old Garda station, opened an ambulance base, put the light on in the building and when there is an ambulance available at Roscommon University Hospital, it is parked now and again at the building. This is not good enough and people are very concerned. When will County Roscommon get a few extra ambulances in order that the lives of people, such as that young girl who had to wait an hour for an ambulance, are not threatened?

The Taoiseach: It is neither my function nor that of the Minister for Health to determine where ambulances are located. Rather, it is a matter for the National Ambulance Service, which has received a budget increase every year in recent years. It is for that service to decide where it is best to locate new ambulances. However, it is important to bear in mind that it now uses a dynamic deployment system whereby rather than being assigned to specific areas, ambulances operate as a fleet, with the nearest one to a call attending the location. I acknowledge that targets on response times are not being met and the Minister is very aware of that.

Deputy Sean Fleming: On the new mortgage-to-rent scheme that has been promised, some years ago the Government introduced a mortgage-to-rent scheme in respect of which the Government bowed to pressure and gave the banks a veto such that a bank could go after a customer for the negative equity even when that person gave up the title to his or her property. A new scheme is now being introduced. The old scheme was a failure, with only a few hundred people

out of tens of thousands, or possibly 1% of intended recipients, benefiting from it. We are now moving to a new scheme and the banks have given a commitment that they will not follow people for the negative equity, although there is probably less negative equity in the market in view of rising house prices.

Having had a similar scheme for years, the Government is now talking about introducing a very limited pilot scheme. Private investors and approved housing bodies want to get involved in the scheme, funding is available and the banks are willing to co-operate. What is stopping the Government from allowing the scheme this progress to full implementation? The proposed pilot scheme will run for the rest of the year and it is possible that only a couple of dozen people will benefit during 2018, following which there is a commitment to review the pilot scheme. The scheme will not be fully implemented for years to come.

Deputy Eoghan Murphy: I am unclear on the scheme to which Deputy Fleming refers. Is it the Rebuilding Ireland home loan scheme, the repair-and-leasing scheme or the enhanced leasing scheme?

Deputy Sean Fleming: The mortgage-to-rent scheme.

Deputy Eoghan Murphy: I beg the Deputy's pardon. We have put out an expression of interest for a new mortgage-to-rent scheme, as referenced by the Deputy, and are currently working on it. Under the previous mortgage-to-rent scheme, we moved to a position with one of the approved housing bodies whereby it would take bundles of loans from the banks and debt would be written off. Under the expression of interest for the new scheme, we will have far more take-up than previously was the case. A review was carried out to identify problems with the former scheme although it is working effectively with one housing body that launched its proposals in the past year. Improvements can be made and that now is being done with the new scheme. The responses to expressions of interest should be back to me within a couple of weeks.

Finance (Office of Tax Simplification) Bill 2018: First Stage

Deputy Michael McGrath: I move:

That leave be granted to introduce a Bill entitled an Act to create an office of tax simplification for a time limited period of five years to advise the Minister of Finance on such matters.

I am pleased to introduce the Finance (Office of Tax Simplification) Bill 2018. The simplification of our tax code is at the core of the Bill. In an ever-changing global environment, it is essential that Ireland remains ahead of the curve when it comes to a consistent, simple and efficient tax system. The tax strategy group publishes its work in the lead-up to the budget every year. That work offers a valuable insight into possible changes in the various strands of our tax regime, ranging from income tax and corporation tax to value-added tax. The Bill does not seek to replace the group but, rather, to complement it. While the tax strategy group would continue its work on general taxation, the office of tax simplification would specifically look at making the tax system easier for all users, including the Revenue Commissioners. The proposed office would bring forward recommendations on how the tax code could be simplified. Crucially, the Bill has a time-bound element to it to ensure the office does not turn into another quango.

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A similar office was established in the United Kingdom. It was asked to advise on ways to simplify inheritance tax in the UK by the Chancellor of the Exchequer. The current tax director of the office in the UK, speaking on inheritance tax, stated, “Some of those who deal with inheritance tax will be private individuals who are already dealing with difficult circumstances, so the complexities of the administrative aspects of this tax may be particularly challenging.” That case perfectly sums up the role the office of tax simplification could play and how useful it could be in an Irish setting.

The cost of doing business in Ireland must be closely monitored at all times. We are a small, open economy on the periphery of Europe and it is imperative that we remain competitive in a challenging global environment. If another country has a better offering, it will get the investment and jobs. Taxation is a significant cost for large and small companies, not only in terms of the tax incurred but also the administrative burden. By reducing the compliance costs for businesses, we can reduce the cost of doing business in Ireland.

Behavioural economists often argue that if one wishes for people to comply with something, one has to make it simple. By making the tax code simple for people to understand, we would increase compliance. Most people and companies in Ireland endeavour to be tax compliant but some fail to comply through a lack of understanding. Ignorance is not a defence for non-compliance but we must recognise that simplifying the tax code would bring people into the tax net.

The argument also works the other way. There are a large number of credits, reliefs, exemptions and reductions across many areas of the taxation system. In many cases, people do not apply for such benefits because it is challenging for them to understand whether or not they qualify. That is particularly the position in respect of certain tax credits. As a consequence, some targeted reliefs and benefits are not as effective as they could be.

It is important to note the benefits a simple code would have for the Revenue Commissioners. Under a simpler tax code, it would be easier for Revenue to determine whether an individual or company is tax compliant. A simpler tax code would serve to improve compliance and assist the Revenue Commissioners in focusing on the real tax cheats in our society.

The Bill is not revolutionary. It is straightforward in its objective and tackles a very specific issue. I hope that the House will get behind and support it in order that we can work towards a simple, efficient and consistent tax code that is more competitive than is currently the case.

An Leas-Cheann Comhairle: Is the Bill opposed?

Minister of State at the Department of Culture, Heritage and the Gaeltacht (Deputy Joe McHugh): No.

Question put and agreed to.

An Leas-Cheann Comhairle: Since this is a Private Members’ Bill, Second Stage must, under Standing Orders, be taken in Private Members’ time.

Deputy Michael McGrath: I move: “That the Bill be taken in Private Members’ time.”

Question put and agreed to.

Sectoral Employment Order (Mechanical Engineering Building Services Contracting Sector) 2018: Referral to Joint Committee

Minister of State at the Department of Culture, Heritage and the Gaeltacht (Deputy Joe McHugh): I move:

That the proposal that Dáil Éireann approves the following Order in draft:

Sectoral Employment Order (Mechanical Engineering Building Services Contracting Sector) 2018,

a copy of which has been laid in draft form before Dáil Éireann on 25 January 2018, be referred to the Joint Committee on Business, Enterprise and Innovation, in accordance with Standing Order 84A(4)(k), which, not later than 20 February 2018, shall send a message to the Dáil in the manner prescribed in Standing Order 90, and Standing Order 89(2) shall accordingly apply.

Question put and agreed to.

Ceisteanna - Questions

An Leas-Cheann Comhairle: The first group have given approval to Deputy Cullinane to substitute for Deputies Adams, Burton and Howlin, who are not present due to the death of the former Ceann Comhairle.

Cabinet Committees

1. **Deputy Gerry Adams** asked the Taoiseach if he will establish a Cabinet committee with responsibility for Irish unity. [1829/18]

2. **Deputy Gerry Adams** asked the Taoiseach when Cabinet committee C, European Union, including Brexit, last met; and when it is scheduled to meet again. [3051/18]

3. **Deputy Micheál Martin** asked the Taoiseach when Cabinet committee C, European Union, including Brexit, last met. [3062/18]

4. **Deputy Brendan Howlin** asked the Taoiseach when Cabinet committee C, European Union, including Brexit, last met; and when it will next meet. [4552/18]

5. **Deputy Richard Boyd Barrett** asked the Taoiseach when Cabinet committee C, European Union, including Brexit, last met. [5691/18]

6. **Deputy Joan Burton** asked the Taoiseach when Cabinet committee C, European Union, including Brexit, last met. [5727/18]

The Taoiseach: I propose to take Questions Nos. 1 to 6, inclusive, together.

Cabinet committees are used to ensure a whole-of-Government, co-ordinated approach on issues, as necessary. They often allow for more in-depth examination of issues in advance of

consideration by the full Cabinet.

Cabinet committee C assists the Government in its ongoing consideration of Brexit and other EU issues. It is also of use in the context of my participation as a member of the European Council. It last met on 11 September and is scheduled to meet again this month.

In the intervening period, there has been regular discussion of issues relating to Brexit at full Cabinet meetings, including in the run-up to the December agreement between the EU and the United Kingdom and at the all-day meeting in Cork on 13 October last year. In addition to meetings of the full Cabinet and its committees, I meet Ministers on an individual basis, as required, to focus on particular issues with a view to seeing how the Government can best support delivery of priorities and commitments. There is also ongoing and regular co-ordination of EU and Brexit issues at official level, including through meetings of inter-departmental senior officials groups, a number of which are chaired by officials of my Department.

The question of Irish unity is governed by the provisions of the Good Friday Agreement. Issues relating to Northern Ireland are regularly considered by Ministers and the Government. We do not need a new Cabinet committee in that regard. More generally, the North-South Ministerial Council is the best forum to advance North-South issues and co-operation. I hope we will see early restoration of the institutions of the Good Friday Agreement and urge all the political parties to work to that end.

Deputy David Cullinane: In my party's view, the Government and the political parties in the Dáil need to get to grips with the reality that it is no longer tenable to speak rhetorically about Irish unity. The Taoiseach is right when he speaks about the provisions of the Good Friday Agreement. It provided a democratic and peaceful means of achieving Irish unity. If we want Irish unity, however, we must put bones on exactly how that is going to be brought about. Sinn Féin put forward a practical proposal to have an all-party committee in the House to examine how that could be done. We are aware that recent population changes in the North have underpinned the need for such an approach. We also know that the census in the North, which for the first time asked about identity, revealed that those who view themselves as British are now a minority at 48%. Unionists have, for the first time, lost their majority in the Assembly. In the same census, those who define themselves as Irish were at 45%. While I wish to see a united Ireland, I also wish to see one in which those who are British and those who have a different identity are comfortable and where their rights are fully protected. I have always maintained, as does my party, that unionists in a united Ireland can never be treated like nationalists have been treated in a partitioned Ireland. We want a new republic and we want a different type of Ireland, North and South. We do not want to peg North and South together to simply have a united Ireland but not a united people. That is the type of Ireland I want to build. It makes practical sense to have a committee in this House that would look at how we can practically work towards Irish unity.

I was not surprised that the leader of Fianna Fáil rejected such an offer, given that he is the most pro-unionist leader of his party, certainly in my lifetime and possibly for longer than that. I expected, however, that the new Taoiseach would see the reality of what is before him; that this is a realistic practical proposal by Sinn Féin. The Taoiseach asks for proposals all the time, and when we give them to the Taoiseach, he rejects them. I am asking him to reconsider it because it is in the spirit of wanting to work towards Irish unity in a practical way.

An Leas-Cheann Comhairle: The Deputy should note I want to cover as many questions

as possible. We shall take all the supplementary questions together. I call Deputy Martin.

Deputy Micheál Martin: On a point of order, I thought the Irish unity issue would have been a separate question to that on the Cabinet sub-committee. Could we have a bit more time? Essentially we are asking two questions; one on Brexit and the European Union and one on Irish unity.

Deputy David Cullinane: It was agreed to group them.

An Leas-Cheann Comhairle: Questions Nos. 1 to 6, inclusive, have been grouped by the relevant people.

Deputy Micheál Martin: They are two very separate questions.

An Leas-Cheann Comhairle: We will see how we get on.

Deputy Micheál Martin: I will do my best. On the question on Irish unity, one point that has caused a lot of division in recent years is that many people are getting tired of the politics of the empty gesture. The only credible way of achieving Irish unity remains in showing the majority in the North the strength of our community of interests and that we utterly reject the zero-sum sectarianism, of which there is sadly still too much in this House and in Irish politics.

When the leader of a party that claims to want unity says the equality agenda is “the Trojan horse of the entire republican strategy”, or when his hand-picked successor honours sectarian killers, that party shows an attitude that directly stands in the way of building support for unity. That is a fact.

Deputy David Cullinane: No. That is not a fact.

Deputy Micheál Martin: Sinn Féin represents the greatest barrier-----

Deputy David Cullinane: That is Deputy Martin’s propaganda.

Deputy Micheál Martin: -----to Irish unity. As a former Minister involved in North-South infrastructural development in education, health and enterprise, I regret very much the lack of progress on North-South infrastructure over the past eight or nine years. Will the Taoiseach tell the House of the North-South projects the Government is identifying, with the British Government and the Northern political system - as it now exists in the absence of the Executive - and about these developments. I believe that the failure to deliver the Narrow Water bridge project concretised and encapsulated in a nutshell the lack of energy and impetus regarding North-South co-operation on all sides, including Sinn Féin, the unionists and the Irish and British Governments. It was a classic project that had both communities from different traditions urging it on but through inertia and a lack of commitment, it failed to be delivered.

On the issue of the EU, I have a number of questions on Cabinet committee C. It is striking that the Cabinet sub-committee on Brexit has not met since September. This means that the Government’s proposals on Europe were not cleared by the Cabinet sub-committee or the ideas were not discussed there initially prior to the Taoiseach speaking to the European Parliament. Were they agreed with the Taoiseach’s colleagues beforehand?

As for the studies on the impact of Brexit, last week the Taoiseach listed a range of documents, including studies not carried out by the Government, but having reviewed the list the

fact remains the Government has not produced any report that goes into detail about the possible impact of likely scenarios or mitigating activities that might be required. We know about sectoral exposure because of work that was completed before the Taoiseach came into office but we do not know the sectoral impacts under various scenarios, including, for example, under a Canada-type trade deal or a South Korean-type trade deal. There is no clarity in respect of the services sector. We have had no debate about it. While everyone goes on about merchandise, hard borders and physical infrastructure, services are a huge part of the trade between east and west and North and South. We have not had enough focus on that and I question whether there is a whole-of-Government approach to Brexit or whether the other Departments are lagging far behind in engaging with the Taoiseach or the Tánaiste and Minister for Foreign Affairs and Trade.

Deputy Richard Boyd Barrett: My main question is about Palestine but I will briefly ask about the united Ireland issue. I agree with having the committee but if we want to further the drive towards Irish unity, we need to immediately separate church and State, get our schools and hospitals out of the hands of the Catholic Church and do something about the appalling lack of a universal, proper national health service that does not have people queuing for years on lists. In general, we need to improve social services, especially in the areas of housing. This would make the prospect of unity attractive and would be the best preparation to forward the struggle for Irish unity.

On Palestine, I am aware there were some discussions about the outrageous moves by the Trump Administration to recognise Jerusalem as the capital of Israel in what was a flagrant provocation of the entire Arab world and the Palestinian population. It reinforced even further the ethnic cleansing of Jerusalem and the illegal occupations of the West Bank by settlers. Is the Taoiseach willing to follow the example of Denmark? Whenever we ask why the Irish Government does not unilaterally show a bit of backbone on the issue of Palestine, recognise the state of Palestine and boycott Israel for what under international law and UN security resolutions is illegal activity in Jerusalem and the West Bank, the Government always hides behind the European Union. The Irish Government states it cannot do anything because Ireland is tied into the foreign policy of the European Union. Denmark, however, has proven that this is not the case. This month, Denmark has made a decision to boycott any companies that have any involvement whatsoever in the occupied territories. If Denmark can do it then we can do it. We should do it immediately. It is simply unconscionable how countries in Europe that claim to uphold human rights can stand by while Israel flagrantly acts in defiance of international law and flouts the human rights of Palestinian people in the occupied territories. Will the Taoiseach respond on whether we could follow the lead of Denmark and take independent, unilateral action to boycott Israel for its actions in the occupied territories?

The Taoiseach: I shall address the first matter on Irish unity. I reiterate the Government is committed to the Good Friday Agreement and we see ourselves as - and are - co-guarantors of that agreement. We should not forget that when the Good Friday Agreement was approved, it was approved by 97% of people voting in a referendum in this State and more than 70% of people voting in a referendum in Northern Ireland. Talks are under way in Stormont at present. As I speak, the Tánaiste and Minister for Foreign Affairs and Trade, Deputy Coveney, is in Belfast representing the Government. As those talks are at a very sensitive stage, today is not the day to be asserting our unionism or nationalism. I do not think any good purpose would be served by giving anyone any cause to take offence. I think that is all I will say for now. The Tánaiste is working very hard today in Belfast to try to help the parties, particularly the two

largest parties, to come to a compromise in order that the Executive and the Assembly can get up and running again.

Even though the Executive and the Assembly are not functioning, a great deal of good work is still being done with regard to North-South projects. For example, the cancer service at Altnagelvin Area Hospital in Derry is seeing patients from County Donegal who need radiotherapy every day. There is an agreement in place to ensure patients from County Donegal who have particular types of heart attacks can get primary percutaneous coronary intervention treatment in Altnagelvin in Derry, rather than in locations like Galway or Dublin, which are much further away. We are making very good progress on integrating cardiac surgery for children in order that children from the entire island of Ireland will have their cardiac surgery in Crumlin and subsequently, in the new national children's hospital.

The A5 project has received approval in Northern Ireland at long last. I anticipate that the sod will be turned on the first phase of that road this year. We are co-funding that. We are very keen to complete that project, which will connect Dublin to Derry and Letterkenny. It will pass through Northern Ireland and counties Monaghan and Meath. When I was looking at the travel times the other day, I noted that when the road has been completed, it will take an hour to drive from Emyvale to Derry. It will be quicker to drive from the northern part of Monaghan to Derry than to Dublin. This shows how infrastructure of this nature can change a country. We are very committed to this project.

Deputy Stephen S. Donnelly: Does the Taoiseach have a timeline for the N2?

The Taoiseach: Obviously, the ten-year infrastructure investment plan has not yet been agreed. It will be published when it has been agreed. As Deputy Donnelly will be aware, the Government is very committed to the A5 and N2 upgrades. Deputies will be aware that the Minister, Deputy Humphreys, is very committed to the Ulster Canal project. Approval is now in place for the North-South interconnector, which will integrate our energy markets. There was a lot of support for the Narrow Water bridge project, but there was also a lot of opposition to it.

Deputy Micheál Martin: From whom?

The Taoiseach: It came from different groups, including the fishermen who use the Narrow Water.

Deputy Micheál Martin: This is a new one on me.

The Taoiseach: No, it is not new at all.

Deputy Micheál Martin: The Taoiseach's predecessor, Deputy Enda Kenny, said the Government was in favour of it all along.

The Taoiseach: I had a little involvement with the project when I served as Minister for Transport, Tourism and Sport. There were objections from the fishing industry in the area and, more recently, those who operate a ferry service there.

Deputy Micheál Martin: That is not why it was not built.

The Taoiseach: This project has certainly not been ruled out. I think it is a very attractive project but it would require support from the Executive in Northern Ireland when it is up and

running. The Government will be supportive of it when it gets to that point.

Deputy Micheál Martin: The Government lost the chance for direct funding. The Taoiseach is being disingenuous and dishonest.

The Taoiseach: Funding has been released to allow progress to be made with the north-west gateway project between Derry and Donegal. A great deal of low-key co-operation is happening under the radar. Maybe that is sometimes the best type of co-operation that happens between North and South. On the health side, some patients are now attending the new hospital in Enniskillen, which is helping us with our waiting lists.

Cabinet committee C involves approximately 40 people including some, but not all, Ministers and many officials. As a Cabinet sub-committee, it is not empowered to make any decisions on behalf of the Government. We use it, by and large, as a clearing house to make sure everyone is informed about what is going on. When decisions have to be made, they are made by the Cabinet. There have been a number of special Cabinet meetings on Brexit, including one in December at which Government support for the EU-UK report was approved. I imagine there will be further meetings of that nature in the coming weeks as well.

Speeches that are made by me, the Tánaiste or the Minister of State with responsibility for European affairs do not require Government approval. I have spent seven years serving at Cabinet level and I have never seen a speech being agreed by the Cabinet.

Deputy Micheál Martin: I was not referring to the speech itself but to the Government's policy on the future of Europe.

The Taoiseach: Perhaps it was different in the past.

Deputy Micheál Martin: Is it the case that the policy on the future of Europe does not require any discussion at Cabinet level? If so, that is an extraordinary statement.

The Taoiseach: The Government's position on Palestine is clear. We support the establishment of a Palestinian state. No such state exists at present. The Palestinian territories are occupied by Israel. We have taken a decision not to recognise a state that does not yet exist. It is very much our view that Jerusalem and the state of Jerusalem should be settled as part of a final stated agreement between Israel and the Palestinians. In the meantime, our embassy will stay in Tel Aviv. I am not up to date with the foreign policy position Denmark is taking in this regard, but we have to bear in mind that when a country recognises Palestine, Israel interprets that in the same way as the Palestinians have interpreted the US Government's decision to recognise Jerusalem as the capital of Israel. I understand this has happened in the case of Sweden. The Israeli Government has a tendency to disengage with countries that recognise the state of Palestine. That could undermine the important humanitarian work we do in that region. We have plans to intensify and increase the humanitarian work we do in the Palestinian territories. We have to consider that this work could be undermined.

An Leas-Cheann Comhairle: If we proceed now to the next group of questions, comprising Questions Nos. 7 to 10, inclusive, I think we will get to the third group of questions.

Departmental Priorities

7. **Deputy Micheál Martin** asked the Taoiseach to set out his Department's priorities for 2018. [2111/18]

8. **Deputy Gerry Adams** asked the Taoiseach if he will report on his Department's priorities for 2018. [3052/18]

9. **Deputy Richard Boyd Barrett** asked the Taoiseach to set out his Department's priorities for 2018. [3091/18]

10. **Deputy Brendan Howlin** asked the Taoiseach if he will report on the priorities of his Department for 2018. [5417/18]

The Taoiseach: I propose to take Questions Nos. 7 to 10, inclusive, together.

The Department of the Taoiseach recently published its revised statement of strategy, which reflects the priorities for the period ahead and the changes that have taken place since my appointment as Taoiseach. The establishment of a new configuration of Cabinet committees encompasses the Government's national priorities for the coming years. The statement of strategy reflects the Department's role in supporting the Taoiseach and the Government to develop a sustainable economy and a successful society, to pursue Ireland's interests abroad, to implement the Government's programme and to build a better future for Ireland and all of its citizens.

The statement of strategy, which is aligned to the Government's key priorities and policies, sets out six strategic priorities: providing excellent support services for the Taoiseach and the Government, ensuring Ireland has a sustainable economy, helping to ensure Government policies and services support a socially inclusive and fair society, ensuring Ireland maintains strong relationships in Europe and the world, ensuring the best possible outcomes for Ireland from the Brexit negotiations across all four priorities identified by the Government and planning for the future in the context of the many uncertainties arising in the international environment. It also incorporates the work of the Department linked to specific initiatives, including work relating to the Citizens' Assembly, data protection, strategic communications and a number of statutory inquiries.

Arising from the work to date of the Citizens' Assembly and the work of the previous Constitutional Convention, the Government has published an indicative timetable for a number of referendums in 2018 and 2019. The Government has a number of key priorities for the immediate period ahead. The Department of the Taoiseach, along with other relevant Departments, will assist in making progress with these priorities, which include Northern Ireland, the publication of the national planning framework and the ten-year infrastructure plan, the Brexit negotiations, the ongoing reform of the justice and health sectors, the doubling of Ireland's global footprint, reform of the Seanad, climate change, pension reform and housing. The protection of Ireland's growing economy is critical to ensuring Ireland is an equal society that creates equal opportunities for all of its people to participate and share in its prosperity. The new revised statement of strategy will guide the work of the Department in achieving these goals in the years ahead.

Deputy Micheál Martin: On the priorities of the Department of the Taoiseach, I referred during our discussion on the previous group of questions to the need for sectoral impact studies in the context of Brexit. I put it to the Taoiseach that we do not know what the sectoral impacts will be under the various scenarios that may emerge from the EU-UK deal on Brexit, if

such a deal emerges. I am thinking particularly of the possibility of a Canada-style or a South Korea-style deal. There is a lack of clarity in respect of the services sector. I ask the Taoiseach to indicate whether further work on the sectoral impacts of Brexit will be published as part of the Department's priority work. If so, when will it be published? The Taoiseach gave commitments in that regard when he was appointed as Taoiseach. He said that detailed sectoral impact studies would be done under various scenarios.

I make the point that the Taoiseach's speech to the European Parliament was about the future of Europe. The entire purpose of Cabinet committee C on European affairs is to discuss that issue and issues like it. I am not talking about the mere speech itself; I am talking about proposals about the future of Europe emanating from the Government on behalf of the country. The Taoiseach promised that there would be consultation with the Dáil on such proposals. Is he now suggesting that when he goes off to speak about Ireland's position on profound issues like the future evolution and development of Europe, he does not have to consult his Cabinet colleagues, a Cabinet committee or indeed the Dáil? I do not think that is the case. There is an onus to have full engagement with the Dáil on key issues about the future of Europe. For example, can the Taoiseach tell us if he has commissioned any studies on the impact of new digital taxes since this matter was last discussed? We know the Taoiseach is against harmonisation as we are and as are the people. What we do not know is whether concrete steps have been taken to move the discussion on digital taxation from broad generalities to hard specifics. Only when this is done can there be any idea about the implications for Ireland and other countries.

In terms of the Taoiseach's departmental priorities, clearly propaganda will be a core priority with €5 million being spent on priorities decided by the Taoiseach before any public consultation was launched. When this was last discussed, the Taoiseach laughed at the idea that he was deciding on ad buying. Of course he is not buying ads; he has an entire section created within his Department to do that for him. We were promised last year in the Dáil that the market research commissioned to guide the new unit would be made available to us before the marketing campaigns were implemented. This has not happened. Can the Taoiseach explain why it has not happened? Can he confirm that no campaign will be rolled out before the background documentation is made available for scrutiny?

Deputy David Cullinane: There are many priorities for the Taoiseach's Department in the coming year. I would imagine that the publication of the national planning framework and, more significantly, its implementation are massively important. My party has engaged very extensively with this process and we have made a number of detailed submissions. We know it is important that we get this right. We all want a thriving capital city in Dublin, where there are huge pressures on public services, housing, public transport, infrastructure and population growth. We also need a release valve in different parts of the country and in the regional cities to ensure that we have significant population growth in areas outside Dublin.

There are concerns about the plan. We have an issue about the serious imbalance between the plans for urban and rural areas. We also have significant concerns about its proposals for the north west and the vagueness of the North-South dimension. Given the Brexit issue we discussed earlier, I imagine that an all-island and North-South impact and focus would need to be front and centre in any national planning framework.

In respect of the south east and my constituency, there is hope for a very important project as part of the national planning framework. That is the North Quays, where €300 million of private sector investment is being put on the table and €60 million to €70 million of State fund-

ing is necessary to realise the project and get it over the line. This is one of a number of projects which need to underpin any national planning framework if it is to be successful and if it is to be aligned with capital infrastructure. Can the Taoiseach inform the House if plans and proposals like the North Quays project will feature and be properly funded so that we can actually allow those cities that will be identified as regional cities to grow their populations, provide leadership and provide the capacity that is necessary for the entire region and, in that case, the south east to grow and develop? I would appreciate if the Taoiseach could give a response specifically on that issue but also more widely on the national planning framework and its impact on the entire island.

Deputy Richard Boyd Barrett: There are many priorities one could talk about but I want to focus on one of them. I believe the Cabinet is, sadly, 11 years on, still discussing the ratification of the UN Convention on the Rights of Persons with Disabilities. I hear that we are close to the moment when the Government will ratify it. While I hope that happens, I want to know what the Taoiseach intends to do to actually implement it and to ensure that people with disabilities receive the equality of treatment, support and services that they need to make the convention a reality.

I will cite one example of what I mean. We submitted a parliamentary question in the past week or two about waiting times for walk-in showers for elderly and disabled people in Dún Laoghaire. Quite to our shock, we discovered the waiting time is 18 months. Many of those people cannot be released from hospital and are blocking up beds because they cannot get a walk-in shower. The waiting list for ramps is ten months. People often cannot be released from hospital because of this and the council says it is because it has difficulty getting contractors to do the work. They are absolutely unacceptable waiting times for people who really need things such as ramps, grab rails and showers in particular because of the difficulty getting contractors; in other words, the outsourcing process is preventing it.

The obvious answer is to return to directly employing people in the maintenance departments of local authorities so they do not have to spend six or eight months trying to identify a contractor. We would then have people employed by the local authorities directly to go out and install these things for people with disabilities and the elderly. Would the Taoiseach consider that? The unacceptable situation in Dún Laoghaire is almost certainly replicated right around the country and it is people with disabilities who are suffering the consequences.

The Taoiseach: Beginning with the sectoral analyses with regard to Brexit, last week I listed the documents and studies that have been published already. I think there have been 20 or 30 and more are forthcoming. We need to acknowledge that they are largely speculative. We do not actually know what the new relationship between the UK and the EU is going to be or whether there will be a different relationship between Britain and Ireland specifically. I think we will have a better idea in that regard in the next few weeks. The most important thing and our priority at the moment is to ensure that there is a transition period so that we actually have time as individuals, as a Government and as businesses to prepare for any long-term permanent changes that may take place in the relationship between the European Union and the United Kingdom.

In terms of my speech to the European Parliament, it very much reflected my own views on the future of Europe but was also in line with Government policy. The draft and text of the speech were shared with other Ministers and there was certainly nothing I said about tax or the multiannual financial framework with which the Minister, Deputy Paschal Donohoe, would

disagree. Nothing I said about the future of Europe contained anything with which the Tánaiste and Minister for Foreign Affairs and Trade, Simon Coveney, or the Minister of State, Helen McEntee, would disagree. On Brexit, my words absolutely and totally reflected Government policy and priorities.

My Department is currently co-ordinating two information campaigns. One is the Healthy Ireland information campaign, which is a cross-Government initiative to encourage people to take charge of their health, improve their health as individuals and also to improve the health of our society. Another campaign that is now under way targets the self-employed and informs them of the supports that the Government provides for setting up businesses, the tax changes we are making to bring about tax equality for the self-employed and also the new benefits we have extended to the self-employed in recent years, such as paternity benefit, dental treatment benefit, invalidity pension on a non-means tested basis for the first time-----

Deputy Micheál Martin: Has the market research been published?

The Taoiseach: As I said to the Deputy previously, I am not involved in buying any ads or doing any market research, and I have not seen any market research either for that matter

Deputy Micheál Martin: The Taoiseach said it in a formal reply to the House. I am not being flippant about this - he said it, not us.

The Taoiseach: Said what?

Deputy Micheál Martin: That market research would be commissioned by this famous strategic communications unit to inform the campaigns that were going to be launched. The Taoiseach has launched campaigns without any market research being published from what we can see. That is all I am asking. Can the Taoiseach make it available?

The Taoiseach: As I said, I disengaged from any personal involvement in the operations of the communications unit some months ago-----

Deputy Micheál Martin: After the Taoiseach appointed the head person.

The Taoiseach: Certainly if any market research has been done, I have not seen it myself but I have absolutely no difficulty with it being published.

In respect of the matters raised by Deputy Boyd Barrett, there is a labour and skills shortage across the construction sector which is causing difficulties. It is driving up tender prices and making it harder for us to accelerate house building to the extent we would like, notwithstanding the fact that there were probably more houses built last year in Ireland than in any year of the past decade. That is a problem and it belies the fact that so many people here promise that if they were in government, they would be able to build tens of thousands of houses overnight or next year. That is not the case.

Deputy Richard Boyd Barrett: If the pay was better we would get the workers.

The Taoiseach: We have a labour and skills shortage but we are dealing with that by expanding the number of apprentices very considerably. We are seeing skilled construction workers migrating into the country again because they are paid better here than in other countries. Whether local authorities want to take people on as direct employees is entirely a matter for them and they can do so if they wish. However, let us not forget there are many sectors in which

there is direct employment by the State, like health care, for example, where there also are skills shortages and labour shortages. The assumption that moving back to direct employment will eliminate a skills shortage is incorrect.

Official Engagements

11. **Deputy Joan Burton** asked the Taoiseach if he will report on his meeting with the President of the European Parliament, Mr Antonio Tajani, on 17 January 2018. [3003/18]

12. **Deputy Micheál Martin** asked the Taoiseach if he will report on his visit to the European Parliament; the meetings he attended; and the issues that were discussed. [3060/18]

13. **Deputy Gerry Adams** asked the Taoiseach if he will report on his address to the European Parliament on 17 January 2018. [3125/18]

14. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his address to the European Parliament on 17 January 2018. [3129/18]

15. **Deputy Micheál Martin** asked the Taoiseach if his statement to the European Parliament represents the Government's official position for the forthcoming negotiations for the European Council. [3174/18]

16. **Deputy Brendan Howlin** asked the Taoiseach if he will report on his visit to the European Parliament on 18 January 2018. [3378/18]

17. **Deputy Micheál Martin** asked the Taoiseach the meetings he attended while in Strasbourg; and the issues that were discussed. [3443/18]

18. **Deputy Gerry Adams** asked the Taoiseach the meetings he attended during his recent visit to Strasbourg. [4385/18]

Leo Varadkar: I propose to take Questions Nos. 11 to 18, inclusive, together.

I was honoured to be the first EU Head of Government to be invited to take part in the European Parliament debate series on the future of Europe. My speech to the European Parliament took place in Strasbourg on 17 January. In my intervention, I spoke about the achievements of the European Union, the benefits for Ireland of EU membership, and my thoughts about how best the Union should evolve for the future. I also spoke in some detail about the Brexit negotiations.

I stressed the importance of our values - respect for human rights, fundamental freedoms and the rule of law – and the principles of solidarity, partnership and co-operation and how we need to keep these to the fore as we respond to the challenges and opportunities of the 21st century. I said that Europe needs a forward-looking agenda with ambition and direction. Acknowledging the achievements of the European Union, we can lead the way with imagination, creativity, and courage and create opportunities for all our citizens.

Rather than looking for great institutional changes, we should focus on implementing what we have already agreed. This should include completing the Single Market, the digital Single Market, the capital markets union and banking union with a view to delivering concrete benefits for our citizens in areas that directly affect their lives.

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I stressed that the needs and expectations of our citizens must inform thinking about Europe's future and that a wide debate is therefore crucial. I outlined Ireland's Citizens' Dialogue on the Future of Europe, which I launched in Trinity College last November and which will run until 9 May, Europe Day. Our aim with this is to facilitate an open and wide-ranging debate with our citizens which will help to inform our approach on a range of key issues.

On Brexit, I highlighted the unique challenges this poses for Ireland and thanked the European Parliament for its strong support and solidarity in the negotiations to date. I also stressed the need to ensure the commitments and principles agreed in December are translated into the withdrawal agreement. I also noted our ambition for a close and comprehensive future relationship between the European Union and the United Kingdom.

In their interventions, Members of the European Parliament reiterated their support for Ireland in respect of Brexit. President Juncker's statement that we are all Irish was particularly welcome, as is the Commission's commitment to propose continued PEACE funding beyond 2020.

In addition to the debate, I had a bilateral meeting in Strasbourg with the President of the European Parliament, Antonio Tajani. I thanked him for his strong support with regard to Brexit. We also exchanged views on the future of Europe and I expressed appreciation for his initiative in bringing forward the series of debates in the European Parliament. I also had a bilateral meeting with the European Parliament's chief Brexit co-ordinator, Guy Verhofstadt. We discussed developments since our last meeting in Dublin in September, and I expressed my sincere appreciation for his understanding and his commitment to ensuring that Ireland's unique concerns are addressed. I also attended a lunch hosted by the first Vice-President of the Parliament, Mairead McGuinness, which was also attended by party group leaders and other MEPs.

I met briefly and exchanged a few words with President Juncker and Michel Barnier, although I did not have a formal bilateral meeting with either. I had a short bilateral meeting with Commission Vice-President Katainen in relation to Mercosur. I emphasised our commitment to free trade generally but highlighted our strong concerns around the very sensitive beef sector and our views on what should and should not be included in any agreement.

Deputy Micheál Martin: I find how the Taoiseach has articulated this to be extraordinary. He said that he spoke on his thoughts about how Europe should evolve and on the future of Europe. He said two or three times today that he did not share his speech to the European Parliament with any of his Cabinet colleagues. I must remind him that the constitutional framework under which he has his position is far different to that of President Macron or indeed President Trump. Those leaders are directly elected by the people. The Taoiseach is not directly elected by the people. Parliament elected him as Taoiseach and when he speaks to the European Parliament on the future of Europe he speaks as Head of the Irish Government, not in a personal capacity. I find it extraordinary that he has presented a case today that, in speaking to the European Parliament, he was essentially speaking in a personal capacity.

The future of Europe is not an issue of conscience. It is an issue of substantive policy and it is extraordinary that in preparing a presentation to the European Parliament on a live debate on the future of Europe, he does not feel any necessity to convene a Cabinet sub-committee, which is specifically in place, on Europe. He did not consult with his Cabinet colleagues or the Parliament here in terms of the future of Europe, including issues such as federalisation and a closer banking union or what will happen if there are further issues with banks concerning guarantees

of deposits. There is a whole range of issues out there. Some of the European leaders are pushing for closer harmonisation and closer integration, while others are pursuing different agendas.

From the Taoiseach's perspective, only his personal thoughts were articulated. That is an extraordinary take on the situation and in my view is an incorrect approach that is not in keeping with the constitutional framework governing the position he holds as Taoiseach of the country. We function with collective responsibility in this Parliament. He is a member of Government and he speaks on behalf of that Government. He should not speak in a personal capacity on such a key issue, which involves all of our futures. He committed to prior consultation with this Parliament prior to major European debates, and he did not do so on this occasion. He might indicate the reason why that happened.

Deputy David Cullinane: I will focus on the Taoiseach's address in the European Parliament and the meetings he attended in Strasbourg and will turn to the theme of Brexit, which dominated and underpinned both of those events. Downing Street has unfortunately restated its determination to leave the customs union and Single Market in the past 48 hours. Mr. Barnier stated yesterday that Britain will face unavoidable barriers to trade if that happens. The Taoiseach and I can agree that both of us want Britain and the North of Ireland to stay in the customs union and the Single Market. We both desire that and notwithstanding any backstop agreement that might be in place, that is the best outcome for Ireland. I appreciate there is a difficulty where there is a negotiation between Britain and all of the other member states while within Britain, the Tory Party is divided with different opinions held within it. It is very difficult to know who has the upper hand and what exactly is happening and what exactly the British Government wants at any given time.

Given those meetings, is the Taoiseach in a position to update the House on his assessment as to where Downing Street and the British Government stand on any trade deal that might emerge and on what are their intentions? It seems that those who advocate a hard
4 o'clock Brexit are again gaining the upper hand and that is playing out in a potential leadership struggle within the Tory Party. We cannot become collateral damage in any of that. We cannot allow Ireland to become collateral damage in any of that. It is important that we have as much clarity as possible.

Can the Taoiseach update the House as to when he expects the distinct strand of discussions on the Irish issues to take place? We were promised trade talks between Britain and the European Union on the future trade agreement to be put in place but also parallel talks about how we put flesh on the bones of the joint report on Ireland that was agreed and when that will be put front and centre.

Deputy Richard Boyd Barrett: I find that there is regularly an Orwellian disconnect between the pious rhetoric often associated with these set piece speeches in Europe and the aspirations that are articulated and the reality of what is actually happening in Europe.

The Taoiseach spoke about a Europe which respects the rule of law and human rights, and about peace. He then contrasted that with 90 emigrants drowning in the Mediterranean. This month, 246 people on one boat drowned because Europe does not want to let them in and because of what European states have done to wreck Libya and the consequences of that. Where is the respect for human rights and the sense of solidarity in all of that? I do not understand it.

Similarly, to return to the issue of Palestine, I do not understand how we can talk about

respect for the rule of law and yet the European Union does nothing whatsoever about the fact that Israel acts flagrantly in breach of United Nations security resolutions on the illegal occupation of Palestinian territories. There is ongoing ethnic cleansing but it does nothing. It does nothing about the fact that it continues its murderous siege of the people of Gaza, and sanctions are not taken. I genuinely do not understand it. At a certain point, the world acknowledged that apartheid South Africa was a regime that could not continue. At what point will the European Union say that Israel's treatment of the Palestinians cannot continue, that we will no longer continue to treat it as a normal state and that we will impose some sort of sanctions? We have tried conciliation for decades and it has not worked. The situation just gets worse.

Deputy Micheál Martin: Before the Taoiseach comes in, I would not want to inadvertently mislead the House. The Taoiseach tendered for market research on that issue and we were told it would be published. He might check that.

The Taoiseach: None of my Department's tenders are run by me, nor do they have to be-----

Deputy Micheál Martin: I am not saying that. The Taoiseach said it in the House.

The Taoiseach: -----but I am happy to confirm once again that I have no difficulty whatsoever in publishing the outcome of any market research commissioned by my Department. I am happy to give that commitment.

In terms of my speech to the European Parliament, I was not speaking in a personal capacity; I was speaking as Head of Government. I was invited there as Head of Government but it is not required and has never been required that speeches made by a Taoiseach, a Tánaiste or a Minister in any international forum, whether it is the United Nations, the Council of Europe-----

Deputy Micheál Martin: I am not saying that. The Taoiseach knows what I am saying. I am talking about the policy on the future of Europe.

The Taoiseach: -----the European Parliament or any other parliament requires a Government decision or parliamentary approval. Anything that requires a Government decision has to go to Cabinet and anything that requires parliamentary approval has to come to this House and the Seanad. I did not make any policy commitments on behalf of the Government or the country and anything I said was very much in line with Government policy. If there is something in particular I said that Deputy Micheál Martin objected to or that was contrary to Government policy-----

Deputy Micheál Martin: No.

The Taoiseach: -----or against the wishes of the Oireachtas, he might inform me because I would like to know. However, it seems that----

Deputy Micheál Martin: It is extraordinary, from a policy perspective, that the Cabinet committee would not meet to discuss such a matter. The future of Europe is a very important issue.

The Taoiseach: Yes.

Deputy Micheál Martin: Surely the Taoiseach would accept that, and yet he goes off on a soliloquy.

The Taoiseach: It seems that the Deputy is more interested in process than substance.

Deputy Micheál Martin: No. Substance.

The Taoiseach: If there was anything of substance that-----

Deputy Micheál Martin: I am more interested in substance than public relations.

The Taoiseach: -----Fianna Fáil objected to, I would have thought it would have been mentioned or raised by now.

Acting Chairman (Deputy John Lahart): There are just ten seconds left in this process.

Deputy Micheál Martin: Is the Taoiseach saying that the speech had no substance?

The Taoiseach: I am saying that the criticisms the Deputy offered relate entirely process and not substance.

Deputy Micheál Martin: No. It is more process.

The Taoiseach: If the difference between us is process rather than substance, fair enough. If the Deputy has any substantial criticism of anything I said to the European Parliament, he might have mentioned it. However, he did not.

Acting Chairman (Deputy John Lahart): Sadly, the process of Taoiseach's questions has come to an end.

Topical Issue Matters

Acting Chairman (Deputy John Lahart): I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy Niamh Smyth - the need to discuss ambulance response times in Cavan-Monaghan; (2) Deputy Michael Harty - marine rescue services at Kilkee; (3) Deputies Mary Butler and Frank O'Rourke - to discuss the recent inclusion of a diabetes management device, only for children with type 1 diabetes; (4) Deputy Thomas Byrne - the need for a Garda station in Ratoath, County Meath; (5) Deputy Joan Burton - the need to screen all staff who may come into contact with children in the arts and culture sector; (6) Deputy John Brassil - to discuss the provision of court services in Tralee; (7) Deputy John McGuinness - to discuss infrastructural issues at Tinnahinch, Graiguenamanagh, County Kilkenny; (8) Deputy Brian Stanley - the future of Abbeyleix hospital in County Laois; (9) Deputy Dessie Ellis - to discuss the restrictions on Health Service Executive, HSE, funding for home care packages; (10) Deputy Fiona O'Loughlin - to discuss the reinstatement of Coughlanstown Road, Ballymore Eustace, County Kildare; (11) Deputy Eamon Ryan - the threat to the cycling commuter community in Dublin made evident by the 50% reduction of Government spend on cycling infrastructure last year and the introduction of the new cross-city Luas line service; (12) Deputy Peter Burke - the urgent need to revise commuter services on the Sligo to Dublin Connolly train (13) Deputy Martin Heydon - the need for construction of a third railway line to serve Kildare commuters; (14) Deputy Martin Ferris - patient safety concerns and review of scans at University Hospital Kerry; (15) Deputy John Lahart - to debate the issue of dangerously overcrowded Luas trams on morning and evening commutes; (16) Deputy Gino Kenny - the spiralling crisis

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in benzodiazepine addiction; (17) Deputy Richard Boyd Barrett - the stock market crash; (18) Deputy Eamon Scanlon - contamination of Lough Talt water supply in Sligo and the ongoing boil water notice; (19) Deputy Donnchadh Ó Laoghaire - to discuss the waiting times in the driving test centre at Sarsfield Road, Cork; (20) Deputy Pat Buckley - to discuss measures to tackle cyberbullying; (21) Deputy Clare Daly - to discuss the decision to appoint Fingal County Council as the competent authority for EU 598/14; (22) Deputy Peadar Tóibín - the need to run the North-South interconnector underground; (23) Deputy Robert Troy - the need for the Minister for Transport, Tourism and Sport, Deputy Ross, to address the reports on the future of the rail network; and (24) Deputy Bernard J. Durkan - the need to discuss the redevelopment of Naas town centre with the relevant stakeholders and agencies.

The matters raised by Deputies Niamh Smyth, Mary Butler and Frank O'Rourke, Bernard J. Durkan and Peadar Tóibín have been selected for discussion.

Ceisteanna - Questions (Resumed)

Priority Questions

Garda Data

46. **Deputy Jim O'Callaghan** asked the Minister for Justice and Equality his plans to address the continuing failure of An Garda Síochána to publish the review into homicide figures that was due in June 2017; and if he will make a statement on the matter. [5963/18]

47. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality his views on the fact that the Central Statistics Office is not in a position to publish homicide statistics provided by An Garda Síochána due to potential misclassification; when he expects to be in a position to publish the review into these cases; and if he will make a statement on the matter. [5750/18]

Deputy Jim O'Callaghan: In November 2016, senior Garda management was informed of emerging issues in respect of the accuracy of homicide data recorded on the Garda PULSE system. This matter was subsequently brought to the attention of the Policing Authority, which raised it with senior Garda management in April 2017. I am aware that there is serious concern within An Garda Síochána as to the accuracy of homicide data on the PULSE system. Even though these concerns have been brought to the attention of senior Garda management, very little appears to have been done to explore and resolve the problem. Why has the homicide review for the years 2003 to 2017 still not been completed? Is the Minister satisfied that the homicide data maintained by An Garda Síochána is accurate and classified appropriately?

Minister for Justice and Equality (Deputy Charles Flanagan): I propose to take Questions Nos. 46 and 47 together.

I wish to thank the Deputies for raising this issue. An Garda Síochána continues to work with the CSO to resolve an issue which emerged regarding the classification of homicide offences. The expert oversight by the CSO of crime statistics is welcome in order to ensure that we can have confidence in the official crime statistics and can tailor our policies accordingly.

The Deputies will be aware that when a homicide occurs, the offence may be classified as murder, manslaughter or violent death. My understanding is that an issue emerged due to the fact that the classification of a crime may change as investigations evolve, for example, a murder charge may ultimately lead to a manslaughter conviction in the courts or an assault causing harm may subsequently result in a death some time later, necessitating a reclassification to murder or manslaughter.

I want to clarify that the issue about the classification of homicide statistics is not new. It was identified some time ago by the Garda and intensive work has been ongoing to resolve the issue. This work involves An Garda Síochána, the Policing Authority, the CSO and my Department.

An Garda Síochána initiated a review of homicide classifications, initially for the period 2013 to 2015, but later extended the review to cover the period 2003 to 2017. This is obviously a time consuming and complex process but it is important that both An Garda Síochána and the CSO are confident that their data is robust and accurate. While the review is under way, the CSO has suspended the publication of quarterly crime statistics, with the most recent published figures being for quarter 4 2016. The review by An Garda Síochána has not been published as it is not yet complete, however, the details will be made public on completion.

I am extremely concerned about reports that unlawful deaths have not been properly investigated. Any substantiated allegations of this kind would be most serious and a cause of grave public concern. The issue that has arisen in respect of homicide classification is complex and it is essential to clarify it in such a way as the facts can be clearly established.

I have not received any protected disclosures or allegations that unlawful killings have not been investigated and Garda management is adamant that all unlawful killings are investigated. I have seen no evidence to the contrary but I have asked An Garda Síochána for further formal assurances in this regard.

While I note that a figure of 41 deaths requiring reclassification has been mentioned in public discourse, that is not correct. An Garda Síochána has advised that its examination of 524 cases for the period 2013 to 2015 identified 41 cases which required further examination and, out of those, 12 deaths were identified which required reclassification on PULSE. In addition, a further peer review process of verification is under way in respect of these figures, as requested by the Policing Authority.

I want to assure the House that the Policing Authority continues to monitor this issue to ensure there is independent scrutiny of how An Garda Síochána records data. I welcome its continued diligence in this matter. I also note the statement made by the authority last week indicating these issues will be considered again at the authority's meeting with the acting Garda Commissioner, which will be held in public on 22 February. In advance of the meeting, my officials and I will meet representatives from the Policing Authority and An Garda Síochána tomorrow to discuss progress on this issue to date. I also discussed the issue with the acting Garda Commissioner yesterday in the course of one of our more general meetings. I assure Members the Department remains in close contact with the Central Statistics Office, CSO, An Garda Síochána and the Policing Authority to ensure a return to the publication of official crime statistics by the CSO at the earliest possible opportunity.

Deputy Jim O'Callaghan: The word "homicide" is used by An Garda Síochána to identify

on PULSE cases in which there may have been an unlawful killing. As the Minister said, not all of those cases will result in a conviction or indeed a prosecution in the first instance. There is a serious problem with the classification of homicides on the PULSE system and my understanding is that a complete homicide review for the years 2003 to 2017 is required. To date, such a review has not been completed. What must occur is a full and accurate examination of the paper files in the State Pathologist's office on suspicious deaths for the years 2003 to 2017. The information on those paper files must then be compared with the data on the Garda PULSE system and a review of the investigation files themselves must take place.

I am not stating, as the Minister asserted earlier, that there have been cases of unlawful killing that have not been investigated. My point is that we have had only a partial review to date. The Minister talks about 41 homicide incidents for the years 2013 to 2015 but I understand that a quarter of such cases have been misclassified because they are referred to on PULSE as the result of sudden death with a failure to refer to the possibility they may have been caused by a violent act of another individual who is suspected. PULSE may also fail to record that an assault resulted in a subsequent death. Those are the factors which need to be investigated but no investigation has been properly completed to date. I have continuing concerns that the review, which was started in 2016, has not been completed and I ask the Minister to take steps to ensure its completion because I do not believe the necessary urgency is there on the part of either the Garda or the Policing Authority.

Deputy Donnchadh Ó Laoghaire: The possibility that homicides were misclassified is of itself worrying and deeply unsettling. No crime is more serious than the taking of a life. The possibility that there are families who are not aware their loved ones may have been the victims of homicide and died in another manner is of the utmost concern. It is potentially scandalous if found to be the case. There has been discussion in the media that it is possible not only that some of these cases were misclassified but that potentially they were not investigated. The answer the Minister provided in a reply to a written parliamentary question I put down last week sets out his belief that each death was fully investigated by An Garda Síochána. Clearly, however, according to media reports there are those who were close to these investigations and who do not appear to believe that to be the case. Is the Minister still confident that An Garda Síochána investigated each of these cases properly and fully? When does he expect the review, which relates to a matter of very serious concern, to be completed and published?

Deputy Charles Flanagan: The review will be completed at the very earliest opportunity. I have expressed my concern to the Garda authorities. I acknowledge what Deputy O'Callaghan has said. I did not suggest he had made any allegation on any investigation or otherwise. As far as the review of the 41 cases is concerned, each death was fully investigated by An Garda Síochána. I make that clear to Deputy Ó Laoghaire also. An Garda Síochána has also indicated that its individually-designated family liaison officers have been in contact with the families of the 12 deceased persons whose PULSE records required reclassification. That is important. I am satisfied, on the basis of assurances received by me, as far as the investigations were concerned. I reiterate this is a matter of concern. The Policing Authority, which has statutory functions in this area, continues to monitor the issue to ensure there is independent scrutiny regarding the way in which An Garda Síochána records the data. It has been diligent on the matter and continues to work on it. I intend to meet with the authority and Garda representatives tomorrow.

Deputy Jim O'Callaghan: It is important to recall the consequences of misclassification. It means the Garda PULSE system does not provide the accurate information essential to the

investigation of what may have been a homicide and which is relevant to persons who may be suspected by the Garda of involvement in a homicide. It is important to keep our eye on the key issue here. We want a PULSE system that is extremely accurate and which provides accurate information on any suspicious death. We must ensure that An Garda Síochána recognises that the review must be completed and devotes the resources required to achieve that. The review is not being treated with the seriousness it deserves. It is an extremely sensitive subject and it is imperative that the review be completed. I raise it with the Minister today in order that he ensures its completion. It is not an issue on which I wish to grandstand but the information available to me suggests the review has not been given the urgency it deserves. That is not just in respect of An Garda Síochána but also in respect of the Policing Authority, which was informed of this in April 2017.

Deputy Donnchadh Ó Laoghaire: I welcome that the Minister is meeting Garda representatives tomorrow. In his response, he said that as far as he was concerned, he wanted the review completed as soon as possible. On an issue of such public concern, potential weight and seriousness, we need a little more detail than that. We have no real sense or indication from the Minister as to when the review will be completed. That is required, not least to give the review the priority and urgency needed to see it completed and to restore public confidence in this area.

There is also clearly an issue with the attitude and emphasis placed on data and its quality. We have seen this issue arise across a number of controversies relating to An Garda Síochána. I tabled a question to the Minister on whether the Garda had taken action on the specific recommendation in the Garda Inspectorate's report on putting in place a director of data quality. There was nothing in the Minister's response to indicate this was something he intended to do. When will the review be completed and will the Minister create a position of director of data quality?

Deputy Charles Flanagan: I do not disagree with what the Deputies have said about the urgency of this issue. I assure Members that An Garda Síochána is working actively with the CSO to address the outstanding issues with homicide statistics in order that the publication of officially-recorded crime statistics can recommence. The authority is monitoring developments and officials from my Department remain in close contact with the CSO, An Garda Síochána and the Policing Authority to ensure an early return to the publication of crime statistics.

Deputy Ó Laoghaire referred to the Garda Inspectorate's 2014 report on crime. The report raised issues on the recording of crime statistics and included detailed recommendations designed to improve the consistency and accuracy of data within the PULSE system. As the inspectorate's report recognised, these issues have been reported in other police services and its recommendations drew on measures introduced in other jurisdictions. I remain satisfied that the acting Garda Commissioner and his management team are addressing the concerns identified in the inspectorate's report, including new measures to improve the incident recording process and important upgrades of the PULSE system. The consistent recording of crime data is not an issue that is unique to this jurisdiction. However, I am keen that this issue be resolved.

I share the concerns of Deputies and am happy to keep the House informed. There is a sense of urgency and importance in respect of this issue, which must be resolved. I want to see a resolution at the earliest opportunity but I recognise that issues of some complexity are involved.

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Garda Remuneration

48. **Deputy Jim O'Callaghan** asked the Minister for Justice and Equality his plans to address the failure to ensure that the Garda pay deal applies to all sections of the force, including superintendents and chief superintendents, and that the anomalies that have arisen as a result of this failure will be addressed; and if he will make a statement on the matter. [5964/18]

Deputy Jim O'Callaghan: In November 2016 a pay deal was agreed in the Labour Court between the Garda Representative Association and the Association of Garda Sergeants and Inspectors. It was always envisaged that all grades in the Garda would be awarded the increase on the basis of their involvement in the pay review chaired by Mr. John Horgan. That has not happened in this instance and we now have a situation where 166 Garda superintendents and 45 Garda chief superintendents are the only two groups that have not signed up to the new public service stability agreement. The reason they have not signed up is that the precedent that always applied - that the pay increases would be awarded to all grades - has not been followed by the Government. When does the Minister intend to resolve this issue and ensure there is consistency within the Garda when it comes to pay rises?

Deputy Charles Flanagan: I am anxious to have this issue resolved. The Deputy will be aware that, at the time of the potential Garda dispute in late 2016, the matter was referred to the Labour Court to develop a recommendation addressing the pay issues raised by the ranks of garda, sergeant and inspector. The recommendation applied, therefore, to those ranks only. The associations for superintendents and chief superintendents have consistently argued that the pay deal should also have extended to them. Arising from this, they have not yet signed up to the public service stability agreement. This is regrettable and means that the benefits that flow from the agreement are not yet being applied to their ranks.

Having said that, I met both associations recently and assured them that I and the Minister for Public Expenditure and Reform are keen to resolve their issues. Clearly, this must be done within the parameters of public pay policy, using the structures that are in place to address such matters. In the meantime, I encourage the two associations to reconsider their position in regard to the pay agreement. I can assure Deputy O'Callaghan that I will use my best endeavours to resolve the dispute. I might add that the chair of the public service stability agreement oversight body has kindly offered her services to assist the parties and a meeting between the parties has been held. I expect there will be further engagement in the near future.

I am aware that the Association of Garda Superintendents, in particular, has referred to an anomaly having arisen as a result of the Labour Court recommendation in 2016. This relates primarily to the increases in earnings for those groups covered by the recommendation. Clearly, the increases awarded to the inspector rank had the effect of narrowing the pay differentials between the ranks of superintendent and inspector, and this is central to the current dispute.

I am personally committed to finding a resolution to this issue, as is the Minister for Public Expenditure and Reform, Deputy Donohoe. I hope to see progress in the near future.

Deputy Jim O'Callaghan: When the pay deal was agreed in November 2016 and the strike was averted, everyone assumed that the deal would include all ranks within An Garda Síochána, as had happened in all previous agreements. Mr. Horgan completed the report focusing on industrial relations procedures and recommendations and everyone assumed that the pay deal, as agreed, would apply to all ranks. It then appeared that there were agreed reports

drafted for each of the different Garda associations and this led to the requirement for an agreed report for superintendents and chief superintendents. Those two ranks raised the matter with the previous Minister for Justice and Equality and, I understand, were given assurances that it would be sorted out. They were subsequently told it would be sorted at the Workplace Relations Commission, WRC, on the fringes of new talks. The WRC facilitated the discussions and departmental officials from the Departments of Justice and Equality and Public Expenditure and Reform agreed to extend the terms of the pay deal in full to the ranks of superintendents and chief superintendents. All of the payments were designed to ensure that they did not impact the Lansdowne Road agreement. Subsequently, the Department seems to have reneged on this agreement and is now denying the superintendents and chief superintendents the pay rise everyone assumed they were going to receive.

I note the Minister stated he is keen to resolve this issue but he should note that everyone assumed at the time that this pay rise and the pay deal would apply to all ranks. What we do not want to happen is that any pay rise for An Garda Síochána would be limited to some ranks, which would make industrial relations within the force even more difficult in the future.

Deputy Charles Flanagan: The Association of Garda Superintendents and the Association of Garda Chief Superintendents were fully involved in the negotiations leading up to the WRC proposals for the public service stability agreement 2018-20. Following the conclusion of these negotiations, the Association of Garda Superintendents and the Association of Garda Chief Superintendents sought to engage further on their claim to receive the benefit of the awards made to other ranks by the Labour Court in order to resolve the 2016 dispute. The Association of Garda Superintendents and the Association of Garda Chief Superintendents have not yet signed up to the pay agreement and have indicated they will not even put the public service stability agreement to a ballot pending a satisfactory resolution of this issue. I would like to see the matter resolved. While the superintendents and chief superintendents have been seeking an award commensurate with that awarded to the other ranks, there have been no detailed discussions on the costs associated with their claim. As Deputy O'Callaghan will appreciate, the numbers are small, something in the region of 200 between the two ranks, and I do not expect that the additional cost will be hugely significant. Nonetheless, I am anxious to ensure there is a robust process which will allow for this issue to be dealt with in a way that will not impact adversely on the wider pay arrangements currently under way through the Minister, Deputy Donohoe.

Deputy Jim O'Callaghan: I note the Minister wants this issue resolved and I share that hope. However, it is not going to happen unless the Government enters into talks with the two associations to resolve the matter. It is also important to point out that this situation is creating some bizarre anomalies. For instance, the top grade of a Garda inspector is now higher than the starting position of a superintendent by between €4,000 and €6,000 and this does not take into account overtime for which inspectors are eligible but for which superintendents are not eligible. It raises the question as to why any inspector would want to apply for promotion to the position of superintendent if he or she is going to be paid less. There is also a deficit in the new pay deal for the majority of superintendents in that, as they can now retire and claim their pension, they are faced with the dilemma that they have a permanent pension levy, and the absence of the pay deal applying to superintendents and chief superintendents means there is a significant risk they will retire early as a result of the failure to apply this precedent.

This is a problem that needs to be resolved promptly. I think we all agree in the House that superintendents and chief superintendents are at the forefront of the challenge to change An Garda Síochána. We need their co-operation. This odd example where precedent is not

followed needs to be departed from and the Minister needs to ensure that pay rises within An Garda Síochána apply to all ranks and not to some ranks.

Deputy Charles Flanagan: I am conscious there are a number of anomalous situations on the matter of pay. I want to acknowledge the work of the chief superintendents and superintendents throughout the country in terms of the leadership they continue to provide to An Garda Síochána, particularly in these challenging times. I also acknowledge the role they have in terms of the ongoing programme of reform. However, neither the superintendents nor the chief superintendents have signed up to the public service pay agreement and, consequently, they are unable to receive the pay increases under the agreement until they sign up, or after the expiry of nine months, in accordance with the legislation. I want to assure them that my door remains open and that I am very keen to have this issue resolved, having regard to the history in this regard and to the leadership they continue to provide. There are ongoing discussions. I acknowledge the interest of other parties and I trust this issue will be resolved without any great delay being imposed.

Community Policing

49. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality his views on the drop-off in the number of community gardaí from 1,182 in 2010 to 744 by the end of 2017; and if his Department and An Garda Síochána are committed to implementing the community model of policing. [5751/18]

Deputy Donnchadh Ó Laoghaire: The national model of community policing was launched in 2009 amid some optimism and a belief that it would represent a significant part of Garda strategy from then on. However, it has been marked since then by a lack of commitment by successive Governments, most visibly seen in the dramatic reductions in the number of community gardaí, which has fallen every year for the past eight years, from 1,182 to 691. This has severely undermined the ability of community gardaí to do their job. I question whether this Government is committed to the community model of policing.

Deputy Charles Flanagan: As the Deputy will be aware, and as I have reiterated, the distribution of gardaí is exclusively the statutory responsibility of the Garda Commissioner for the time being. Undoubtedly, the ongoing recruitment process will support all Garda activities and will enhance Garda visibility within our communities and the provision of effective community policing across all Garda divisions.

Community policing is at the heart of An Garda Síochána. It provides a means of recognising that every community, both urban and rural, has its own concerns and expectations. I am assured by the Commissioner that the Garda national model of community policing plays a key part in responding to crime by taking into account and responding to local conditions and needs. Clear objectives are set, such as high visibility in the community, ease of contact by members of the public and enhanced support for crime prevention strategies. In addition, the national community policing office, attached to the Garda community relations bureau, captures best practice in community policing initiatives and disseminates these practices through its communication network. It is of course the case that all gardaí have a role to play in community policing in carrying out their duties, not solely those assigned full-time as community gardaí.

I have previously stated that I welcome the strong emphasis that the Commissioner's Mod-

ernisation and Renewal Programme 2016-2021 places on developing and supporting the community policing ethos of the organisation and enhancing the current delivery model so that gardaí spend more time in the community, gaining public confidence and trust and providing a greater sense of security. It will result in the introduction of multi-skilled community policing teams and community policing forums in every district.

In terms of progress on this important initiative, I am informed that a draft community policing framework which outlines the manner in which community policing teams and community safety forums will be established has been completed and is subject to internal review before being approved by the Garda executive for implementation.

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 and deter crime. To make this a reality for all, the Government has in place a plan for an overall Garda workforce of 21,000 personnel by 2021 including 15,000 Garda members.

Real, tangible progress has been made towards this goal. Since reopening the Garda College in September 2014, nearly 1,600 new recruits have attested as members of An Garda Síochána and have been assigned to mainstream duties nationwide. Garda numbers, taking account of projected retirements, increased to 13,551 at the end of 2017, a net increase of over 600 since the end of 2016. There were 691 Garda assigned to community policing duties as of 31 December 2017.

I am pleased to say that funding is in place to maintain this high level of investment in the Garda workforce to ensure the vision of an overall workforce of 21,000 by 2021 remains on track. This year a further 800 new Garda recruits will enter the Garda College. Also, 800 Garda trainees are scheduled to attest during the year, which will see Garda numbers reach more than 14,000 by the end of 2018.

Of course Deputies will appreciate that despite these increases, choices have to be made. Containing the challenges of coverage and those presented by gangland crime over the past two years has necessitated investment in the specialist units with 100 extra garda being assigned to the specialist units within special crime operations in 2017. In addition, a dedicated armed support unit for the Dublin metropolitan region was established at the end of 2016 in order to enhance armed support capability in Dublin and to free up the resources of the emergency response unit.

Deputy Donnchadh Ó Laoghaire: There is no evidence for that. The Minister's response did not address what is obviously a very dramatic fall which is what I want the Minister to address. While, on an individual basis, it is a decision for the Garda Commissioner, it is the Government which makes the policies. If the Government wants community policing to be a priority, it will be a priority for An Garda Síochána and the Commissioner. The Minister outlined objectives regarding visibility. The reduction in Donegal was from 35 to two, a 94% decrease. How are the gardaí to achieve visibility in that context? In Dublin's north inner city, there is a fall from 140 to 90 in only a few years, while there has been a decrease of 70% in the Dublin's south inner city. The GRA has said it is very disappointed and this needs to be reversed.

I raise this matter because I know for a fact that it has worked. I know the difference this has made in Cork and in communities there. I know people who are working, living good, honest lives because of the intervention of good community policing. It is one of the most effective

policing interventions that exists. This Government and its predecessors have done nothing to invest in it and the model has been undermined with reductions of up to 94%, with a 40% fall overall. It is a dramatic decrease in numbers. These gardaí cannot be expected to work miracles. The numbers must be there and they need to have the time to dedicate themselves properly to the job.

Will the Minister address this and tell the House how he will ensure this enormous drop in numbers is reversed?

Deputy Charles Flanagan: This Government is committed to ensuring a strong and visible police presence throughout the country in order to maintain and strengthen community engagement, to provide reassurance to citizens and to deter crime. To make this a reality, we have a plan in place to increase the overall Garda workforce to 21,000 by 2021, including 15,000 sworn members of An Garda Síochána. Real and tangible progress has been made towards this goal. Since the reopening of the Garda College in September 2014 almost 1,600 new recruits have attested as members of An Garda Síochána and have been assigned to mainstream duties across the country.

The Deputy referred to Donegal in his question. In Donegal there are 28 probationer gardaí working in stations across the county. He mentioned the Dublin metropolitan region. In north-central Dublin there are 135 new gardaí, and 141 new gardaí in south-central Dublin. I am pleased that we have 1,600 new recruits attested as members of An Garda Síochána recently. Garda numbers, taking account of projected retirements, increased to over 13,500 at the end of last year, a net increase of over 600 since the end of the previous year. There were 691 garda assigned to community policing duties as of 31 December 2017. I am pleased to say that funding remains in place to continue this high level of investment into this year.

Deputy Donnchadh Ó Laoghaire: In common with written responses which I had received on this matter, the Minister has failed to address the matter of community policing. He keeps referring to overall policing numbers but he is not making any comment on how he will address that specific issue. I have put down variations on this question, in written or oral questions, and have received three different answers for the number of community gardaí in 2017. The Minister might explain that to me.

At the heart of the community policing model is the dedicated community garda. That is somebody who is in a position to build-up a relationship with communities, families and individuals to gain the trust of communities. That cannot be done overnight, it requires an intense period of work, but it can be absolutely transformative. I know there are community gardaí who have had a transformative impact. The Minister keeps returning to overall Garda numbers, without making any reference to any action he plans to take to ensure or address even remotely the 40% reduction in dedicated community gardaí, which is particularly dramatic in certain districts.

Will the Minister now tell the House how he intends to address this fall off in numbers specifically in community gardaí, not overall Garda numbers?

Deputy Charles Flanagan: In many respects, every garda in the country is in essence a community policeman or woman-----

Deputy Donnchadh Ó Laoghaire: That is why I asked a specific question.

Deputy Charles Flanagan: -----in the manner in which they interact with their communities and for and on behalf of communities. The Garda Commissioner's Modernisation and Renewal Programme 2016-2021 places a strong emphasis on further developing and supporting the community policing ethos of the organisation so that Gardaí spend more time in the community, gaining public confidence and trust, providing a greater sense of security in communities. This plan includes a number of proposed initiatives including the establishment of local policing teams, headed by an inspector, made up of gardaí from a range of areas to work proactively with the local community in order to prevent crime and to detect it, and the establishment of community safety forums in every district which will comprise of local gardaí, communities and key stakeholders which will support the work of the community policing teams in every community.

I am pleased that the Government is committed to ensuring that we are recruiting to the gardaí in an intense and proactive way, after years of declining numbers. I intend that over the next three years the Government will meet its targets of a Garda workforce of 21,000 personnel by 2021, comprising of 15,000 members of An Garda Síochána, 4,000 civilian support staff and an increase in the Garda Reserve to 2,000. Most of those will be community gardaí.

Deputy Donnchadh Ó Laoghaire: The Minister cannot say that. The question relates to a specific thing.

Garda Commissioner Appointment

50. **Deputy Sean Sherlock** asked the Minister for Justice and Equality the progress to date on arrangements for the selection of a new Garda Commissioner; the expected timeframe; the salary of the new Commissioner; the arrangements in relation to the appointment of a team to assist the Commissioner; if changes in legislation are required; and if he will make a statement on the matter. [5752/18]

Deputy Sean Sherlock: Last week *The Irish Times* published a report by Conor Lally which stated that Garda Commissioners would have the same power as Cabinet Ministers in appointing staff. The article also said that the successor to Commissioner Nóirín O'Sullivan was unlikely to be appointed before September. My question is simple. What is the progress to date regarding the arrangements for the selection of the new Garda Commissioner? What is the expected timeframe? What is the new Commissioner's salary to be? What are the arrangements in relation to the appointment of a team to assist the Commissioner and whether changes to legislation are required?

Minister for Justice and Equality (Deputy Charles Flanagan): The Policing Authority under section 9 of the Garda Síochána Act 2005 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.

It is the first time that the new legislative process will be used. I met the chair of the authority following the retirement of the previous Commissioner and we agreed that it is crucial that a deliberate and considered recruitment process takes place so that the best possible candidate is appointed following the 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.

The authority, during the autumn, undertook some essential ground work for the recruitment process in advance of the formal triggering of the statutory process by Government. This work included the conduct of research into aspects of the appointments process and engagement with my Department and with the Public Appointments Service, which will undertake the competition on behalf of the authority. That period also facilitated the chair of the authority to explore with the Commission on the Future of Policing how it sees the role and responsibilities of the next Commissioner. The commission, as the Deputy will be aware, is undertaking a comprehensive review of all aspects of policing in the State and is due to report in September.

Having regard to the progress made by the authority, I sought Government approval on 12 December to request the authority formally to commence the process for the selection and appointment of the next Commissioner. I met the chair of the authority again recently. The authority and Public Appointments Service are working together to finalise the arrangements for the competition with the intention of it being advertised as quickly as possible.

As I have stated previously, the overriding concern must be to ensure that the best possible candidate is selected to lead An Garda Síochána. This requires that the process attracts the widest possible field of candidates from a broad range of backgrounds. To support this, the authority provided advice on the remuneration package that would be required to attract candidates of the highest calibre. The Government accepted that advice in principle and agreed that my Department and the Department of Public Expenditure and Reform would finalise the package prior to the position being advertised. That work is ongoing. I can assure the Deputy that salary will not be an obstacle to attracting the best candidate.

Deputy Sean Sherlock: I am gleaned from the Minister that this is an ongoing process, no final salary has been determined and as of today there is still do not have a definitive date for an advertisement for the post. In clear yes-no terms, I ask the Minister if that is the case.

I also ask the Minister in relation to the recruitment of staff within that department because the newspaper article states that there is the possibility that the new Commissioner “could appoint their own team around them. These would likely be hired on a contract basis”. Furthermore, promotions and appointments, as we know them within the Garda network, are such that, “Promotions and appointments have long been regarded as open to favouritism and nepotism”, and that some work had been done on that. Can the Minister give us guarantees that if somebody is appointed externally and at the discretion of the new Garda Commissioner, it will not cause upset within the force where one is now subject to certain rigors and a new process in relation to guarding against nepotism?

Deputy Charles Flanagan: The Government is keen to ensure that this process is designed in such a way as to attract a broad range of interest, both from within this jurisdiction from within the Garda Síochána and from, and on which there has been much mention and speculation made as to the likelihood of success of, an external candidate. I have an open mind on these issues. I believe it is important that we have a broadly based pool of candidate from which to choose and I acknowledge the advice and expertise of the Police Authority in that regard.

The authority has expressed the view that potential candidates would be likely to expect an assurance that they could appoint a small personal team in order to ensure that they would maximise their input and leadership of the Garda service. I am open to this. It must, however, be borne in mind that senior roles in An Garda Síochána, and indeed across the public service, are required to be filled by way of a transparent, competitive and merit-based process. There

is no intention to dispense in any way with this approach. Rather what the Government has in mind is that the next Commissioner could, on a temporary contractual basis, appoint a small personal team comprised of individuals who would provide advice to the Commissioner and who would be supportive of the Commissioner in the discharge of his or her duties. No doubt Deputy Sherlock would concur that the role of Commissioner is a demanding one, not only in view of the policing and security environment, but also in view of the major reform programme under way and having regard to the role and function of the Commission on the Future of Policing, which is due to report in September. In such circumstances, the appointment of a small team of advisers would be a valuable support to the new Commissioner in dealing with the challenges of leading the service at this critical point in time.

Deputy Sean Sherlock: If the process is such that the new Commissioner can appoint external persons at his or her discretion, will that require changes in legislation?

Deputy Charles Flanagan: As I stated, it is the desire of the Government that the competition should attract the widest possible pool of candidates, not only from within the jurisdiction but from beyond. It is for this reason that the Government earlier today agreed that a short piece of amending legislation should be brought forward as a matter of priority to address an anomaly that has been identified in the legislation governing the retirement of members of An Garda Síochána. The effect of the amendment will be to ensure that the same age limit applies to both internal and external candidates. I am anxious to ensure that there will be what I would describe as an even playing field.

The chair of the authority, the chair of the Commission on the Future of Policing and I are at one in our view that there should be an even playing field in the process between internal and external candidates in this regard. It is important that we have this issue resolved as a matter of priority. I hope I can rely on the support of Deputy Sherlock, and indeed all Deputies, to facilitate the speedy passage of what will be a short, single-section Bill to ensure the competition can proceed and that we can have the advertisement within a matter of weeks.

Other Questions

Garda Deployment

51. **Deputy John Curran** asked the Minister for Justice and Equality the reason numbers assigned to the Garda traffic corps continue to decline; and if he will make a statement on the matter. [5415/18]

Deputy John Curran: My question to the Minister relates to the reasoning the number of gardaí assigned to the traffic corps continues to decline at a significant rate. The traffic corps, as the Minister will appreciate, plays an important role in terms of both road safety and crime prevention yet we see on a continuous basis that the number of gardaí assigned to it has declined. At what stage will it become ineffective, if this decline continues?

Deputy Charles Flanagan: The Deputy will be aware, as I stated earlier in respect of community policing, that the distribution of gardaí is exclusively the statutory responsibility of the Garda Commissioner.

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I have been informed that the strength of the Garda traffic corps on 31 December 2017 stood at 623. In addition, there is one chief superintendent and two superintendents attached to the DMR traffic corps, a superintendent and traffic inspector attached to each of the five regions and one superintendent attached to the policing road traffic bureau. It is important to note that road traffic legislation is enforced as part of the day-to-day duties of all members of An Garda Síochána, as well as through specific enforcement operations.

While there is no room for complacency, I was pleased to note that last year represented the lowest number of road traffic fatalities on record at 159. It is imperative that the positive momentum across road traffic enforcement and road safety initiatives is harnessed towards further annual reductions in fatalities.

By working together with the RSA and other agencies, An Garda Síochána will continue to confront dangerous road-user behaviour through public presence, legislative enforcement, education, information and partnership. The Government is committed to further supporting An Garda Síochána in this regard, including by reversing the effects of the legacy of the moratorium on recruitment introduced in 2010 which resulted in a significant reduction in the strength of An Garda Síochána across the whole organisation, including the traffic corps.

The Government implementation of the plan for an overall Garda workforce of 21,000 personnel by 2021 is well under way and there is real tangible progress on reaching this goal. Since the reopening of the Garda College in September 2014, just under 1,600 recruits have attested as members of An Garda Síochána and have been assigned to mainstream duties nationwide, including the traffic corps, as referred to by the Deputy.

Deputy John Curran: I thank the Minister for his response, but it has not allayed my fears and concerns. I acknowledge there was a significant improvement in road safety last year, but one life lost on the roads is one too many. We all have a role to play in this regard. It is interesting to note that the Road Safety Authority, when it looked at road fatalities for the period 2008 to 2012, found that speeding was a contributory factor in 32% of road fatalities and alcohol in 38%. These are clearly issues of enforcement in which an active Garda traffic corps continues to have a role to play, notwithstanding the improvements that were made last year. In reply to a parliamentary question I tabled, the Minister reiterated that Templemore reopened in 2014 and that recruitment has been ongoing. My specific concern is that he indicated that only 627 gardaí were assigned to the unit in December 2017. Back in 2014, when Templemore was reopening, there were 800 gardaí in the traffic corps. As Templemore has reopened and the Department recruits more personnel, our traffic corps is diminishing. That is my concern.

Deputy Charles Flanagan: The Deputy will appreciate that I do not have a direct role in the distribution of members of An Garda Síochána, nor do I have a direct role in the enforcement of road traffic legislation. These are operational matters for the Garda Commissioner and An Garda Síochána. However, it is important to note that An Garda Síochána undertakes a programme of high-visibility road safety and enforcement operations carried out in partnership with other State agencies. Garda operations specifically target road use behaviour known to contribute significantly to collisions, including driving while intoxicated or using drugs, dangerous and careless driving and the gamut of road traffic legislation, by working closely with the Road Safety Authority and other agencies. An Garda Síochána will continue to confront dangerous road user behaviour thorough public presence, the enforcement of the current legislation, education, information and partnership. I acknowledge the importance of the interdepartmental group on road safety, particularly the ministerial committee on road safety, which

I attend regularly along with the Minister for Transport, Tourism and Sport, Deputy Ross. I assure the Deputy that this committee plays an important role in ensuring best practice on our roads.

Deputy John Curran: In addition to road safety, the traffic corps has a significant role to play in crime prevention. We are all well aware of rural crime and so forth. The Minister said, quite specifically, that he does not allocate members of the Garda. However, I would like him to reflect on a comment he made in a written reply to me only in November, namely, “The Commissioner has committed in the Policing Plan for 2017 to increase incrementally the number of personnel dedicated to traffic duties by 10% to support better outcomes in relation to road traffic enforcement and crime prevention.” Let us consider what happened. In January 2017, there were 669 officers. If the 10% increase, as indicated, had come incrementally, at the end of the year there would have been 735 gardaí assigned to the traffic corps. It continues to be my concern that instead of the 735 officers that the Minister indicated on the advice of the Commissioner, he is now saying we will have 627. I am concerned that the traffic corps continues to be decimated. While we have people being recruited and going through Templemore, the traffic corps is not seeing any of that reflected. Every time a figure is published, it is a decline in the numbers.

Deputy Charles Flanagan: The Deputy will acknowledge that funding has been made available by the Government to ensure we can continue what is a high level of investment in An Garda Síochána. This year a further 800 Garda trainees will enter the college, with 800 also scheduled to attest. This will see Garda numbers reach more than 14,000 by the end of this year. This increase in Garda numbers will facilitate the Commissioner in meeting his commitment to strengthen the numbers assigned to roads policing by 10% year on year. It is not all about numbers. The Commissioner’s modernisation and renewal programme places a strong emphasis on the expansion of the role of the traffic corps to include crime prevention and detection on the roads through the setting up of divisional roads policing units. The Commissioner has confirmed that a review of roads policing has been completed and that a new role and job description for additional personnel for road policing units has now been developed. I am advised that regional competitions which will allow for the allocation of additional resources to the divisional roads policing units are ongoing. Garda management plans in the region of 150 additional gardaí to be assigned on an incremental basis to roads policing duties this year in order to support better outcomes in road traffic enforcement and crime prevention.

Refugee Resettlement Programme

52. **Deputy Richard Boyd Barrett** asked the Minister for Justice and Equality if persons (details supplied) will be allowed to resettle here. [5693/18]

Deputy Richard Boyd Barrett: This question is really a plea on behalf of a very vulnerable Palestinian family for compassion and generosity on the part of the Minister and the Government. The Barud family have been acknowledged as UN refugees. They are stranded in Turkey. Four of the children are disabled and the family has nowhere to go, even though they have been acknowledged as refugees. I have talked to the Minister about this and I appreciate the conversations we have had. I hope we will be able to take this family in. We have not accepted our quota of UN refugees, so I see no reason-----

Acting Chairman (Deputy John Lahart): The Deputy will have a minute to respond to

the Minister's reply.

Deputy Richard Boyd Barrett: -----why we could not do so.

Deputy Charles Flanagan: Deputy Boyd Barrett is asking whether Ireland can resettle a family now in Turkey who are United Nations High Commissioner for Refugees, UNHCR, programme refugees and that some of the family members have disabilities. As I responded in recent correspondence to the Deputy, while Ireland participates in a resettlement programme led by the UNHCR, it is the latter that assesses each case and makes a referral to a participating state. Ireland has received no such referral from the UNHCR. It is highly unlikely Ireland would receive such a referral because it does not have a resettlement programme in Turkey.

As Deputy Boyd Barrett will be aware, Ireland has an active resettlement programme in Lebanon under the Irish refugee protection programme, IRPP. Ireland has doubled its commitment in respect of refugees currently in Lebanon and is accepting 1,040 programme refugees under that strand of the IRPP. Of these refugees, 792 are already in Ireland and the remaining individuals are due to arrive in the coming months. I have pledged to take a further 945 refugees from Lebanon between this year and next year. The Minister of State, Deputy Stanton, and I also recently announced a new family humanitarian admission programme, which provides for 530 immediate family members of refugees from established conflict zones to come to Ireland over a two-year period.

All programme refugees in Lebanon are selected by the UNHCR on the basis of vulnerability, including persons with various health conditions. Staff of the Office for the Promotion of Migrant Integration who are responsible for the IRPP then undertake comprehensive resettlement missions in Lebanon. The selection of resettlement applicants requires detailed consideration of files received from the UNHCR as well as personal interviews, orientation and security assessments in Lebanon.

There are established and successful pathways for resettlement in this country. While I appreciate the vulnerability of the family that is the subject of the Deputy's request, I must point out, as I have done in correspondence, that it is extremely difficult for Ireland to engage in any form of resettlement in response to once-off requests. This would potentially disadvantage other refugees who have fulfilled objective criteria to qualify for the refugee programme.

Deputy Richard Boyd Barrett: I appreciate the Minister's response and I appreciate we are taking other refugees from Lebanon, but this is a particular case. This is a family of seven in which four of the children have very significant disabilities. They had previously lived in Saudi Arabia, but Saudi Arabia expelled them because of its "no Palestinian refugees" policy, which is not a very nice policy. They were subsequently expelled, despite their pleas, from Egypt after two of the children had completed their education but Egypt was not willing to take them either. They are now stranded in Turkey, where they are suffering very significant physical health deterioration and very severe muscle spasms because they are not getting the physiotherapy they need.

They have written to the Minister and they have contacted the UNHCR. They are making a special plea that they be accepted here. I know, notwithstanding what the Minister said, that Ireland has not filled its full quota of refugees. It seems to me that in the case of this particularly vulnerable family, we could intervene and indicate to the UNHCR that we would be willing to take them.

Deputy Charles Flanagan: I have been looking at that particular case and I have the details referred to by the Deputy. In this case, the Palestinian family previously lived in Egypt and Saudi Arabia. They are unwilling to return to Gaza as the medical needs of the children cannot be met there. The only way a UNHCR refugee can be admitted to Ireland is through its formal resettlement programme. I do not believe individual appeals outside that process can be favourably considered, but there are established mechanisms for the resettlement of refugees, including those with health issues. There are many refugees around the world in similar circumstances.

I want to advert to the formal UNHCR resettlement programme from Lebanon, which allows for the intake of refugees using objective criteria not based on any favouritism or subjective consideration. The only routes through which this family may be considered would be through UNHCR resettlement, which is from Lebanon, or perhaps through the new family reunification humanitarian admission programme, FR-HAP, to which I referred, in the event of their having eligible family members in Ireland.

I do not have an immediate favourable response for the Deputy, and if there is any way we could have a look at the situation in Lebanon, that may well be a positive avenue. I regret it is not possible for me to intervene under the current circumstances.

Deputy Richard Boyd Barrett: Will the Minister elaborate slightly? Is he suggesting that if they apply through Lebanon and could make their way to Lebanon that might be possibility? Perhaps he could indicate. Will the Minister explain whether there is a particular reason, given that we have a diplomatic presence in Turkey, that we could not also take programme refugees from Turkey? Will the Minister confirm that we have not filled our quota, so there is space in the quota commitments we have made. Could we not engineer something for this family? Given that our quota is not filled, it is not as if the family, which is in very particular and urgent need, would be taking the place of somebody else but rather filling a space that has not been filled.

Deputy Charles Flanagan: I believe the manner in which this issue was framed is based on whether a particular family might be included in the resettlement process. Resettlement is conducted on the basis of objective criteria that have been set down by the UNHCR. This process is conducted by the UNHCR. It is a structured and demanding process and there are multiple partner organisations. Our process is by means of engagement with Lebanon and I do not believe we can depart from the structured process. I do not believe it is feasible for us to conduct a bespoke selection mission in response to an individual family. The family should remain in close contact with the UNHCR; it is the only means by which this issue can be satisfactorily resolved. It is not one we can do by way of any positive initiative from this end.

Garda Síochána Ombudsman Commission

53. **Deputy Clare Daly** asked the Minister for Justice and Equality the steps he has taken to review the supports available to Garda whistleblowers, particularly in view of GSOC's acknowledgement of its lack of resources in fulfilling this function; and if he will make a statement on the matter. [5652/18]

Deputy Clare Daly: This question relates to the adequacies, or rather inadequacies, of GSOC with regard to its ability to deal with its function as the recipient of protected disclosures

from Garda whistleblowers. This is a matter Deputy Wallace and I have raised on repeated instances, even at the time the legislation was brought forward. We are heartened by the fact GSOC now agrees with us and has itself issued a call to have its powers, resources and ability beefed up. Is the Minister concerned about these matters and what does he propose to do about them?

Deputy Charles Flanagan: I am satisfied with the protection provided to persons who make protected disclosures in An Garda Síochána. Deputy Daly is aware the Protected Disclosures Act came into operation on 15 July 2014. A member of the Garda who makes a disclosure in accordance with the Act is entitled to all the protections provided for whistleblowers in the legislation. These protections include protection from having their identity revealed, protection from dismissal and protection from being penalised in their employment as a result of having made a protected disclosure. These supports are, therefore, available to any person in the Garda organisation who makes a protected disclosure. An Garda Síochána has signed up to Transparency International Ireland's integrity at work initiative, which will involve external validation of these processes.

Members of the Garda Síochána may communicate their concerns to the Garda Commissioner, as their employer if they so choose, or under the 2016 Act they may opt to make a disclosure directly to GSOC, which is a prescribed body for receiving protected disclosures. Where a protected disclosure is made to GSOC, the Act provides that GSOC may, if it appears to it desirable in the public interest to do so, investigate the disclosure. It is also open to a member of the Garda Síochána to make a protected disclosure to me as Minister, and I will consider it in the context of my Department's sectoral policy on protected disclosures.

GSOC has a very important role in ensuring that public confidence in the Garda Síochána is safeguarded, and it has extensive powers under the 2005 Act to enable it to carry out its responsibilities. I assure the Deputy that resources and funding are kept under continuing review to ensure that GSOC is enabled to continue to operate effectively and efficiently and in accordance with its statutory remit. In May 2017, sanction was given for an additional five staff to create a dedicated unit in GSOC to deal with protected disclosures. It must be borne in mind that there were, at that time, a relatively small number of disclosures on hand in GSOC. The sanction was provided on the clear understanding that GSOC would revert should the evolving situation indicate that greater resources were required. It is unfortunate that, eight months later, it would appear that GSOC has not yet succeeded in recruiting all the staff who were sanctioned. I am at one with the Deputy in my being keen to ensure there are available resources to allow GSOC conduct its statutory duties and obligations.

Deputy Clare Daly: I am afraid the Minister and I are certainly not at one because he is satisfied and I am not, and I am not the only one who is not satisfied. GSOC itself is not satisfied and, more particularly, the Garda whistleblowers who have made protected disclosures to that organisation are not satisfied. There is a very real reason for this, which is that their legitimate complaints which were handled through GSOC were, first of all, delayed in terms of non-cooperation by Garda authorities in getting the information to GSOC to allow it to investigate it. When GSOC then recommended to Garda management that it would be involved in some of the disciplinary hearings on the outcome of some of those investigations, Garda management said "No", told it to butt out and said that it would not have anything to do with the investigation. Critically, when Garda officials turned around and said they had not completed their own internal report, GSOC could not publish its report, with the result that a Garda whistleblower in the Minister's constituency, where Garda involvement in the drug trade has been proven not just

in Athlone, but also in Laois with the re-emergence over the past weekend of drugs which had been lost six years ago coming back into the station, is out sick and on the floor without any support whatsoever. All of these matters have supposedly been under investigation for four years.

Deputy Mick Wallace: Given GSOC's acknowledgement of its lack of resources in its efforts to fulfil its functions, will the Minister consider looking at some other areas where a shortage of resources has led to us not being able to hold certain companies to account? I am referring to over €28 million paid to the information technology company Vantage. This may be in breach of public procurement guidelines in view of the fact that the principle contract with the company has not been advertised for tender since 2006. Will the Minister request the Comptroller and Auditor General to conduct a review of the company's role and its engagement with An Garda Síochána?

Deputy Charles Flanagan: I assure the House that I, as Minister, want a robust and transparent system for dealing with issues as raised by people commonly known as whistleblowers. I also want GSOC to be working efficiently and effectively. I made funding available for a number of staff members. That was provided on the understanding that we would continue to engage. When the new staff are fully operational, a better assessment can be made as to what, if any, additional resources may be required in order to handle protected disclosures within GSOC.

I met representatives from GSOC. The issue of resources was discussed. I invited the Commission to brief my Department on what GSOC estimates are its staffing requirements in order to meet all contingencies. I assure Deputies Clare Daly and Wallace, who tabled questions on this matter, and the House that this will be considered once it is received.

Deputy Clare Daly: The Minister can dress it up any way he likes but it has been established that there has been Garda involvement in the drugs trade in Athlone. It is a fact that no action has been taken against those responsible. It is a fact that the person who made the allegations is out sick and his senior manager has recently been promoted despite being at the centre of allegations of bullying and harassment. Those allegations have not been investigated. We have a mechanism which is not fit for purpose. Points put by Deputy Wallace were not included even on the agenda in terms of the €28 million. There is a huge deficit in the context of accountability with people inside An Garda Síochána putting their necks on the line and not getting support from the agencies in this State. Deputy Flanagan is the Minister. If GSOC is saying it, the whistleblower is saying it and people in this House are saying it, then a lot more needs to be done than is the case at present. I think the Minister should investigate and answer the questions that he refused to even table, such as those from Deputy Wallace that were disallowed.

Deputy Charles Flanagan: The 2014 Act makes it perfectly clear that where a member of An Garda Síochána is subject to bullying and harassment as a result of disclosures, then that ill treatment can and will form part of the overall disclosure being made. I want to point out, yet again, that An Garda Síochána has published its protected disclosures policy. All Garda members and all civilians have been informed of this policy. In addition, the Garda Commissioner has appointed a protected disclosures manager who will be supported by a dedicated and properly trained team. The Garda Síochána continue to work with Transparency International Ireland and other external providers so that an environment is created to ensure that whistleblowers and people with complaints are protected and supported.

I wish to refer to the integrity at work pledge and the integrity at work membership agree-

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ment signed by the Garda Commissioner and Transparency International last autumn. All of this points to a significant change in the regime for members of An Garda Síochána making protected disclosures. I am satisfied that the legislative and administrative provisions now in place will prove to be an effective remedy for Garda members who wish to report their concerns regarding potential wrongdoings.

I am familiar with the individual in the specific case referred to by both Deputies. I am anxious to ensure that the various investigations and reports under way are brought to a conclusion at the earliest possible opportunity.

Garda Deployment

54. **Deputy Brendan Smith** asked the Minister for Justice and Equality when additional Garda personnel will be allocated to the Cavan and Monaghan Garda division in view of the level of crime in the area and the additional policing demands due to a land border with another jurisdiction; and if he will make a statement on the matter. [5658/18]

Deputy Brendan Smith: The Minister will recall that I spoke to him and tabled parliamentary questions regarding the need to provide additional resources to the Cavan-Monaghan Garda division. Since 2010, the Garda force in County Cavan has been reduced by approximately 20% and that in County Monaghan by in the region of 28%. I am anxious that in the context of the allocation of new recruits, the particular policing needs of the Cavan-Monaghan division should be given urgent consideration and additional resources are provided, including personnel. The Minister is aware we have a long land border with a different jurisdiction. There are particular and unique policing demands on our force in our jurisdiction.

Deputy Charles Flanagan: I acknowledge that Deputy Brendan Smith has raised these issues with me on numerous occasions and that he represents a challenging constituency. I refer to the Border and the rural nature of a large constituency comprising two counties. I am sure he will agree that the distribution of gardaí is exclusively the statutory responsibility of the Garda Commissioner. However, I am advised by the Commissioner that the Garda strength in the Cavan-Monaghan division as of 31 December 2017 was 329. In recent years, 40 newly attested gardaí have been assigned to the division and there has been a net increase of 11 in the strength compared with that which obtained in December 2016. There are also 11 Garda reservists and 38 civilian staff attached to the division. When required, the work of local gardaí is supported by a number of Garda national units, including 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 Deputy will also be aware that there is close and ongoing co-operation between An Garda Síochána and the Police Service of Northern Ireland, PSNI, on all aspects of policing, with a particular focus on combating security threats and cross-Border crime. The Garda Commissioner and the Chief Constable of the PSNI, who are responsible for operational policing co-operation, have repeatedly emphasised the scope and the value of the close and high-quality co-operation between the two police services in combating crime, protecting community safety and saving lives. The two police services operate a joint cross-Border policing strategy which has as its aims to improve public safety throughout Ireland, to disrupt criminal activity and to enhance the policing capability of both police services on the island.

Deputy Brendan Smith: I thank the Minister for his reply and I fully appreciate from the exchange that we had the last day, and indeed in conversation, that he is familiar with the policing needs of the Border area. I will give one example. There are four Garda districts in Cavan Monaghan. The Cavan district now encompasses what was formerly Cavan and the Ballyconnell district. That district alone has 80 km of a border with County Fermanagh. There are, to my memory, 21 official crossings and there are unofficial crossings as well. The Minister will appreciate that there are huge demands on our Garda personnel. They are already overstretched. I am a regular attendee at our joint policing committee meetings. We hear time and time again from the superintendents and the chief superintendents that resources are stretched.

The Minister is aware as well that over the years there are unsavoury elements operating along the Border. We know of the illicit trade in fuel and tobacco products. Unfortunately, all of those people have not gone away. That is an extra demand as well in regard to the thuggery of those particular criminals and their unsavoury activities doing huge damage to decent businesses along the Border. We have to ensure that An Garda Síochána has the necessary personnel and other resources that it needs where there are huge and difficult policing demands. That one division-----

Acting Chairman (Deputy John Lahart): The Deputy will have another chance to come in.

Deputy Brendan Smith: -----goes literally from the west coast to the east coast.

Deputy Niamh Smyth: I support my colleague in his call for extra personnel in the Cavan-Monaghan district. Since 2014, of the 1,400 recruits that have come through Templemore, only 44 have come to the Cavan-Monaghan division. My colleague, Deputy O'Callaghan, kindly came to Cavan for a day and visited Ballyconnell and Bailieborough Garda stations. If we are really to address rural crime, it is about personnel. It is so important. My understanding is not one garda has been appointed to community policing in the entire division. If we are serious about rural crime, the first job to be done is to have gardaí officially appointed to that role.

Deputy Charles Flanagan: The Deputies will be pleased to hear that the number of gardaí for the Cavan-Monaghan division increased from December 2009 to 2017: in 2015, it was 318; in 2016, it was also 318; and in 2017 it was 329. There are more on the way. A number of new recruits have been assigned to the Cavan-Monaghan division. The total number of gardaí, taking account of retirements, had increased to over 13,500 at the end of last year, a net increase of 600 since the end of 2016. I am pleased that funding is in place to maintain this high level of investment in the Garda workforce. I will continue to ensure there will be recruits from Templemore to ensure proper and adequate policing.

Deputy Brendan Smith has been in contact with me about a number of Garda stations. He will be pleased that the final report of the Garda Commissioner regarding the pilot programme recommends that Bawnboy Garda station in County Cavan be one of six stations to be included in the programme. The Deputy has been making representations to me on that issue. I will be happy to keep him fully informed of developments. However, I assure both Deputies that the situation in Cavan-Monaghan will be kept under review in light of the current obvious challenges.

Deputy Brendan Smith: Bawnboy is my home village. Nine Garda stations were closed in Cavan-Monaghan and I am sure the Minister will come around to ensuring a few others are

reopened as well.

I do not think we can emphasise enough the additional and unique policing demands in our Garda division because of the long Border with Fermanagh, Tyrone and Armagh. The Minister participated and contributed handsomely to the Fresh Start agreement and all Members supported his work. At that time, I proposed the establishment of a cross-Border crime agency to deal with the illegal trade in goods on an all-Ireland basis. In fairness, the Fresh Start agreement incorporated some of the measures we had proposed in our cross-Border crime agency Bill to ensure that the new measures that were put in place were effective. In counties such as Cavan, Monaghan, Louth and neighbouring areas along the Border, the Garda Síochána needs additional resources. I appeal to the Minister to ensure that the Garda Commissioner and the senior people in An Garda Síochána who make the decisions on the allocation of resources are ever mindful of the particular policing needs in our division and in other Border areas.

Deputy Charles Flanagan: I acknowledge that there is a particular challenge in Border areas having regard to the ongoing work in progress that is the peace process. I hope that over the next few weeks we will see the successful re-establishment of the power-sharing institutions in Northern Ireland, particularly the Executive and a working assembly. It is almost a year since the people in Northern Ireland voted and they deserve to have a working Executive and assembly. In the event that the current round of talks is successful, one of the first consequences will be the re-emergence of regular meetings of the North-South Ministerial Council. I mentioned earlier the close working relationship between the Garda Síochána and the PSNI. I acknowledge the work of Deputy Brendan Smith on Border matters, both North and South, over many years. I agree there is much work to be done in that area. Much of the cross-Border security work is ongoing but in the event of there being an early meeting of the North-South Ministerial Council there will be work to be done by Oireachtas committees and at executive level to ensure the best approach for what will be a concerted effort to stamp out criminality in the Border area.

Policing Authority Reports

55. **Deputy Sean Sherlock** asked the Minister for Justice and Equality his views on the progress on completion of a workforce plan and human resources strategy within An Garda Síochána as outlined in the Policing Authority report of December 2017; and if he will make a statement on the matter. [5559/18]

Deputy Sean Sherlock: The Policing Authority report is very good. It is easily readable and digestible. There is the creation of a new language, as it were, within the Policing Authority regarding how it sets out the challenges it faces. Has there been any progress on the completion of the workforce plan and human resources strategy?

Minister for Justice and Equality (Deputy Charles Flanagan): The Policing Authority is tasked with overseeing the implementation of the agreed recommendations of the Garda Inspectorate report, Changing Policing in Ireland, and reporting to me on a regular basis. I welcome its fourth progress report which includes an in-depth assessment of the human resources function within An Garda Síochána. Human resources is an important strategic business support in any organisation but this is most especially the case in an organisation such as An Garda Síochána that is undertaking a programme of reform in tandem with a major expansion of its workforce. In this regard, the Deputy will be aware the Government is committed to an in-

creased Garda workforce, comprising 15,000 gardaí, 4,000 civilians and 2,000 reservists, over the next four years.

The broad principles underpinning the deployment of these additional personnel are contained in the Garda Commissioner's modernisation and renewal programme for the period 2016 to 2021 and supported by the Government's commitment to civilianisation and in particular the medium-term target of 20% civilians to be achieved by 2021. However, I agree with the authority's assessment that a HR strategy articulating how these resources are to be leveraged in support of visible, responsive policing is necessary at this stage. This would assist in ensuring that there is clarity as to how the contribution of gardaí, reservists and civilian staff is to be optimised throughout the organisation and ensure a coherent approach. It would also facilitate better planning in other areas, for example, with regard to training needs and accommodation needs. The Garda Commissioner is committed to the development of such a strategy by mid-year as part of the 2018 annual policing plan. I will be meeting the Garda Commissioner shortly to discuss the fourth report and this subject will be one of the key items on the agenda.

Deputy Sean Sherlock: Does the Minister acknowledge that concerns were raised in the report of 22 December 2017 about the pace of implementation? The July report stated that although the Garda Síochána had indicated that 20% were completed, the authority found on further investigation that many of those which had been marked as complete had, in fact, not met the intent of the relevant recommendation in *Changing Policing in Ireland*. Does the Minister acknowledge that the clear, cohesive language of the Policing Authority, which is reporting back to us and publicly, is telling us that there is still much change management to be completed within An Garda Síochána and that the pace of the implementation of change is not where it needs to be?

Deputy Charles Flanagan: I certainly agree that there is a body of work to be undertaken. The Deputy referred to the plan that was submitted by An Garda Síochána to the authority in July. This has been the subject of discussion with the authority, my Department and the Department of Public Expenditure and Reform. I am informed by the Garda Commissioner that a further iteration of that plan is currently being drafted. It will expand on issues such as workforce assessment, workforce supply and demand, the model for redeploying sworn officers to operational policing roles and the identification of new civilian posts. In recent months, An Garda Síochána has been in a position to enhance its capacity in this area through recruiting civilian expertise. This additional capacity is contributing towards the delivery of an updated workforce plan. The Commissioner has acknowledged that the human resources function within An Garda Síochána is outmoded and unsuitable for an expanding 21st century workforce. It is important that the Policing Authority and An Garda Síochána work closely together on the issues in conjunction with my Department while also recognising the role of the Department of Public Expenditure and Reform.

Deputy Sean Sherlock: I thank the Minister for his response. All Members, along with the community who are observing the ongoing change management, want to see a policing strategy and a committee to examine performance in that regard. I acknowledge that is taking place on a monthly basis but we must ensure that milestones are being reached and that reform, which is a slow and meticulous process, is achieved. Does the Minister agree that the role of the Policing Authority has been crucial in ensuring the progress of the change management process?

Acting Chairman (Deputy John Lahart): Is Deputy Sherlock certain he has no other questions? I call on the Minister to respond.

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Deputy Charles Flanagan: I acknowledge the crucial role of the Policing Authority in the ongoing process of modernisation and reform. The issue of recruitment of civilians is of particular significance and I am anxious to ensure that process is accelerated. It is disappointing that the target of 500 civilian recruits last year was not reached. I acknowledge a number of contributory factors in that regard, including the need for An Garda Síochána to increase its recruitment abilities after a lengthy moratorium, the time required to vet persons comprehensively before they can be employed in the policing sector and the number of bodies, including the Policing Authority, my Department and the Department of Public Expenditure and Reform, involved in the sanctioning process for each post. I acknowledge there was a significant acceleration in pace in the last quarter of 2017 but it is imperative that progress is more intensively accelerated this year.

I will shortly meet the Commissioner to discuss the fourth progress report of the Policing Authority. We will emphasise the importance of moving more quickly on the two strands of the civilianisation programme: the recruitment of additional civilians to address critical skills gaps and the redeployment of gardaí to policing duties and the backfilling of their posts with suitably qualified civilian staff. There are some complex and detailed issues to be addressed but this is a priority for me, as Minister, and I am happy to engage bilaterally with Deputy Sherlock and keep the House fully informed on this crucial aspect of the modernisation and reform programme for An Garda Síochána.

Family Law Cases

56. **Deputy Peter Fitzpatrick** asked the Minister for Justice and Equality the reason for the delay in the family law Bill coming before Dáil Éireann; and if he will make a statement on the matter. [5653/18]

Deputy Peter Fitzpatrick: Last week during questions on promised legislation I asked the Minister to update the House on the family law Bill. I stated that fathers and mothers fight over the possibility of having their children removed from their custody. Courts deal with personal and sensitive matters including divorce, custody issues, children in State care, child maintenance and domestic violence. These courts are operating up and down the country, in every small town and city in Ireland. The facilities are inadequate. I have seen at first hand what is happening in these courts.

Deputy Charles Flanagan: I acknowledge that Deputy Fitzpatrick has been raising this issue with me for some time. It is an issue that is important to him as a parliamentarian.

The Government remains committed to significant reform of the courts, including the establishment of a family law court structure that is streamlined, more efficient and less costly. My Department is working on the general scheme of a family court Bill which will aim to streamline family law court processes, clarify jurisdictional issues and provide for a set of guiding principles to help ensure the family court will operate in a user-friendly and efficient manner. The intention is to establish a dedicated family court within the existing court structures.

The family court Bill will support the provisions of the Mediation Act 2017 by encouraging greater use of alternative dispute resolution to assist in the more timely resolution of family law cases. As the Deputy will appreciate, it is essential that there is proper planning and consultation with relevant stakeholders in order to ensure the development of a new family court struc-

ture can be implemented smoothly and efficiently.

My Department has established a working group comprising officials from my Department, the Courts Service and the Legal Aid Board to examine the operational aspects relating to the family court. The intention is that the working group will develop an overall architecture for the new family court structure. It is consulting with other relevant stakeholders. Key issues arising in consultations include family court venues, facilities, resources, capital investment in family courts and integration of relevant family and child services to provide the best possible family law outcomes.

I hope to secure Government approval in the coming months for the general scheme of a family court Bill. Once the general scheme is approved by the Government, it will be referred to the Office of the Parliamentary Counsel for drafting and to the appropriate Oireachtas committee for pre-legislative scrutiny.

Deputy Peter Fitzpatrick: It is over 20 years since the Law Reform Commission recommended a specialist court structure for family law and I welcome that plans in that regard are being progressed. It is welcome that three years ago the rules were changed such that the public now have access to proceedings that previously had taken place behind closed doors, with only judges, lawyers and family members involved in the case allowed to be present.

As I said, I have seen at first hand what happens in these courts and it is not nice. One walks in the door and sees many children running around but no play facilities for them. It is totally inadequate. There may be only one toilet available for the use of all present. All one can see is mothers, fathers, cousins, uncles, aunts and so on all fighting together. The facilities are not suitable for children. The previous Fine-Gael led Government for the first time established the office of a Minister for Children and Youth Affairs. It is very important that we ensure there are adequate family court facilities.

Deputy Charles Flanagan: I do not disagree with the points raised by Deputy Fitzpatrick. The programme for Government 2011 to 2016 contained a commitment to establish a distinct and separate system of family courts to streamline the family law court process and make it more efficient and less costly. There has been ongoing negative comment in the media highlighting what are perceived to be the inadequate facilities faced by users of the family courts, including delays, the lack of appropriate waiting areas as outlined by Deputy Fitzpatrick and the issue of child care facilities. Since the 1990s there have been calls for the setting up of a dedicated family court. A series of reports on the matter were published which identified problems in the arrangement of the courts generally and in how the family court system operates. Many of those reports have not been acted upon and I hope to bring proposals to the Government in the coming months in order to advance this very important issue in the context of ensuring a separate and distinct family law division within the courts system.

Deputy Peter Fitzpatrick: I thank the Minister. Over the past seven years as a Deputy, I have received many complaints from parents about the state of family courts. As I said, I went to see the situation in such a court first hand. Everything they told me was wrong.

The Minister mentioned structures, venues, facilities and investment and having less costly and more streamlined and user-friendly family law cases. That is to be welcomed and the Minister has had my full support from day one. He is doing a fantastic job. However, family law has been pushed around. In 2015, the then Taoiseach, Deputy Enda Kenny, stated family law

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reform was one of the biggest reform issues to come before the Government and he was going to give it priority. The matter has been pushed from Billy to Jack. As I said, the Minister has my full support. Children are hugely important for our future. We must ensure they get the support, protection and facilities they need to carry on because what happens in such courts will mark these children for the rest of their lives.

Deputy Charles Flanagan: I agree that there are issues to be addressed, including infra-structural issues in terms of court facilities and buildings. We must advert to the need to ensure there is specialist training in family law for those involved in its practice, which would not only focus on the latest developments in legislation and international treaties but also ensure best international practice. We need to look at information communication technology investment, including appropriate digital audio recording equipment and acoustic systems, to ensure the courts can, where appropriate, hear evidence through video link. Obviously the sensitivity and very personal nature of many of these court cases will involve a certain flexibility and adaptability in responding to needs. Appropriate funding for the Legal Aid Board is necessary to deal with delays in processing applications for legal aid in order that we can shorten the waiting times. I acknowledge that over our lost decade of economic difficulties, this is an area that has not kept pace with needs. I hope we can do that in the context of this year's programme of work.

Written Answers are published on the Oireachtas website.

Topical Issue Debate

Ambulance Service Response Times

Deputy Niamh Smyth: I thank the Minister of State for coming to the House. I wish to raise the matter of the ambulance response times in my constituency of Cavan-Monaghan. I must highlight a very harrowing case that actually happened to a family in County Monaghan.

Last July, a young man of 44 years of age, who was a son, a father and a husband, suffered a cardiac arrest in Castleblayney, County Monaghan. Luckily he was in company at the time and the 999 call was made. People who were on the scene at the time carried out CPR on this man and the locals who made the 999 call stayed in constant contact with the ambulance service while they waited for an ambulance to arrive. These people had the time both to get the defibrillator to perform the CPR and to make contact with the ambulance service and they waited and waited. The ambulance had to come from Navan. It was redirected to Dunshaughlin - this is all in County Meath as the Minister of State is aware - before it reached Ballybay, which is just outside Castleblayney, County Monaghan. I understand there is an ambulance and an ambulance service based in Castleblayney, which is literally ten minutes from where the incident was happening. In the end, this gentleman was waiting for the ambulance to arrive for one hour and 15 minutes. He was still alive and had a good strong pulse when the ambulance did arrive. Unfortunately, when the gentleman was taken into the ambulance, he lost his life. His mum and his family maintain to this day that had the ambulance response time been much quicker or had the doctor on call arrived on the scene, the outcome quite clearly could have been very different. This man has left behind young children and a wife, his mum, dad, sisters and brothers, who are absolutely traumatised and heartbroken at this outcome.

I put it to the Minister of State that it is just not good enough in this day and age for anybody in such a critical condition to be obliged to wait that length of time for an ambulance. Not only was the incident happening within ten minutes of Castleblayney, where there is an ambulance service to respond to such calls, they were another ten or 15 minutes away from Monaghan Hospital. The ambulance that was dispatched was directed to Cavan General Hospital, which has an accident and emergency unit. This response time is just not good enough. In December we met representatives of the National Ambulance Service, NAS, to address these issues but I have a couple of questions to put to the Minister of State today.

For this family, unfortunately, that is not where this issue finishes. Another family member, who had been ill for many years, became critically ill just ten days after he had lost his son. The ambulance was called again. This man's wife, who is in her 70s and had just suffered the trauma of losing her son, had to call on the ambulance service again. To not put a tooth in it, the ambulance got lost. When the family rang the 999 number, they were told the ambulance was in Shercock, County Cavan, which is literally ten miles away or a ten-minute journey at most. The ambulance got lost and when it did show up the family was told that it had no satnav and had been given no contact details as to where the 999 call had come from. This gentleman had to wait one hour and 25 minutes, ten days after they had lost their son, having waited one hour and 15 minutes. Thankfully, the outcome for this gentleman was much better and his life was saved. He was brought to Cavan General Hospital. That family are absolutely traumatised. I put it to the Minister of State that this family are not the only ones in the constituency of Cavan-Monaghan who are bewildered by the ambulance response times.

Minister of State at the Department of Health (Deputy Jim Daly): I thank Deputy Smyth for the sincerity and appropriateness with which she has brought this issue to the House. I extend my sincere sympathies to the family of that young gentleman and for the harrowing story and circumstances they endured. I am very conscious that no mealy-mouthed words I will issue today with statistics or figures will go any way towards answering the what-ifs, the maybes and the buts the family has to live with every day of their lives. Listening to me speak about the global macro picture, the response times in the Cavan-Monaghan area and what percentages of calls have been achieved satisfactorily and within an appropriate response time, will go nowhere towards solving the anguish of those people. When we talk about ambulance response times, the reality is that we are talking about life and death. We cannot afford to get them wrong. I absolutely accept this from the outset.

I ask the Deputy to not assume this response is a defence; it is by way of background and explanation from the Department. Ambulance response times are helpful for performance measurement, however, it should be recognised that sole reliance on response times does not provide a comprehensive picture of modern ambulance service performance. Response times tell us how fast the service was provided rather than how well the patient was cared for. Response time performance is being globally reviewed as to whether it is the only appropriate measure of pre-hospital patient care. While rapid deployment and timely arrival is accepted as being necessary, patient outcome indicators are now being viewed as a more appropriate measure of patient care and experience. The National Ambulance Service has developed a suite of key performance indicators to measure patient outcomes and experiences and these are currently being piloted to be included in the national service plan.

That said, I am aware that the Delta response times in the north east have been below target. I note, however, that Echo response times are on or above target in the period September to December 2017. A number of developments have been made by the NAS in order to address

the issue of response times. I am also aware that in Border counties the NAS works closely with the Northern Ireland Ambulance Service to provide a more responsive service for patients.

The capacity review published in 2016 identifies particular difficulties serving rural areas such as this region. The capacity review indicated that the only practical way to improve first response times in rural areas is through voluntary community first responders, CFR, schemes. The NAS continues to work with local CFR groups across the north east region to enhance services. There are currently 25 CFR groups in the north-east region.

I have also been advised by the NAS that it is improving regional coverage and deployment across rural areas including Cavan and Monaghan. The National Ambulance Service is moving away from ambulance provision from fixed bases to dynamic deployment. This means that resources can be used across a region so that if demand increases in one area, other resources can provide cover as required. In addition, the National Ambulance Service has developed the intermediate care service to provide lower-acuity hospital transfers, which frees up emergency ambulances for the more urgent calls. A permanent emergency aeromedical support service has also been established to provide a more timely response to persons in rural areas.

Over recent years, year on year, additional investment has been directed towards the National Ambulance Service. This year, an additional sum of €10.7 million has been made available, which includes €2.8 million to fund new developments. New developments include the development of alternative pathways to care, as well as the hear and treat clinical hub that is expected to go live soon in the national emergency operations centre. This will divert some lower-acuity patients to alternative care pathways and will free up some emergency capacity. In time it is hoped that such initiatives will help to improve response times around the country including in the Cavan-Monaghan area. I assure Members that the National Ambulance Service is focused on improving ambulance response times throughout the country.

I reiterate my earlier comments that I do not mean to be insincere by giving those facts and figures. They do not do a service to the individuals involved.

Deputy Niamh Smyth: I thank the Minister of State for his response. As he has said himself, it has been a more general answer and I raise that matter as a Topical Issue because I am trying to get to the crux of the issue for this family. They really deserve answers. I appreciate that this is the portfolio of the Minister for Health, Deputy Harris, and that the Minister of State is stepping in for him today. I ask the Minister of State to bring back these specific questions to the Minister because the family deserves answers. We have met with the National Ambulance Service and that is fine but the family wants answers from the Minister with responsibility. Crucially, the constituency of Cavan-Monaghan is suffering. The family wants to know why they had to wait one hour and 15 minutes for an ambulance service on that particular day for their son who lost his life. They also want to know why, ten days later, they had to wait one hour and 25 minutes for the father. Why was the advanced paramedic unit not sent to this emergency? Why did the doctor on call not come that night? I just do not think it is good enough for the National Ambulance Service to say, as it did in all sincerity at the meeting I mentioned, that the ambulance got lost, that no satnav was available in the vehicle and that it had no contact number for the family that made the original call. If someone in my office did not take the particulars of a constituent who came in, I would be very upset and it could be a sacking offence. This is a matter of life or death. It is not good enough in this day and age for the National Ambulance Service to answer by saying the ambulance got lost, no satnav was in use and no contact number was available. When an elderly gentlemen was in this scenario for a second time, the ambu-

lance sat outside a local shop while the members of the crew blindly looked for directions to the house the call came from because they had no contact details.

I have written to the Minister for Health, Deputy Harris, and the Taoiseach about this issue. The Minister kindly set up the meeting with the National Ambulance Service. The Minister and the ambulance service gave a commitment that if the family did not feel the answers were good or focused enough, the members of the family would be able to sit down with the Minister, which is the least they deserve. They want to be heard. That is all they are asking for. The Minister has written me to say that due to diary constraints, he cannot commit to a time now. This family deserves to be heard. It is not too much to ask for the Minister to provide 15 minutes out of his diary for a simple meeting. I ask the Minister of State to bring the specific questions I have asked back to the Minister so that I can get specific answers.

Deputy Jim Daly: I will certainly go back to the Minister, for whom I am deputising here. I am happy and more than willing to go back to him. I will repeat the Deputy's request with sincerity and I will do justice to how she has presented it on the floor of the House. She is right when she says that the answer I have read is not acceptable to the family in question. Ifs, whats and buts are no comfort for the members of the family. I agree that such families need a voice in this Chamber and with the ambulance service. As such a representative, Deputy Niamh Smyth is right to demand accountability. It is not just a choice on our part - as public representatives we have a responsibility to ensure we get accountability for these failures in the systems. There is a management structure in place within the National Ambulance Service at a macro level and at a local level. There are operatives carrying out various duties. We have to get accountability and answers for this family. I will support the Deputy in this endeavour at whatever level I can. I will certainly impress on the Minister my desire to see this matter brought to a conclusion.

I know Deputy Niamh Smyth has met representatives of the National Ambulance Service. That was mentioned in the briefing note which was made available to me. I understand the service has undertaken to get back to the Deputy with the answers and with more detail on the operational failures that occurred that day. That is the very least it should do for the family in question and indeed for all the Deputy's constituents. We do not want to be tearing down the confidence in the system of everybody who is worried about their parents or indeed about themselves. We owe it to them to provide assurances that the mistakes which have been made - I appreciate that this is a very polite word to use - will not happen again. We need to assure them that someone is being held accountable, that systems have changed since this incident and that lessons have been learned and implemented from it. I will certainly do everything I can to support the Deputy in this regard. I will make sure to impress it on the Minister.

Medical Aids and Appliances Provision

Deputy Mary Butler: I warmly welcome the HSE's decision to reimburse FreeStyle Libre for children and young adults. As the Minister of State is aware, almost 190,000 people in Ireland have diabetes, which is a chronic disease that takes a lot of management. This device, which allows blood glucose levels to be monitored without invasive finger-prick testing, is an absolute game-changer for anyone suffering with diabetes. In some cases, patients have to test their glucose levels up to ten times a day. This can be a real inconvenience and discomfort, especially for children.

While we welcome the HSE's decision, we believe clarity is needed in respect of it. We are

here today because we need the meat on the bones now. We have questions to ask. We appreciate that the Minister of State might not be able to answer them all today. We would appreciate it if the Minister of State would bring our questions back to the Minister for Health. The Minister's press release mentioned that this will be available "for children and young adults". What exactly is meant by "young adults"? That is my first specific question. According to the press release, this will not be available for children and young adults on insulin pumps. Why is this group being excluded?

Would it be possible for the Minister of State to clarify the specific criteria which must be satisfied, in line with the recommendations of the health technology assessment group, in order for reimbursements to be made in respect of children and teenagers with diabetes? How long will it take to build the application suite for reimbursement support? As the Minister of State is aware, FreeStyle Libre costs approximately €120 a month. This is a huge cost for families with young children and for patients who are funding this themselves each week. The sensors, which cost €60 each, last for 14 days. This means there is a monthly cost of €120, plus €6 postage and packaging costs.

Deputy Frank O'Rourke: I am delighted to speak on this issue along with my colleague, Deputy Butler, on behalf of the diabetes community of Ireland. I thank the Minister of State for coming to the Chamber to respond to this Topical Issue. I raised this matter with the Minister for Health a number of weeks ago. It was announced a few days later that FreeStyle Libre was to be included in the long-term illness scheme for adults and children. This decision is to be welcomed. I acknowledge that this is a positive development. We are looking to see whether it can be extended to all sufferers of type 1 diabetes. This would be massively important for them. There is a great deal of concern and anxiety out there at the moment. The people who are not included in the current arrangements have put together a campaign to try to impress on the Minister the importance of their case. They have gathered 13,000 signatures to that end. The Minister of State might ask the Minister whether he is willing to meet a delegation or group to accept the 13,000 signatures and to discuss this matter for a few minutes. This would allow those who are seeking to get this extended to highlight the concern that exists in this respect.

As my colleague, Deputy Butler, said, this brilliant technology is replacing the finger-prick test. It has to be inclusive for all. We need to include it for all sufferers of type 1 diabetes. It is not right to discriminate between one class and another because they are all suffering from the same condition. At the moment, there are 20,000 adults suffering from type 1 diabetes. It appears that they are not included in the long-term illness scheme for the equipment that is being made available. The HSE advocates the use of insulin pumps in preference to other technologies. There is a direct contradiction in all of this because it has said that anyone using an insulin pump will not be able to avail of this equipment. There are major problems in this regard. I acknowledge the presence of the Minister of State. I welcome the decision to extend the availability of this technology to some people. We need to work together to extend it to everyone.

Deputy Jim Daly: I thank the Deputies for the opportunity to speak about the provision by the HSE of a new management device for children with type 1 diabetes. Diabetes places a substantial burden on the individual, on society and on the economy. Much of this burden is attributable to short-term and long-term complications. Almost 190,000 people in Ireland have diabetes. As the prevalence of diabetes increases, diabetes-related complications represent a growing global public health and health service challenge.

In accordance with the Health (Pricing and Supply of Medical Goods) Act 2013, the HSE

has statutory responsibility for decisions on pricing and reimbursement of medical devices in the community drug schemes. In February 2017, an application by the manufacturer was submitted to the primary care reimbursement service of the HSE for the reimbursement of the FreeStyle Libre flash glucose monitoring system. Glucose monitoring allows people to self-manage diabetes by making adjustments to their diet, lifestyle and treatment to reduce the risk of diabetes-related complications. Current glucose monitoring methods include self-monitoring of blood glucose, which involves finger-prick blood glucose monitoring using testing strips and electronic glucose meters, as well as continuous glucose monitoring, which needs to be calibrated with a blood sample.

The FreeStyle Libre flash glucose monitoring system is intended to be used as an alternative to current methods for people who administer multiple daily injections of insulin. This innovative technology allows glucose readings to be taken non-invasively and does not need to be calibrated with a blood sample. The HSE health technology assessment group carried out an appraisal of the evidence submitted with this application. An expert group under the auspices of the health technology assessment group considered the FreeStyle Libre application for addition to the reimbursement list in line with the 2013 Act. The health technology assessment group recommended that reimbursement for the device should be considered subject to certain conditions.

6 o'clock The HSE has accepted its recommendations in principle and will be developing an application suite for hospital clinicians to use when proposing suitable patients for consideration of individual reimbursement support. This will be confined to children and young adults who require multiple daily injections of insulin in the first instance, with a review after 12 months.

The HSE has indicated that it will take some months to build the application suite for reimbursement support. When the application suite is ready and in place, hospitals providing a diabetic clinic service will be able to apply for the device for children and young adults, in line with the recommendation of the health technology assessment group. As patients receive approval on the application suite, pharmacies will be able to see their approval status and will be able to dispense to the patient under their long-term illness scheme eligibility.

We have made huge strides in treating and managing diabetes and I am happy to welcome the HSE's decision to reimburse FreeStyle Libre, which will be welcome news for young people and their parents.

Deputy Mary Butler: Unfortunately, there is no new information available here. It is really hard on parents of children and young adults, who received this information and were so excited with it, that there is very little detail. This will be a game changer. However, a time-frame for the roll-out is essential and is required sooner rather than later. In the long run, the Exchequer will save money because when diabetes is properly monitored and controlled, the amount of hospital care required will decrease.

I also ask the Minister of State to request the expert group under the HSE's watch to consider the additional roll-out to adults as a matter of urgency. I have no doubt they will monitor closely how it affects children and young adults but we certainly cannot have discrimination in that regard. I concur with my colleague in respect of the petition with 13,000 signatures. That is a lot of signatures and I hope the Minister will accept it from the organisers.

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Deputy Frank O'Rourke: I welcome and acknowledge the Minister of State's response. To be fair, he does not have the information or details available to him to deal with the issues we have raised today. We hope that discussing the matter in the Chamber today might create the vehicle through which we could sit down with the Minister or some of his appointed officials so that we can get the detail about all of this for the people who have been included.

We continue to acknowledge that this is a good news story. This is not negative at all, but we need it to go further. What is key here is that the Minister of State asks the Minister, Deputy Simon Harris, when we can meet him and get the information from him and get a commitment from him that it will be extended to all type one diabetes sufferers. That is hugely important. The cost of this is €120 a month. That is a lot of money for people who are struggling as it is and we need to get a commitment about the roll-out for the people who are approved, but most importantly when a decision will be made for all type one diabetes sufferers. Will the Minister also come back to us and let us know if he will meet a small delegation with the 13,000 signatures to see if we can discuss this and bring clarity and definitive delivery deadlines?

Deputy Jim Daly: I thank the Deputies for their constructive and positive approach; both of them are known for that so it is no surprise in this particular matter. I accept there are many more unanswered questions and their job as representatives is to get answers for those people who are very anxious about it. Deputy O'Rourke acknowledged the cost to individuals who have to pay for the device. They need more clarity and certainty.

It is a good news story and a positive development but we need to know how far it goes, how long it is going to take to roll out and when it can impact and change people's lives in such a positive way. There is no point having a wish and something that is announced. We need to have it in real practice.

I will pass on the Deputies' concerns to the Minister and reiterate their request to get the detailed answers they want, whether it is through a meeting with his officials or with himself. I will certainly pass on that request to him and will encourage the process to happen sooner rather than later so that the 13,000 people who signed the petition and many others who are impacted by this will get the clarity they deserve and the Deputies will get it on their part.

An Leas-Cheann Comhairle: We should be moving on to the third Topical Issue in the name of Deputy Durkan, but it appears the Minister of State, Deputy Damien English, has not arrived yet. With Deputy Durkan's permission, we will go on to the next matter in the name of Deputy Tóibín.

North-South Interconnector

Deputy Peadar Tóibín: We in Sinn Féin support a North-South interconnector and an all-Ireland energy market. Most importantly, however, we only support it if it is underground. Shockingly, the Government plans to overground it. Fine Gael and the Independents seek to construct 409 pylons, some of them up to 51 m high, carrying 400,000 V through Meath, Cavan, Monaghan, Armagh and Tyrone. Some will be constructed at a minimum distance of 13 m from people's houses. There are significant fears regarding threats to health as well as the value of homes, farms, and businesses. Tourism, agriculture and the bloodstock industry will all be affected.

The truth is that the technology the Government is seeking to build is becoming increasingly out of date. It is being superseded by new underground technology that is being rolled out elsewhere in the world. EirGrid itself has conceded that it can be done. We also know that the price of undergrounding is falling all the time. The fact is that EirGrid has pig-headedly forced through a particular version of the interconnector. This has actually slowed down the delivery of the infrastructure. It is ten years on the go and still without a shovel going into the ground.

There is another crisis arising. EirGrid has stated that it has access to the land to build the pylons but, lo and behold, An Bord Pleanála has not approved access for EirGrid to the lands to build the pylons. It is not included in the planning permission that has been received by EirGrid. An Bord Pleanála has not approved any one of the 584 access routes required on the lands. That is very significant. There are 400 landowners along the route of the interconnector, 97% of whom have said that EirGrid will not be allowed on the land.

If EirGrid accessed the land without agreement of the farmer, it is my understanding that it would be breaching An Bord Pleanála's permission. Is this something new? Is the Minister aware of EirGrid breaching An Bord Pleanála's permissions before, in County Laois, for example? What is to happen when EirGrid breaches these permissions? Is the Minister going to stand idly by and allow that to happen?

Legally, it is EirGrid's duty to get an agreement on an access route, which should be achieved between the farmer and the council. Is this going to happen? How is EirGrid going to gain access to the land if it does not have planning permission for access? That is a serious conundrum that could leave the Minister, Deputy Naughten, with another massive problem within the space of a couple of weeks.

Has the Government factored in the cost of dealing with this problem and has it factored in the cost of dealing with the lack of co-operation from farmers? We hear from the Minister, Deputy Regina "Che Guevara" Doherty, that there is going to be potential for civil disobedience along the route and that she herself is going to take to the barricades and defend the farmers. If she showed the same level of energy and enthusiasm defending farmers at the Cabinet table or in the Dáil Chamber, we would all welcome it. What is the Minister going to do if we get to this point?

The farmers along the routes are decent, law-abiding people. It is not in their wildest dreams to seek to come into conflict with the Government. However, there is a danger that the Minister is sleepwalking into a Shell to Sea situation, except far worse; Shell to Sea was in a couple of townlands in one corner of one county. This is going to happen along the whole route, in Meath, Cavan, Monaghan, Armagh and Tyrone. How is EirGrid going to gain access to the land when it does not have permission to do so? Has the Government costed the opposition to this?

Minister for Communications, Climate Action and Environment (Deputy Denis Naughten): I thank Deputy Tóibín for providing me the opportunity to discuss the proposed North-South interconnector. It is important to state at the outset that it is not part of the Government's remit to direct EirGrid in the development of energy infrastructure to particular sites, routes or technologies. This policy was clearly expressed in the 2012 Government policy statement on the strategic importance of transmission and other energy infrastructure.

It is not "my" Government but our Government; it is a Government made up of representatives of this House. The decisions that have been taken on this project were taken by previous

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governments, not this Government. Of course, there was no Government in Northern Ireland to make a decision one way or the other.

On 21 December 2016 An Bord Pleanála granted planning permission for the North-South interconnector project in Ireland. The decision concluded a lengthy planning process which included an oral hearing completed over 11 weeks from March to May 2016.

The planning process carried out by An Bord Pleanála heard from my Department that the North-South interconnector is a key project in delivering the objectives of national energy policy, specifically, security of supply, competitiveness and sustainability. The interconnector will bring benefits directly to electricity consumers across the island of Ireland through lower prices as a result of more efficient operation of the all-island single electricity market. It will also ensure a safe and sustainable source of energy for both jurisdictions.

All aspects of the project were evaluated, including the potential for undergrounding, and it was determined by the inspector that an overground option was the most appropriate solution. This is dealt with in considerable detail in the inspector's report. On 23 January 2018, full planning permission was granted for the section of the line that lies in Northern Ireland. The Department of Infrastructure in Northern Ireland stated that the decision was based on the urgent and compelling need for the proposed development and was taken because the Department considered that it is in the public interest to take this decision without further delay given the strategic importance of the project for the region. So, the statutorily-independent planning processes on both sides of the Border have determined that the proposed North-South interconnector should be developed as an overhead line, not as an underground line. I fully accept the outcome of both planning processes.

The proposed interconnector had already been the subject of a variety of studies, all concluding that an overhead line is the best solution, both from a technical and cost perspective. However, based on concerns expressed to me at meetings with various parliamentary colleagues and local community representatives and to address the main points of the motions passed in the Oireachtas in February and March 2017, I have commissioned two further independent studies into the project. The first study is specifically examining the technical feasibility and cost of undergrounding the interconnector. The second study, at the Deputy's request, is examining the levels of compensation provided to property owners in proximity to high-voltage transmission lines across Europe. Both reports will be published this quarter, and people will have the opportunity to consider them in detail at that stage.

Deputy Peadar Tóibín: The Minister has studiously avoided answering my question. An Bord Pleanála has granted planning permission to EirGrid. It does not include access in over 500 situations. Without access EirGrid cannot build the interconnector. Unless it breaches that permission this will meet another stone wall. Is the Minister going to tell us how exactly EirGrid is going to gain access to build the North-South interconnector?

Why should it not be the policy of the Government to direct that EirGrid builds the interconnector underground? If it is the policy of political parties, why is it not translated into Government policy when that party has its hands on the steering wheel?

It is disingenuous to say that I asked for an investigation into the levels of compensation for families living along the curtilage of the North-South interconnector. I asked if the Minister would find out what the project would cost in terms of the fall in value of the properties con-

cerned. These are two separate issues; they are unrelated. The Minister knows that is what I asked for in the meeting we had in his office. It seems that something has got lost in translation between us or in the Department. The Department also did not pick up the request mandated by this Dáil with regards the investigation last March. It purposely decided to carry out an investigation that was not asked for. The question I asked was what the costs on the value drops were likely to be along the curtilage of the interconnectors. The answer I will get will show the likely compensation levels for farmers.

Answers to the following questions might shed some light on this process. How is Eirgrid going to build the interconnector without the permissions from An Bord Pleanála and how is it that we are not going find out the drops in value of property in this investigation?

Deputy Denis Naughten: The report will outline how compensation is calculated and the comparable figures across Europe. The figures are relative to issues such as depreciation, loss of use, loss of value and so forth

Deputy Peadar Tóibín: They are not equal to it.

Deputy Denis Naughten: The current planning permission for the delivery of the North-South interconnector in both Ireland and Northern Ireland is for an overhead line. An underground line would require a whole new planning process. It is important that I put that on the record because the impression given at a recent meeting with Monaghan County Council was that a new planning process would not be required.

All of the existing information pertaining to the undergrounding was available to An Bord Pleanála as part of that planning process. In the oral hearing the inspector heard testimony both in favour of and against the overground and underground solutions. The inspector examined those issues thoroughly and concluded that the overhead line was the best technical and economic solution for the North-South interconnector to meet its objectives.

As Minister I have an overarching duty, unless lawfully challenging a decision, to respect the decisions of lawfully established bodies. Having said that, I fully respect that this is an emotive issue for many people, particularly those in close proximity to the proposed project. For that reason I met with the people on the ground. I was the first Minister in a long time to do that. I met with Members of the Oireachtas here on a number of occasions. I met with Monaghan County Council last week, and some very disingenuous comments came out of that meeting which were untrue. It is disappointing, when I as Minister am prepared to meet with public representatives, that comments like that would come out of such meetings. Having said that, the reports will be completed this quarter. They will be published and will be made available to interested parties so people can see for themselves in black and white the information contained in them and the conclusions, whatever they are, and make up their minds after that.

Regional Development

Deputy Bernard J. Durkan: I thank the Leas-Cheann Comhairle for the opportunity to raise this particularly important issue for north County Kildare, particularly for the people of Naas and the surrounding area.

The question of the stalled development of the town centre of Naas has been a moot issue

for several years. It is ten years since the development stopped. Various procedures have been gone through in the meantime. I have raised the matter in this House, with the permission of the Leas-Cheann Comhairle, on a number of occasions. I raised it in parliamentary questions and with Ministers. I have also raised the issue with the local authority. The position remains that the development, although in its final stages of inertia, is about to move on to the next stage, with a little bit of a push. I wish to raise that crucial strategic movement tonight.

If we count the amount of time and energy that has gone into evaluating the situation in Naas over the last number of years and put a cost on it, it would be colossal. The symbolic vision of the stalled cranes on the horizon will have been there for ten years now and will remain there unless something very serious is done to move the process on. I know there is a process in place. On the last occasion the arbitration system had been referred and deferred; after sitting for a year it adjourned for a year, which is an extraordinary situation. At this stage I am asking the Minister of State if he can liaise with his colleague in the adjoining Department with a view to finding out exactly what is happening with the arbitration. Nothing positive can happen unless the arbitration is dealt with. There was only one arbitrator in the entire country. That was supplemented by four or five others, to the best of my knowledge, but we have heard nothing about that particular process since. To allow the prevailing situation to stand much longer will have a very serious impact on Naas because the town is now beginning to recover from the worst parts of the recession. Now is the time to take the initiative and move it on. A good deal of work can be done in the interim before the final stages in respect of the development, which may be planning permission and many other issues, but if that work is not undertaken now it will have to be done at some stage in the future. For the life of me I cannot understand why it takes so long to do simple things. Everything seems to take forever in this country. We find that the simplest of issues that should have been dealt with in five or six weeks can take up to ten years. That does not give a good example to the rest of the country and it does not give a good impression of the country as to the way business is done here. I ask the Minister of State to take responsibility on this occasion and drive this forward in rapid fashion. If he cannot for some reason, I would like to know it.

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): I apologise to the Leas-Cheann Comhairle. I thought I was taking the fourth issue-----

An Leas-Cheann Comhairle: Exactly.

Deputy Damien English: -----and I am sorry if I delayed the House earlier.

I thank Deputy Durkan for again raising the matter of the stalled town centre development in Naas. I appreciate and understand his eagerness that it be brought to a satisfactory and speedy resolution. This is our third or fourth time discussing it here so I know it is an issue that is very close to the Deputy's heart and that he raises it out of genuine interest. I want to try to help as best as I possibly can, as does the Minister, Deputy Eoghan Murphy. We have been trying to get it resolved as best we can within our powers but that is not all in our gift.

As indicated in earlier Topical Issue debates and replies to parliamentary questions on this issue, the management of the stalled town centre development in Naas is a matter for Kildare County Council in the first instance. Furthermore, with processes under way involving both NAMA and arbitration, it would be improper for us, as Ministers, to get directly involved.

I further point out that under section 30 of the Planning and Development Act, both I and the Minister, Deputy Eoghan Murphy, are specifically precluded from exercising any power or control regarding any particular case with which a planning authority or An Bord Pleanála is or may be involved, except in very specific and extreme circumstances, which do not appear to apply in this case.

Nonetheless, I am advised that Kildare County Council has continued to make every effort to influence and encourage NAMA to offer the town centre site for sale as soon as possible and that a receiver has already been appointed for this purpose. I understand people are interested in purchasing it. I believe Deputy Durkan is aware of that and has been trying to work with people who could make something happen on that side also.

As I have previously outlined to the Deputy, and subject to a satisfactory planning approval, there is no impediment to accessing the site or to the appropriate development of the site. Kildare County Council fully recognises the strategic importance of the site to the town of Naas and will continue to support and work in partnership with any stakeholders involved in the site.

During the past two years, Kildare County Council has initiated and supported a number of projects with the strategic objective of ensuring that the social and economic development of Naas is protected and enhanced. Our Department will stand full square behind it in that regard. This work is underpinned by the work of the Naas roads and transport steering group, the UR-BACT group and the Naas regeneration group.

I accept that the Deputy is frustrated by the length of time it has taken to get this matter resolved but as I have outlined, the local authority is doing all it can within its available powers and the parameters of its role, while also recognising the relevant due processes that are required to be followed, with a view to seeing the sale of the site by means of the receivership process and its subsequent further development.

I am hopeful that with the appointment of the receiver, the matter can be further advanced towards resolution with a view to facilitating the further development and completion of this strategic town centre site in Naas. Our Department, and the Minister, Deputy Murphy, directly, have been in touch with the Department of Justice and Equality to try to move this on as quickly as possible and bring some pressure also. We do not have any powers to get involved from a planning point of view but, as I said, Kildare County Council wants this to happen as well. It is fully on board, and resources will not be the issue when we get this arbitration sorted out.

Deputy Bernard J. Durkan: I thank the Minister for his reply, the contents of which I note and agree with generally. However, I believe there rests in the hands of the local authority more powers than it seems to want to exercise. In the first instance, I cannot understand the reason it takes a year for the arbitration process to be reinstated. It should have happened long ago. I do not know how long it will continue but I do know that the future of the reinstatement of the development at the town centre in Naas is largely dependent on the extent to which that matter can be resolved.

In the past, we have seen arbitration issues drag on for years up and down the country. It is time that we set an example in that enough is enough; we have waited long enough for the restart of the town centre development in Naas. It is not possible to wait forever. The delay will do irreparable damage to the restoration of the development, the confidence of the trading people of the area and to our standing in today's marketplace if we cannot see the ways and

means of moving on that particular project.

John Steinbeck famously wrote about the grapes of wrath. If he was around today, I am sure he would be inspired equally by the cranes of Naas. They have been there for long enough. It is time they were moving again. I appeal to the Minister of State to make a telephone call to somebody who knows where the arbitrators are ensconced and try to prevail upon them the urgent necessity to carry out their function regarding the Naas town centre as quickly as possible.

Deputy Damien English: I fully accept Deputy Durkan's desire that this long-running matter, which is an unfortunate legacy of our recent economic recession and is impacting on the further development of Naas, be progressed and completed as soon as is practically possible in order that the expanding town of Naas can achieve its full potential. If we can help bring Naas back to its former glory through our urban regeneration fund, we will certainly do that.

As I indicated earlier, it would be inappropriate for me as Minister of State, or the Minister, Deputy Eoghan Murphy, to become involved or make any further comment on the matter while a number of processes are under way. In any event, we are precluded in law from becoming involved in specific planning cases. However, we will try to help around that and when it is sorted out, we will be able to step in and do as much as we possibly can.

As regards the availability of only one individual arbitrator across the entire State and the ensuing backlog of hearings, I have no direct role in that matter and I understand from my colleague, the Minister for Justice and Equality, that he has no official role either in regard to it. However, the appointment of property arbitrators is a matter for the Land Values Reference Committee, which comprises the Chief Justice, the President of the High Court and the President of the Society of Chartered Surveyors Ireland.

Under the Property Values (Arbitration and Appeals) Act 1960, the reference committee may appoint one or more persons as property arbitrators but the Minister has no role in those or in other policy or operational matters. If Deputy Durkan wishes to follow up on this issue, he should contact the secretary to the Land Values Reference Committee, who is based in the Supreme Court Office in the Four Courts. I do not have the telephone number the Deputy asked me for but that is the person he needs to contact.

Deputy Bernard J. Durkan: Believe me, I have tried.

Deputy Damien English: We will also try to make a case for him as well because this is something our Department, and the employment and development Departments, want to see addressed. It is an issue that the Minister, Deputy Eoghan Murphy, discussed with all the local authority managers and housing officers at the recent housing summit. We want to try to strengthen the powers of local authorities to deal with unfinished sites and developments, but also derelict sites, through the compulsory purchase orders, CPO, process. A review of that is currently taking place as well as other matters, because local authorities need to be able to take action in these cases. In this case Kildare County Council wants to take action but it cannot, so we intend to try to strengthen its position and hopefully help in future cases also.

Deputy Bernard J. Durkan: I thank the Minister of State.

Centenary of Women's Suffrage: Statements

An Leas-Cheann Comhairle: I call the Minister, Deputy Madigan, to make her statement. The Minister has five minutes.

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): Go raibh maith agat, a Leas-Cheann Comhairle. Earlier today I launched the Government's programme to commemorate the centenary of the introduction of voting rights for women in parliamentary elections. The programme booklet reprints a remarkable piece of correspondence from Prime Minister Lloyd George to Countess Markievicz, which is now in the collection of the National Museum of Ireland. The letter is a short, formal, three-sentence invitation to Countess Markievicz to attend the reopening of Parliament at Westminster. It addresses the new MP as "Sir". The envelope has the original postal address of Dublin St. Patrick's, the constituency to which Countess Markievicz was elected, but it is overwritten and redirected to Holloway Prison in London.

In those two small details we can detect the seismic changes in the political landscape of our world 100 years ago: a system which had just opened its doors to women's participation in political life but could not quite believe that the MP for Dublin St. Patrick's was not "Sir" but "Madam", and that the self-same madam, instead of taking a seat in His Majesty's Parliament, was incarcerated in His Majesty's Prison Holloway as a result of her political activities in seeking an independent Irish republic.

Those two joint but separate campaigns - the struggle for Irish freedom and the struggle for women's political rights - were core to Countess Markievicz's work. The Representation of the People Act 1918, enacted on this very day 100 years ago, gave some women aged over 30 and all men over the age of 21 the right to vote for the first time. This had the effect of tripling the size of the electorate, which no doubt had a significant impact on the subsequent election. The Parliament (Qualification of Women) Act, passed in November 1918, further allowed women to stand for election on an equal footing with men for the first time. While 17 women stood in the general election, only Countess Markievicz was elected. In Ireland, Sinn Féin alone put forward women candidates, Countess Markievicz, who was victorious in the Dublin St. Patrick's constituency, and Winifred Carney, in Belfast Victoria. Women would have to await passage of the Constitution of the Irish Free State (Saorstát Éireann) Act 1922 by the Third Dáil for full and equal voting rights in time for the election to the Fourth Dáil on 27 August 1923. It is no consolation that women in the UK did not achieve an equal franchise until 1928. Meanwhile, Countess Markievicz would become a Member of Dáil Éireann and our first female Cabinet Minister in 1919. It would take 60 years before another woman sat at the Cabinet table in Government Buildings.

The programme I announced today outlines some of the key commemorative events which will be held during the year, including exhibitions, celebrations, hedge schools, talks, stamps and seminars. It will complement the *Votáil 100* commemorations organised by the Houses of the Oireachtas. The programme will be delivered by many partners, including our national cultural institutions, History Ireland, local authorities, trade unions and third-level institutions. One highlight will be a pop-up museum named "100 years of Women in Politics and Public Life" looking at the key women who have contributed over the past 100 years to shaping the State, including the 114 women Deputies. The exhibition, curated by historian Sinéad McCool, will be held in Dublin Castle from November and then travel to regional venues.

Today we reflect on the significant contribution women have made to our country over the last century. We also reflect, however, on the missed opportunities for women and society in the conservative State which came into being after independence. We have made much progress in this House to provide equal opportunities for all but we still have a way to travel. It is timely on the 100th anniversary of the extension of the franchise to women to redouble our efforts to provide those opportunities.

Deputy Niamh Smyth: I congratulate the Minister of State on the launch of her programme. I sent my apologies as I could not attend due to commitments in the House. It is wonderful to see a programme of events to commemorate women in all guises, particularly, given today's statements, in politics.

The centenary of the extension of the right to vote to women is an important milestone. It is important to celebrate it. However, the struggle for equality continues. Female political representation stands at 22% in the Dáil and 30% in the Seanad. While this is an historic high, it is far from a fair balance. This inequality is reflected in board rooms, managerial positions and pay levels. The 100th anniversary of the Representation of the People Act 1918 serves as a reminder of how far we have come and how far it remains for us to go. The 1918 Act massively expanded voting rights by abolishing practically every property qualification for men and enfranchising women over 30 who met minimum property qualifications. However, despite their war contribution, women were still not politically equal to men who could vote at 21 without property restrictions. Full electoral equality was achieved in Ireland in 1922. In a speech in the Dáil on 2 March 1922, Constance Markievicz said women's suffrage was a matter of women voicing their opinions publicly in an ordinary and simple manner by registering the vote in the polling booth. Countess Markievicz was the first ever female MP. In December 1918, while still serving a prison sentence, she was elected to the House of Commons as a representative of Dublin's St. Patrick's division. As an Irish republican, she chose not to take her seat. Later, she served as Minister for Labour in the First Dáil and was a founding member of Fianna Fáil in 1926. However, no other female Minister sat in Cabinet until 1979, when then Fianna Fáil Deputy, Máire Geoghegan-Quinn, was appointed Minister for the Gaeltacht. Only 19 women have ever been appointed to Cabinet. Disappointingly, the number of women in the Cabinet was actually diluted by the Taoiseach, Deputy Varadkar, on his appointment.

The gap in representation continues in boardrooms. Ireland's rate of female board membership currently stands at 16%. The National Women's Council of Ireland has called for quotas to ensure fairer female representation in business. Fianna Fáil takes pride in its efforts to expand female participation in politics. We have conducted systematic reviews and actions to boost the numbers going for office and internal party positions. We are committed to addressing issues like the gender pay gap and the five "Cs" which impede female participation in politics and corporate boardrooms. There are now more women in the Lower House of our national Parliament than ever. Female Deputies have grown in number and are rarely lone voices in rooms full of men. A diversity of opinion is needed on the political stage. Women must have a voice in politics because their specific rights and interests will otherwise not be protected. In all, 35 women were elected to Dáil Éireann in 2016 to take 22.3% of the seats contested and to comprise 22.2% of all Deputies. That is a whopping 40% increase from the previous record of 25 women elected in 2011, comprising 15% of Dáil Éireann at the time. Many observers have pointed to this rise as attributable directly to the introduction of gender quotas, which allow for a party's State funding to be cut by half unless 30% of its general election candidates are women.

It is poignant that we celebrate this anniversary today when 25 of the country's 40 constituencies have at least one female representative in the national Parliament as opposed to 22 of the 43 in 2011. A number of barriers continue to exist to the involvement of women in politics. We often hear talk of the five "Cs", namely, child care, cash, confidence, culture and candidate selection, in this context. I compliment Professor Yvonne Galligan who was instrumental in providing and publishing our own gender equality action plan. She helped the party to make huge strides in bringing women to the national stage, as well as on the local stage and within our smaller cumainn and CDCs nationally.

Deputy Louise O'Reilly: As a republican and a parliamentarian, I am particularly proud of Ireland's unmanageable revolutionaries. These brave women from across the political and class divide fought fearlessly and furiously against a harsh and hateful patriarchal power. They were pilloried, beaten and, worst of all for many, dismissed. Sunday marked the 150th anniversary of the birth of Countess Markievicz. She embodied the boldness of republican and socialist demands for a free and equal Ireland. Constance threw off the "old idea that a woman can only serve her nation through her home" and challenged women across classes and generations to dedicate themselves to the cause of freedom and equality with a rallying cry that "Now is the time, and on you the responsibility rests". It is important to acknowledge the depth of opposition to women's suffrage to fully appreciate the demand the countess made of Irish women at that time. In 1912, the deputy leader of the Irish Parliamentary Party told a deputation of Irish suffragettes:

Women's suffrage will, I believe, be the ruin of our Western civilisation. It will destroy the home, challenging the headship of man, laid down by God.

Challenge the "headship of man" they most definitely did. One hundred years ago today, the Representation of the People Act was passed and women over the age of 30 who met a property qualification were granted the vote.

It was not universal suffrage but the dam was irretrievably broken. Women's demands for votes were set against and, for many republicans, intrinsically linked with the cause of Irish freedom and fight for workers' rights.

Countess Markievicz told the Dáil in 1922 that she stood for the "Workers Republic for which Connolly died" and a "state run by the Irish people for the people". Internationalism was also a common cause among many republican and nationalist women activists. Louie Bennett, co-founder of the Irish Women's Suffrage Federation, emphasised the internationalism of Irish feminism when she said: "...we suffragists are working for all women... We recognise the bond of sisterhood uniting women of every nationality without losing anything of the strong, free, Celtic spirit and passionate instinct for independence characteristic of that spirit." While Bennett and Markievicz would not have agreed on the method by which independence would be achieved, they both valued the support of their male comrades. Bennett, when secretary of the Irish Women Workers' Union - a trade union my grandmother on my father's side was a shop steward in and an association we are very proud of - described James Connolly as "...one of the best suffrage speakers I have ever heard and a thorough feminist in every respect".

The common thread from their time to ours is the demand for rights - very basic rights. In 1918, women and men were fighting for language rights, democratic rights, equality and independence. We can and should make the direct link from the demands of Markievicz and Bennett to today's campaigns for Irish language rights and marriage equality in the North.

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Members of this House cannot celebrate the achievements of these two women and then ignore the demands for an Irish language Act and same-sex civil marriage from their fellow country women and men. If Markievicz and Bennett could extend their solidarity across the class, gender and nation divide, surely the best way that we in this institution can honour them is to extend our solidarity to those on our shared island who have yet to secure the rights we enjoy today.

Deputy Joan Burton: As women Members of Dáil Éireann, we truly stand on the shoulders of giants in terms of the women who fought and won suffrage for women and who led the way in women becoming Members of Parliament and, as has been pointed out, the one sole and lonely member of the Cabinet in almost 50 years in Constance Markievicz.

I have two proposals that I would like women to focus on. One is that the next Government should comprise preferably 50:50 men and women, which would be a real breakthrough in the spirit of the women who achieved suffrage. To be honest, as women, we can do it for ourselves and, obviously, there is no great rush of men to join us this evening, with the exception of your honourable self, a Leas-Cheann Comhairle, and we are very grateful you are here. If we really want equality, it is not good enough to be a member of a Cabinet where, one by one, over the decades, the numbers are increasing. We need women's life experience to be present not just in the Dáil, which it is now in greater numbers, but particularly in Cabinet. I would say there are probably no women in the Dáil who do not have ambitions at some stage to serve in the Government of their country.

When I became Tánaiste I had many conversations with the then Taoiseach about the lack of women in Irish politics. I am glad to say he appointed an extra woman, the Minister, Deputy Heather Humphreys, and I was delighted that my colleague, Deputy Jan O'Sullivan, became Minister for Education and Skills. What had been three women around the Cabinet table of roughly 18 suddenly became five, and five makes a difference - it is not a lot but it is better. Let us come together and say that we will have a minimum of 40% women in the next Government, and that, preferably, we will work towards 50%.

I am very disappointed with the Taoiseach, Deputy Leo Varadkar, and I told him this at the time, although I know he said he may address it eventually. He is young, with many younger members of Cabinet, but he was so biased against the presence of very able women in his own party, who were overlooked not just to serve in government as Ministers of State, but at the Cabinet table, although both roles are important.

My second proposal is the following. In 1966, we renamed huge numbers of public institutions around the country and all our big railway stations - while we still have them, and I hope we will - in honour of the men of 1916. The women of 1916 got almost no mention in terms of public buildings and institutions. I did not like the idea of the children's hospital being named "Phoenix", and while I know the reasons are good, the name is inadequate. It should be called after Dr. Kathleen Lynn, a veteran of 1916 and also of the Lockout, like Constance Markievicz, and who fed families in Liberty Hall who were going hungry in 1913. It should be named the Kathleen Lynn national children's hospital because Dr. Kathleen Lynn, as well as her many other achievements, was also the founder of St. Ultan's Children's Hospital in Charlemont Street in Dublin.

They are two very simple propositions. The first is that, in all our parties and groups, we work for women to have a 50:50 presence in the next Government, and I have no doubt this is perfectly possible in terms of the broad range of talented women who are present in Dáil Éire-

ann. The second is that we call the children's hospital after Dr. Kathleen Lynn in the same way that, in my own constituency, Connolly Hospital is rightly called after James Connolly, one of the signatories in 1916. We need active memorials to the women who were involved in the suffrage movement. There is no shortage of buildings or features in Ireland which can be named, and I am sure lots of people will have their individual suggestions. However, we should start with Dr. Kathleen Lynn. I do not like to be what Bill Clinton often called a bean counter but we need women in significant numbers in every role of life, particularly in the Dáil and the Seanad, and in holding all of the Cabinet and Government offices.

Deputy Ruth Coppinger: Obviously, this is a momentous day in that it is the centenary of some women being granted the right to vote before, four years later, in the case of Ireland, that was extended to all women on an equal basis with men. However, there are huge lessons to be learned for people engaged in social movements, in anti-austerity movements and in global feminist movements from the struggle that women waged 100 years ago. We see so many of the same tactics, for example, the tone policing against women that was experienced then and which we also saw in regard to the repeal movement recently. At that time, the women initially did the letter writing, the petitions and all of that, and, obviously, when that was ignored, the women had to consider what other tactics they would take. Would they take more direct action? Would they engage more collectively in a struggle with male allies in the trade union movement, which was growing at that time?

Even some of the forerunners of parties in this Chamber opposed women's suffrage, for example, the Irish Parliamentary Party and John Redmond in particular. The quote has already been cited that one of the leading MPs in the Irish Parliamentary Party at the time said it would be the ruination of Western civilisation and would lead to men's status being questioned. I think of the smashing of windows, the filling of pillar boxes with corrosive liquid, the axe throwing and a whip being used against leading political figures. The establishment parties continually broke promises made to these women regarding legislation. It seemed as though the polite methods which they had employed had failed.

Previous speakers referred to Countess Markievicz. She obviously played an important role and deserves to have it recognised, but she should not be the only woman to be commemorated as part of this centenary. That would write out the women who also did a great deal. I will read some of their names into the record: Margaret Cousins, Kathleen Emerson, Mabel Purser, Barbara Hoskins, the Murphy sisters - whose birth names were Leila and Rosalind Garcias de Cadiz, who were born in India and later moved to Ireland - Marguerite Palmer, Hannah Sheehy Skeffington, Margaret Connery, Anna Haslam, Louie Bennett, Charlotte Despard, Mary Hayden, Delia Larkin, Isabella Tod and Marion Duggan. There were many more. All those women should be recognised. The common denominator among all of them was their determination. All were jailed. Many had to go on hunger strike to be recognised as political prisoners. Some were force-fed. Some took part in the Black Friday protest. There is currently a film in cinemas which makes a hero out of Winston Churchill, but on the occasion of Black Friday he ordered a crackdown on the suffragettes. Some 300 were assaulted by police, being punched, kicked, and thrown to the ground. Some were also sexually assaulted. Many of the women were then jailed afterwards. That is what they were up against. I acknowledge those women's bravery and determination.

This was not about the right to vote; it was very much linked to the overall situation of women in society. The women were engaged in campaigns against forced medical examinations on women, that they not be sexually shamed, for women's education, for housing and many of

them were linked with the growing women's trade union movement in Ireland.

It was not just about votes for women. It was not bringing about the type of feminism that we see being hailed now, like Oprah Winfrey, a billionaire with no connection or sense of what most women on this planet ever face, or that of Hillary Clinton, a corporate feminist who is involved in Walmart, a company with a workforce which we see is totally exploited. There was not the type of feminism that stays silent about five men on the planet controlling the same amount of wealth as 3.5 billion people. That is not the type of feminism for which we should fight. I have a message for anyone who is fighting for the repeal of the eighth amendment. Barriers were put in our way, particularly in the past five years. Some of those who spoke in the past few minutes were among those who put those barriers in place, but we can overcome. The people who granted the right for women to vote were initially some of its biggest opponents. Earlier, the five Cs were mentioned. The one C that was not mentioned is capitalism. It is not possible for women to have equality without challenging a capitalist system that breeds sexism.

Deputy Joan Collins: After many decades of constitutional lobbying by the Irish Women's Suffrage and Local Government Association, some women grew frustrated with the slow progress. Influenced by the militant strategies of the British Women's Social and Political Union, WSPU, two women, Hannah Sheehy Skeffington and Margaret Cousins set up a new suffrage group in Dublin in 1908, the Irish Women's Franchise League, IWFL. It was impatient for change and ready to challenge social conventions.

Aiming to win the vote for women on the same terms as men, the IWFL, whose leaders were nationalist in their political sympathies but also linked with the labour movement of Larkin and Connolly vociferously lobbied to have female enfranchisement included in the Home Rule Bill. Although the IWFL described itself as militant, members did not engage in militant activity during its early years. It was the frustration caused by the failure of the Irish parliamentary party to support votes for women in the Home Rule Bill of 1912 that finally sparked militant agitation in Ireland. The IWFL decided that militant action was the only way to attract the Irish Parliamentary Party's attention or that of the British Government. On 13 June 1912, eight women were arrested for throwing stones at Government Buildings in Dublin. When Hannah Sheehy Skeffington, Marguerite Palmer and sisters Jane and Margaret Murphy came to trial, 200 women, including the other arrested suffragettes, Kathleen Houston, Marjorie Hasler, Maud Lloyd and Hilda Webb, packed the court room. The women were each sentenced to either a fine or two months imprisonment. All refused to pay and opted for prison to where they were soon followed by the other four. The IWFL never engaged in the levels of militancy associated with the Pankhursts and the WSPU in Britain.

Research on suffrage activism has focused mainly on the pursuit of the vote which means that the movement can be misunderstood as a single-issue pressure group. We must go beyond the focus on enfranchisement to uncover the complexity of identities, actions and motivations behind the suffrage movement. The study of historical movements often fails to uncover their true dynamism, the lively discussions and debates which underpinned their activities. One way to analyse and assess such debates and the breadth of activity and campaigns undertaken by the Irish suffragists is through their newspaper *The Irish Citizen* which was published between 1912 and 1920. A paper cannot give voice to all divergent views and voices within the movement with only the most literate and articulate being able to be included, but it is remarkable how many women's suffrage campaigners were represented in that paper's eight years. Many contributors to *The Irish Citizen* described themselves as feminists. They analysed the relationship between suffrage and feminism. In December 1912 Margaret Connery wrote in *The Irish*

Citizen that:

What is called the votes for women movement is but a side issue of a much greater and more far-reaching problem. It is true that the votes for women movement is the chief manifestation of feminism but though public attention has been particularly focused on this one phase of feminism, the girl who first defied conventions by riding a bicycle or the poorest woman anywhere who is revolting against the conditions of her life and longing for her chance to relieve its monotony, all these are part and parcel of the great uprising amongst women.

As part of its feminist agenda, *The Irish Citizen* discussed a wide range of issues effecting women and girls. Socialist voices argued that working-class women needed trade unions and better working conditions and to lead themselves and decide their own priorities. Other contributors raised the matters of domestic violence and sexual assaults in Irish society. They established a court-watching committee which monitored cases involving girls and women. The committee's reports appeared regularly in *The Irish Citizen*. The women's presence in court, especially in cases which included indecency, was not always welcome and many times they were ejected, something against which they rallied.

It is important to note that there was class, debate and discussion within the movement. Today, 100 years ago Irish women were given the right to vote but only some of them, those over 30 years, with property rights or a university education. The Act also gave the vote to men over the age of 21 years. That meant that only 40% of women were able to vote. Some 60% of women, including those in the slums and in living in poverty in rural areas, had no vote until 1922. In December 1918 Countess Markievicz was the first women to be elected to the UK House of Commons while she was imprisoned in Britain.

After 1922, we began many decades of political and religious conservatism in Ireland. Many of the women and men of 1913, 1916 and of the suffrage movement were written out of the pages of history. Many left Ireland's shores. I want to say one thing to those men and women: I salute them. Had they been here in this Dáil in 2011, we would never have had the austerity measures that were imposed on pensioners, lone parents and all the other austerity measures which were put in place by the Fine Gael-Labour Government.

There is a statue of Countess Markievicz on Townsend Street in Dublin city. I propose that it be brought into O'Connell Street where she played an active part during 1913, and placed on a pedestal beside James Larkin.

Deputy Catherine Murphy: Few positive things can be said about the First World War, apart from the development of mechanised transport and the changes that occurred in many women's lives. They sometimes replaced men in factories and in services, such the postal service. Some swapped domestic service for factory jobs and earned a relative good wage. This was more common in Britain where conscription was enforced. As a result, at the end of that awful war, the vote was granted to women.

A House of Commons debate that took place only six years earlier showed some of the attitudes that prevailed at the time and that prevented the vote from being extended to women.

Some men objected because they believed women to be inferior. Others felt that the interests of women were perfectly safe in the hands of men, while still others felt women would be corrupted by politics. Some even felt that women were emotional creatures and incapable of

making sound political decisions.

7 o'clock In Ireland, all women over 21 were granted the right to vote in 1922. While there is no doubt that women played a significant role in the events leading up to Independence, it was a role largely written out of history. Following Independence, women played little or no primary role in shaping the future of politics or, indeed, the country. I am of the view that the country was poorer for their absence. The decades that followed Independence were dark for women. The great awakening happened with the women's movement in the 1960s, which campaigned for equal treatment and a better quality of life. Then things began slowly to change. There have been many positive changes in recent decades. Many of these were demanded by women and others were imposed by the EU. However, the battle for equality has not yet been won.

Centenaries are a time for reflection. The centenary we are marking today is about women of privilege - women with means who were over 30 and who were granted the right to vote. Even then, class and privilege trumped equal participation and representation. If we are to learn from the past, our future must be about inclusiveness and about making politics accessible and attractive to women from all backgrounds.

Deputy Catherine Martin: Is mór an onóir dom í mar bhean agus mar Theachta Dála bheith anseo anocht agus muid ag tabhairt ómóis do mhná na hÉireann agus gluaiseacht na sufraigéide ón gcéad seo caite. Táimid go mór faoi chomaoin dóibh as a gcuid iarrachtaí, a ghnóthaigh cearta vótála do gach bean in Éirinn, agus gabhaimid buíochas leo.

As women, our right to vote was hard-fought-for and hard-won. Today we remember, not that 100 years ago we were granted the right to vote but rather that 100 years ago our grandmothers and great-grandmothers demanded our right to vote. As one part of a greater struggle for social justice, they demanded that our right as women to engage in public life and play full part in society would be respected and vindicated by all. The suffrage that we celebrate today was not something that was given to us. It was achieved through great sacrifice, unapologetically and with absolute conviction by our foremothers asserting our self-evident and inalienable rights as women.

As we face obstacles, discrimination and inequalities that are severe, that are challenging and that at times seem insurmountable, we must take strength, hope and inspiration from the battles won by those women who came before us. The challenges they faced were overwhelming, and yet they persisted and they overcame. We owe it to these women who sacrificed, who suffered and who lost so much – some losing their lives – to continue to fight, and to continue to overcome.

The Ireland of tomorrow will be shaped by the women of today, by our children and by our grandchildren. We will continue to speak and we will be heard. We, the women of the whole island of Ireland, mná na hÉireann - mothers, daughters, sisters, grandmothers and granddaughters – will continue to speak up, continue to build, continue to foster and continue to inspire.

The most appropriate way of honouring these brave and courageous campaigning women of yesteryear is to continue the fight for full equality for women at home and abroad. While clearly great and historic strides were made by the suffragettes, they would expect nothing less from us. They would want us to take and win the next steps in the battles of equality, to take strength from their achievement, and to go from strength to strength to continue the fight. That

is the best way to honour their memory, their courage and their monumental achievement at that time.

An Leas-Cheann Comhairle: The Government has another slot. It is not customary for the same person to speak twice but I will take a broad interpretation of Standing Order 45. In view of the historic day it is, I will use my discretion and call on the Minister of State.

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): I have a few concluding remarks and I will be erudite.

I thank Deputies Niamh Smyth, O'Reilly, Burton, Coppinger, Joan Collins, Catherine Murphy and Catherine Martin for their contributions to this important debate.

I noted the progress that has been made in providing equal opportunities for all but, as I stated earlier, we have a long way to travel. To this end, A Programme for a Partnership Government commits to develop a new integrated framework for social inclusion, which will outline measures to help eliminate any persisting discrimination on grounds of gender, age, family status, marital status, sexual orientation, race, disability, religion or membership of the Traveller community.

We are further committed to specifically empowering women by building on the legislation to encourage increased female participation in politics. An updated national women's strategy will further promote women's participation in decision-making. We will empower women to ensure that households headed by them are no longer at high risk of poverty. We will take measures to reduce the gender pay gap. These will include increasing investment in child care and reviewing the lower pay of women and gender inequality in respect of senior appointments. This Government is actively promoting: increased female representation on State boards to at least 40% - I am pleased to say that the average female representation on their boards of the bodies under the remit of my Department exceeds 50%; wage transparency and a strengthened role of the Low Pay Commission in relation to the gender pay gap and in-work poverty; training opportunities for self-development and work related skills, to assist a return to the labour market and promote entrepreneurship; and an increased level of female participation in the Defence Forces, with the goal of doubling the rate of participation from 6% to 12% over five years.

In the context of today's centenary, my Department is keeping in close contact with the Houses of the Oireachtas and the Vótáil 100 programme, which has a monthly programme of activity leading up to commemorating the First Dáil in January 2019. While it is clear that our own national journey failed women for far too long, today we pay our respects to all those women who flew the flag for women's participation in Irish political life in the years since Independence. In marking the distance that we have travelled in more recent years, I believe it is incumbent on us to remember them well, to cherish their contribution and to build on it into the future.

I will finish with a quote from Countess Markievicz, from March 1922, in a debate in the Dáil on the women's franchise:

This question of votes for women, with the bigger thing, freedom for women and opening of the professions to women, has been one of the things that I have worked for and given my influence and time to procuring all my life whenever I got an opportunity. I have worked in Ireland, I have even worked in England, to help the women to obtain their freedom. I would work for it anywhere, as one of the crying wrongs of the world, that women, because

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of their sex, should be debarred from any position or any right that their brains entitle them a right to hold.

Let us not forget those words. Gabhaim buíochas libh go léir.

An Leas-Cheann Comhairle: Gabhaim buíochas leis na mná go léir a ghlac páirt sa díospóireacht seo. Tá críoch anois leis na ráitis maidir le comóradh 100 bliain ar cheart vótála do mhná.

Public Health (Alcohol) Bill 2015 [Seanad]: Second Stage

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

I am pleased to finally be here to introduce the Public Health (Alcohol) Bill to this House. The Bill has been the subject of much discussion and debate and it is clear from the clinical community and many advocacy groups that the Bill is badly needed. I have had excellent engagement with Members of Seanad Éireann, which has passed the Bill in full, and I now look forward to further constructive debate on this landmark public health legislation in this House.

With this Bill we are for the first time endeavouring as an Oireachtas to address alcohol as a public health matter. We have successfully used public health legislation to progress a health agenda in this country in areas such as tobacco for many years. We have never before done so in respect of alcohol and that must change now. This is why I and the Taoiseach in his comments this week have been so clear that this legislation must pass and that it can make a real and meaningful difference to our health service and, most importantly, the health and well-being of our people. In this context, the overall objective of the Bill is to contribute to the reduction of the harmful use of alcohol in our country.

Alcohol consumption in our country is not low. Let us debunk that myth. Ireland is the fourth heaviest-drinking nation in the OECD in terms of the quantity of alcohol consumed. Recently published figures from the Central Statistics Office show that Irish people between the ages of 18 and 24 are top in the EU for binge drinking, that is, drinking six or more drinks on one occasion. Ireland also ranks joint third for binge drinking in a World Health Organization analysis of 194 countries. These are not the statistics Deputies will have heard from the drinks industry in its endeavours to scupper this legislation. Alcohol consumption in our country is not falling either. In 2015 it was at 10.9 l of pure alcohol per capita but figures from the Office of the Revenue Commissioners indicate that our consumption levels increased in 2016 to 11.46 l. Let us hope that is another myth debunked.

The more we drink, the higher our risk of developing life-changing illnesses such as alcoholic liver diseases and alcohol-related cancers. A 2012 analysis found that one in eight breast cancers in Ireland in the years 2001 to 2010, inclusive, was attributable to alcohol and that alcohol was responsible for at least 83 deaths every month in 2011, so this is no small public health issue.

When it comes to our children, the most recent European School Survey Project on Alcohol and Other Drugs found that seven out of ten 15 to 16 year olds had already drunk alcohol and more than three out of ten had been drunk in the past. The same survey found that a quarter

of Irish girls and nearly a fifth of Irish boys reported having been injured or involved in an accident due to alcohol. Research studies show consistently that exposure to alcohol advertising is associated with an increased likelihood that children will start to drink or, if they already do so, will drink in greater quantities. This Bill sets out measures to create an environment in which our children are not exposed to alcohol products or advertising of those products daily. The importance of these measures was recognised by the Seanad such that it agreed an amendment to the Long Title of the Bill. This now includes a specific reference to the restrictions on advertising and sponsorship as they relate to children. I thank the Seanad for that amendment and I think it further improves the Bill.

I think we can all agree that it is our duty to protect the children of our country, but should we leave it to adults to decide on their own drinking? I am clear in my view that we must all take personal responsibility for our own actions. Of that there is no doubt. However, when the decisions of the individual impact negatively and substantially on all of us as a society, including on the Irish public health service and social services, we cannot abdicate our responsibility to protect our citizens and public services. The cost of time spent in hospital for alcohol-related conditions in 2012 was €1.5 billion, or the equivalent of €1 for every €10 spent on public health. I know Deputy Kelleher and I could think of many ways in which we could better spend that money in the delivery of public health services. If we can reduce alcohol consumption, we can reduce these costs, and many of us would have no difficulty finding alternative uses for any moneys saved in that regard. In 2013, alcohol-related discharges accounted for more than 160,000 bed days in public hospitals, that is, almost 3.6% of all bed days in the Irish health service being used for problems that the measures in this Bill are designed to address and mitigate. If we as legislators can act to prevent these beds from being needed because of the harmful use of alcohol, I believe we should do so. One of the primary objectives of this Bill is to lower our consumption of alcohol in order that the human and financial costs of misuse are reduced. The Bill aims to reduce consumption per capita to 9.1 l of pure alcohol by 2020, to delay the initiation of alcohol consumption by children and young people and to reduce the harms caused by the misuse of alcohol. Let us be honest with one another: the Bill will not change our culture overnight. However, it will raise awareness among all of us about the risks associated with alcohol and will provide for practical changes to protect our children and all our citizens, which can only be a good thing.

I will now take the House through the Bill to outline the content of each section. The Bill is divided into three parts. Part 1 is titled “Preliminary and General” and contains sections 1 to 10, inclusive. Section 1 sets out the Short Title of the Bill and the commencement times of the sections after enactment. There are different lead-in times for different sections. The longest lead-in time is three years, which applies to the labelling requirements, advertising at events and sponsorship and elements of the advertising requirements. These long lead-in times are to facilitate those businesses which may have to make changes to comply with the new requirements. We are therefore providing significant time for practical changes to be made, which is an important recognition. Section 2 deals with the interpretation and defines some of the terms used in the Bill. Section 3 provides that the Bill will apply to a club registered under the Registration of Clubs Acts 1904 to 2008. Section 4 requires that an applicant for a liquor licence must give one month’s written notice in advance to the HSE. The purpose of this provision is to ensure that the HSE has the right to appear and give evidence at a hearing for the granting or renewal of a licence. Section 5 empowers the Minister for Health of the day to make regulations as provided for under the Act. Section 6 is a standard provision dealing with expenses. Section 7 is a standard provision dealing with the service of documents under the Act.

Section 8 sets out the offences under the legislation. A person who commits an offence under the Act will be liable on summary conviction to a fine not exceeding €5,000 or imprisonment for a term of up to six months or both. A person convicted on indictment for certain offences will be liable to a fine not exceeding €100,000 or imprisonment for a term of up to two years or both. For other offences, a person convicted on indictment will be liable to a fine not exceeding €250,000 or a term of imprisonment of up to three years or both. In proceedings under the Act, it is a defence if a person can show he or she made all reasonable efforts to ensure compliance with the relevant provision, which is an important point.

Section 9 provides that where a person is sold an alcohol product from somewhere outside the State but that product is despatched within the State, the sale is deemed to have taken place within the State and will therefore be subject to the provisions of the Act. Section 10 repeals sections 20 and 23 of the Intoxicating Liquor Act 2003 and sections 9 and 16 of the Intoxicating Liquor Act 2008. Three of those sections deal with promotions in respect of alcohol products, and section 9 of the Intoxicating Liquor Act 2008 deals with the structural separation of alcohol products in mixed retail outlets. These sections will be replaced by sections 22 and 23 of this Bill.

Part 2 of the Bill is titled “Alcohol Products” and contains sections 11 to 23, inclusive. Section 11 provides for minimum unit pricing. The minimum unit price is set at 10 cent per gram of alcohol. It will be an offence to sell, or advertise for retail sale, alcohol at a price below this set minimum price. The minimum unit price can be increased by ministerial order. The first order cannot be made until three years after commencement of the section, and subsequent orders can only be made every 18 months. The Minister of the day must take into account the available expert research when making an order. Alcohol products sold in airport duty-free shops are exempt from minimum unit pricing for passengers leaving the State. Minimum unit pricing will target cheaper alcohol relative to its strength because the price is determined by the amount of pure alcohol in the drink. It sets a “floor price” beneath which alcohol cannot legally be sold and targets products that are very cheap relative to their strength. At a minimum unit price of 10 cent per gram of alcohol, a 500 ml can of Guinness will have a minimum price of €1.66, a 440 ml can of Tesco lager will have a minimum price of €1.32, a 750 ml bottle of Jacob’s Creek Classic Chardonnay will have a minimum price of €7.52, a 700 ml bottle of Jameson whiskey will have a minimum price of €22.09 and a 500 ml can of Dutch Gold will have a minimum price of €1.58. The only products in the list I have read out that would see an increase in their price under minimum unit pricing are Tesco lager and Dutch Gold. Again, the idea that the price of everyone’s drink will increase is a convenient myth put out there by the drinks industry and is not borne out by fact. For on-license premises using pub measures, the proposed minimum unit price of 10 cent per gram of alcohol will mean a pint of Heineken will have a minimum price of €2.25, a pint of Budweiser will have a minimum price of €1.80, a pint of Bulmers cider will have a minimum price of €2.02 and a measure of Jameson whiskey will have a minimum price of €1.12. As is clear from these examples, the application of a minimum unit price of 10 cent per gram of alcohol will not have an impact on prices in pubs, clubs or restaurants. This is another important myth debunked.

Section 12 provides for the health labelling of alcohol products and the provision of health information on alcohol products more generally. It aims to ensure that consumers are provided with health information on alcohol products whether they are purchased in a shop, in a pub or through a website. The section provides that a label on alcohol products must contain certain health and product information. The same information must also be provided on a website

through which alcohol products are sold and on a document required to be provided with alcohol products contained in reusable containers such as kegs or casks.

The information to be provided to the consumer in these circumstances comprises three health warnings intended to inform the public of the risks associated with alcohol, the quantity of grams of alcohol in the product, the energy value or calorie content of the product, and details of an alcohol public health website to be established and maintained by the health service. The HSE website, *askaboutalcohol.ie*, has already been established. It contains information to help us assess our own level of drinking, explains the health risks of alcohol and offers support and guidance to anyone who wants to cut back on their drinking. It will assist all of us to manage our own health better in respect of alcohol consumption.

Section 12 also provides that licensed premises must display notices in their premises that include the three health warnings intended to inform the public of the risks associated with alcohol, details of the alcohol public health website established by the HSE and confirmation that a document is available on request that sets out the grams of alcohol and the calorie content of each alcohol product sold in a container without a label, for example, draught beer or a glass of wine sold in an on-license premises.

The Minister for Health of the day can make regulations prescribing the information to be provided to the consumer and the manner of its display, for example, the size and colour of the text of the warnings on labels. Any available expert research on the effectiveness of including such information must be taken into account in making the regulations. The Department commissioned research to inform the manner and form of the health labelling provisions in order to ensure their effectiveness. These provisions will come into operation three years after the commencement of the section and will not apply to alcohol products that are already on the market prior to this section coming into operation.

Sections 13 to 20 provide for restrictions and prohibitions on the advertising and marketing of alcohol products. One of the major aims of these provisions is to protect children from continuous exposure to alcohol advertising. Section 13 relates to the content of advertisements. It provides that some of the information that is required on the labels of alcohol products must also be included in advertisements for alcohol products. Specifically, advertisements for alcohol products must incorporate the three health warnings intended to inform the public of the risks associated with alcohol and details of the alcohol public health website established by the HSE. The Minister of the day can make regulations prescribing the form of the warnings in advertisements and the prominence and duration of the warnings in a broadcast advertisement.

Section 13 also provides that the content of advertisements for alcohol products is restricted to any or all of the following: an image or reference to an alcohol product or alcohol products, the country and region of origin of the product, the method of production of the product, the premises where the alcohol product was manufactured, information on whether the product is intended to be diluted and an image of or reference to a non-alcoholic beverage to dilute the product, the price of the product, a brand name, trademark or emblem, a corporate name and corporate emblem, a description of the flavour, colour and smell, the name and address of the manufacturer, the alcoholic strength by volume of the product, the quantity of alcohol in grams in the product and the energy value of the product.

In addition, the section provides that alcohol products and alcohol use cannot be portrayed in an advertisement for any other product or service. The exceptions are advertisements for a

licensed premises and an advertisement or public service message from the Road Safety Authority or the HSE.

Section 14 prohibits advertisements for alcohol products in certain places. These are in a local authority park or open space, in or on a public service vehicle, for example a bus or taxi, in or on a tram or train, in or at a train station or bus station, at bus or tram stops, in or at a school, including its grounds or within 200 m of the perimeter of its grounds, a crèche or within 200 m of its perimeter, or at a local authority playground or within 200 m of its perimeter.

For the purposes of this section, advertising is defined as the display of posters, billboards, hoardings, placards or other signage. It does not include an advertisement that is attached to a licensed premises or a premises where alcohol products are manufactured or sold by wholesale. Alcohol-related merchandise that is distributed free of charge in a licensed premises or in a premises where alcohol products are manufactured or sold by wholesale is also excluded from the definition of advertising in this section. In addition, and based on advice from the Office of the Attorney General, an alcohol delivery van or truck which is in any of these locations during the ordinary course of its business would not fall under the definition of advertising in this section.

Section 15 relates to advertising during events. It provides that advertisements for alcohol products are prohibited in or on a sports area while a sports event is taking place. A sports area is defined as an indoor or outdoor area on which competitors engage in the sporting event such as a football pitch, running track or swimming pool. Alcohol advertisements are not prohibited around the sports area so, for example, advertising on hoardings around a pitch or track during an event will still be allowed. The advertising of alcohol products is also prohibited at an event aimed particularly at children or at an event where the majority of those taking part are children.

Section 16 prohibits the sponsorship of an event where the majority of those taking part are children, an event aimed particularly at children or an event that involves driving or racing cars or bikes. Sponsorship is defined for the purposes of this section as any form of contribution to an event with the aim or effect of promoting an alcohol product, an alcohol brand or alcohol consumption. Under section 16, the holder of a licence can sponsor an event as long as that sponsorship does not include the promotion of an alcohol product or brand. A pub or other licensed premises can promote its business or premises through sponsorship but it cannot promote a particular alcohol product or brand.

Section 17 provides that children's clothing, including footwear, which is branded with an alcohol product or which promotes alcohol consumption, cannot be manufactured for sale in the State, sold in the State or imported for sale in the State. Children's clothing is defined as clothing which is intended to be worn by a child, for example, clothing with a child's age on the label. It is not an offence under the legislation for a parent to purchase such clothing or for a child to wear it. This section will not apply to children's clothing placed on the market up to a year after the section comes into operation.

Section 18 provides for restrictions on alcohol advertising in publications. The advertising space permitted for advertising alcohol products in a publication is restricted to a maximum of 20% of the advertising space in the publication. A publication cannot be imported for sale in the State if it breaches the provisions relating to advertising in publications. This section does not apply to publications that are intended for sale or distribution outside the State, that are directed solely at those in the business of selling or distributing alcohol products or specialist

publications which are solely about alcohol products. Publications by or on behalf of specialist off-licences which promote the sale of products in that premises are exempted from some of the requirements also.

Section 19 introduces a broadcast watershed for alcohol advertisements. Alcohol advertisements are prohibited on television between the hours of 3 a.m. and 9 p.m. This means that advertisements on television will be seen only after 9 p.m. and until 3 a.m. Alcohol advertisements are prohibited on radio between the hours of 3 p.m. to the following 10 a.m. on weekdays. This means that on weekdays advertisements will be heard on radio only after 10 a.m. and until 3 p.m. Alcohol advertisements can air on radio at any time on weekends. These timings were agreed in conjunction with the Department of Communications, Climate Action and Environment and the Broadcasting Authority of Ireland and relate to the times when children primarily watch television and listen to radio.

Section 20 restricts advertisements for alcohol products in cinemas to the intervals around films with an age 18 classification and to a licensed premises in a cinema.

Section 21 provides that within three years of its commencement, the advertising and marketing sections of the Bill must be reviewed.

Section 22 relates to the separation and reduced visibility of alcohol products in mixed retail outlets. It is well known that during the passage of the Bill through the Seanad we had significant discussion and engagement on this and a number of measures have been agreed that will restrict the visibility of alcohol, with three options available to retailers which I will take as read in my script in the interest of time. Airport shops are also exempted from some of the requirements and instead those set out in subsection (5) of this section apply. In airport shops, alcohol products sold for consumption off the premises must be displayed in storage units that contain only alcohol products.

Section 23 empowers the Minister for Health of the day to make regulations to prohibit the following types of promotions: selling an alcohol product at a reduced price or free of charge on the purchase of another alcohol product or another product or service, for example, buy-one-get-one-free offers; selling an alcohol product for a limited period at a price less than it was the day before, for example happy hours or happy days; an event or activity, or the sale at a reduced price or free of charge of alcohol products likely to encourage the consumption of alcohol in a harmful way.

The final part of the Bill is Part 3, which is titled “Enforcement and Compliance” and contains sections 24 to 31. These outline the various enforcement and compliance provisions in the Bill, which I look forward to having an opportunity to discuss on Committee Stage.

These are truths about alcohol in Ireland that it is time we must accept. Alcohol can and does cause harm to health and significant costs to the Exchequer. Alcohol consumption remains high. The harms of alcohol make it unlike other grocery products and it is time to denormalise it in this regard.

Consumers should be able to make informed choices about their drinking. Our children’s and young people’s relationship with alcohol needs to be addressed. This Bill is designed to act upon those truths. We have the opportunity to take some important steps in order to create a healthier society for our children, our vulnerable people and our citizens in general. This legislation has been talked about for years. It is time we, as legislators, accept our responsibilities

to debate the Bill in an expeditious but thorough manner and pass it into law so that the benefits for our children, our young people and future generations can be felt and the benefits for our health service can be put in place. Industry has lobbied and lobbied in a hope to delay or stall this process. I am absolutely determined that this Bill will be passed into law.

Deputy Billy Kelleher: We broadly support this Bill. The publication of the legislation, debate in the Seanad and, previous to that, the discussions we had at the health committee and various other health fora over many years, indicate that this Bill is long overdue in addressing a fundamental issue facing society, namely, our unhealthy relationship with alcohol.

The Minister has outlined statistics on the volume of alcohol consumed by Irish people. The fact that Ireland is fourth in the binge-drinking league table and one of the highest consumers of pure alcohol indicates we have a challenge in shifting our mindset in respect of our relationship with alcohol and addressing the fundamental problems it causes in society.

Reference has been made to, for example, the number of bed days lost every year in our health service. It is approximately 160,000, just less than 4%. With our hospital system running at well over 94% or 95% occupancy, in many larger hospitals, it indicates this is an issue that has impacts on broader public health policy and the provision of services in our health system. Many people might accuse this of being nanny statism. However, the State has an obligation and a duty to insure it brings forward policies that reflect the challenges of not only the individual but the challenges placed on society and the State from addressing the fallout from harmful drinking in our country.

Looking broadly at our consumption rates, they are very high and they are not coming down. There is no point in saying otherwise. We do have to accept that this particular measure is necessary. I also believe it goes to show that if mindsets are changed through legislation and educational programmes, progress can be made. In the context of road safety and the number of people killed and injured on our roads compared with a number of years ago, there has been a seismic shift. I know there have been technological advances in the context of cars, roads and everything else, but there has also been a seismic shift in our mindset in terms of alcohol, drink-driving and our relationship to public safety.

We have also had the situation with regard to smoking and the reduction in tobacco consumption among our population. However, we have a long way to go. That is why I think it is not good enough just to bring forward legislation. The message that is underpinning this particular legislation has to be driven home consistently in terms of binge drinking and harmful drinking. I refer to the impacts it has on the individual, families, collectively on society and the State in terms of provision of services and the cost of providing services.

It may be an anecdote but only yesterday my office had to call an ambulance for a person who was very intoxicated. The individual in question fell outside the office and cut his forehead. While he was being taken away, he still had a naggin of Paddy in his hand. It does consistently on a daily basis impact on the ability of the State to provide health care in terms of our emergency services during the day and more importantly at weekends and at nights. Many of our hospitals encounter that particularly on a Friday and Saturday night. It does have a huge impact.

The legislation has been a long time coming. We have had many experts at various health committees over the years trying to encourage, cajole and nudge those involved with the leg-

islative process to take action. There is no doubt that there are strong lobby groups. Many of them come at this matter from the perspective that they are trying to defend their industry. However, there is no doubt that this legislation's sole purpose has to be to reduce the consumption of alcohol. I refer primarily to harmful drinking. It is evident we are going to have strong lobby groups from the drinks lobby industry, IBEC and others that see this as a potential threat in terms of reducing alcohol intake. Be under no illusions, that is the welcome purpose of the Bill. We support its passage through the Dáil.

There are a number of issues in respect of minimum unit pricing. There has been a great deal of scaremongering. Some of the figures were referred to already. If we look at current pricing arrangements in our supermarkets, the price charged in Tesco for a can of Dutch Gold is the only one that will actually increase. Let us be honest, empty Dutch Gold cans can often be seen around the place. When we have cheap alcohol, we will have increased consumption and harmful drinking. That is very evident. Be under no illusions as well this is an area that we still have to address and challenge. I refer to the whole culture of binge drinking and "prinks" in people's houses before they head out to nightclubs, particularly the younger cohort. This is having devastating impacts on younger people. There is also a link between increased alcohol consumption, binge drinking, mental health challenges, mental health issues, suicidal ideation and suicide. There are huge challenges. While this legislation will help in terms of making it less attractive for people to drink, we still have to face the fundamental problem of the mental health issues that are very prevalent because of our unhealthy relationship with alcohol.

I am intrigued by the broadcast watershed to the effect that a person shall not broadcast or cause to be broadcast an advertisement for an alcohol product on a television programme service between the hours of 3 a.m. and 9 p.m. I was a little puzzled by the choice of 3 a.m. There are not many people up at 3 a.m., and certainly not kids. That is, unless a person is up with a child watching "Balamory", "Wonder Pets!" or "Dora the Explorer" and walking the floorboards at 3 a.m. It is unusual to see the watershed starting at 3 a.m. right through. It is important that we challenge the advertising that is prevalent in this area of alcohol and the huge impact it has.

Let us be honest. We all still remember sporting events by dint of the sport itself but we also recall the names of the companies that sponsored these events. Sponsorship has a powerful impact on people. This is all about normalising alcohol and healthy sports people in an arena. That is why the companies involved target sports and the big national sporting occasions we have in this country whereby they make the subtle link between physical prowess and alcohol. It is an approach that has to be challenged and addressed. It is a nefarious form of advertising that companies would target sporting events primarily for that purpose.

I refer to the issue of segregation. The Minister and Deputy Corcoran Kennedy spent long arduous hours in the Seanad discussing this issue. The purpose of the Dáil and the Seanad is to try to get legislation through that will have an impact but equally has broad buy-in and is seen as practical legislation. The amendments brought forward in the Seanad will address some of those particular issues. We want broad buy-in. We want people to embrace this legislation even though it may have a negative impact on profit margins at the end of the day. However, for the good of society, it is important that they step up to the plate and embrace it.

In respect of the minimum unit pricing, as the Minister well knows, the Scottish were challenged in the European court. What was involved there was found to be in accordance with bringing forward minimum unit pricing for public health reasons. The broader issue of course

was that was meant to be done in the context of the United Kingdom, as far as I understand, and at least with Northern Ireland. We would simultaneously have minimum unit pricing both in the Republic and in the North. Where is this legislation in the context of Northern Ireland? Has it been delayed because the Assembly is not up and running or is it broad UK policy? What exactly are the reasons for that not being rolled out in tandem with the legislation in the Republic?

We all have received representations about duty-free sales. People who are buying duty-free alcohol are leaving the State so the alcohol will not be consumed in the State. It is exempt from the minimum unit pricing. What is the position with labelling for alcohol that is leaving the State? Perhaps the Minister will clarify that. In addition, the Bill is a little unclear regarding who is responsible for the labelling, although perhaps that is my reading of it. In other words, if a bottle of alcohol is produced in this country, is the manufacturer, the wholesaler or the retailer responsible for labelling it? We need clarity on that. Equally, in the context of exports I assume alcohol does not have to be labelled when it is manufactured here and leaves the State through normal export channels, but perhaps the Minister will clarify that. These are the questions some of the microbreweries and distilleries are asking us. That equally applies to importing alcohol. The Minister referred to Chardonnay but it might be a nice Chablis imported from a boutique-type vineyard in France. Again, many people are wondering who is responsible for the labelling when the bottle arrives in Ireland. Is it the manufacturer in France, the importer, the wholesaler or the retailer? That should be clarified.

I hope that this Bill will have the impact we seek. One need not travel far from here on a Thursday, Friday or Saturday night to see what excessive drinking does to individuals and the broader society so we will support the Bill. As always, we will play a meaningful role on Committee Stage and we hope the Bill will be passed by the Dáil as quickly as possible. We are highlighting some issues on which we seek clarity and the Minister might be able to deal with them in his reply to this debate or on Committee Stage.

Undoubtedly, the drinks industry employs many people in this country. It spends a great deal of money on capital investment in plant, machinery, labour, training, advertising and buying product and raw material. It is a major industry. Many people have been lobbying from the various areas, such as people who are supplying malting barley to the breweries and distilleries and those involved in the manufacture of alcohol. They are a powerful influence, but it is important that Members put the public good before anything else. By and large, this legislation does that. The people behind it are not afraid to challenge those who would prefer if there was prevarication in bringing the Bill through the House. We do not wish to see that happen.

Referring to off-licences probably broadens the debate beyond the content of the Bill but is relevant in the context of the availability of alcohol. People have various views on this and I have raised questions on previous occasions when we have discussed it at health committee meetings. People can legally buy large volumes of drink in off-licences at 18 years of age. They can buy industrial quantities of alcohol. We need to accept what happens in society. The individual goes to the off-licence or supermarket with their identification, legally purchases industrial volumes of alcohol and walks out the door with the slab on their shoulder. The person goes across the road and ends up in a park, field or a corner of an estate. That person's girlfriend or boyfriend might be only 16 years of age and the girlfriend's or boyfriend's friend is only 14 or 15 years of age. In one move in the chain, it has gone from being purchased legally to being consumed illegally.

We are not doing enough in that area, to be truthful. We must address it in some way. Obvi-

ously, this legislation is not geared to deal with it as it focuses on the advertising, segregation and minimum unit pricing. However, the industrial scale purchases of alcohol in off-licences across the country is a major problem. I can take the Minister to places in my constituency, and I am sure he can take me to similar places in his constituency, where one would wonder if a truck had dumped all the cans, be it in the corner of a field, estate or park, such are the consumption levels. This Bill will not deal with that, but we must examine this issue in more detail or the problem will continue for years to come. Do not get me wrong - most off-licences are responsible and nobody is breaking the law. The drink is purchased legally, but it is consumed illegally across the road. I am concerned about that. I have said previously that it should be examined.

One can legally drink in a licensed premises at 18 years of age, but there is some form of supervision. I am not saying that this is the answer but is it possible to consider raising the age for off-licence purchases from 18 to 21 years of age? I have outlined the reasons for suggesting it. The 18 year old purchases the alcohol legally but his or her age peers, the people he or she hangs around with, can be as young as 14 or 15 years of age. Perhaps we should consider carrying out some research or analysis on this. It is a problem and this legislation will not address it. It is causing fundamental difficulties for young people and it can lead to other issues, such as youths congregating in groups. We all did that when we were teenagers, but now huge volumes of drink are being purchased and consumed in quick succession in one night. Then there is the introduction to various other drugs as well. This is happening every week and weekend all over Ireland. We must have a conversation on the issue. An 18 year old with a friend of 16 years of age cannot legally bring his or her friend to the pub to have a drink. Instead, they drink illegally outside. However, if one is over 21 years of age there is a better chance that one will go to a pub, as opposed to standing in the corner of a field under the rain to drink. At least it would be a controlled environment, with some type of overarching peer observation.

It might be something somebody in the Department might bear in mind when looking at public health policy and how we address those issues. I and probably every Deputy in the House would say this is where we have major problems with anti-social behaviour, drug taking, violence as a result of aggressive behaviour and so forth. All of it stems primarily from the fact that there was a legal purchase in an off-licence in some part of the country, after which it was consumed illegally in huge volumes. I hope that could be considered at some stage.

Overall, we wish to play an active role in the Bill going through Committee and Report Stages. In addition to the issues I raised earlier, I have an inquiry about carcinogenic labelling. The Minister referred to a Minister doing something by order or by regulation. Is everything in terms of labelling done by regulation or is there already a legislative provision in the Bill, as passed by the Seanad, that ties the Minister's hands to a certain extent with regard to flexibility? Perhaps the Minister will elaborate on those issues. The Bill is welcome and I hope it will have the desired impact in reducing harmful drinking across all age cohorts, but primarily in the generations coming after me. They have enough pressure in their lives. However, binge drinking and such harmful activity on a continuous basis is having a broader impact that is causing mental health issues, violence and general harm to an already vulnerable group. I ask the Minister to consider the issues I have raised. I commend the Bill to the House.

Deputy Louise O'Reilly: Sinn Féin supports the Bill and its objectives and I share the hope that has been expressed that it will have the desired effect such that if we look back in 20 years' time - and I dread to think which Deputies will still be here - we will be able to say-----

Deputy Simon Harris: Deputy O'Reilly will still be here.

Deputy Louise O'Reilly: -----it had the desired effect. The discussion of the legislation has forced me and all others involved to have a very grown up and honest conversation about our relationship as a State with alcohol. That conversation is welcome. We have moved on from rolling our eyes and saying a person is fond of a pint to being able to confront such behaviour and acknowledge that on a Tuesday night, a person is probably better off having a Ribena than a glass of red wine. It is evident that there is less of a macho culture associated with alcohol consumption among young people. However, there is a culture of harmful drinking in society which I am very hopeful the legislation will confront.

My party has played a proactive role in the debate on the Bill thus far and I am delighted to say that we are willing to work with anyone and everyone to ensure it is brought to Final Stage. My colleague, Deputy Ó Caoláin, was a member of the Joint Committee on Health and Children that discussed and completed pre-legislative scrutiny of the Bill. Sinn Féin strongly supported the Bill in the Seanad and, before Christmas, Sinn Féin Senators voted for its passage through that House. We are aware of the devastating impact of alcohol abuse and misuse on families, individuals, employers and the State and have seen the destruction that alcohol can bring to families and communities.

I hosted an information evening for parents in my home town of Skerries. We were delighted to have Senator Frances Black come and speak to us. As all Members know, Senator Black is centrally involved in helping the families of those with experience of harmful drinking. At the end of the meeting, it was quite refreshing and welcome that those in attendance were able to have a very open and frank conversation on the matter and it was very evident to me that there is strong support outside the Oireachtas for the legislation. I do not direct my remarks at any one person or group but, listening to some, one could be forgiven for thinking the roof will fall in on us if we pass this legislation, whereas the opposite is probably true. We are hurtling towards a problem if we do not confront and deal with this issue. That evening brought home to me how much support there is in my community for the legislation. Having spoken to my colleagues on the issue, I know such support is replicated in their local areas.

The collaboration of all parties on the matter has led to sensible amendments to the Bill being brought forward. Members may be of the view that the Bill could or should have been stronger but the compromises reached and amendments agreed with cross-party support are welcome and speak to people outside the Oireachtas who want Members to make progress on the issue rather than disagree on what word should go where.

All Members are aware of the toll that alcohol misuse and harmful alcohol consumption takes on families and communities but by far the biggest cost of alcohol misuse is the estimated €1.2 billion it costs the State in health care. Any measure that can be put in place to reduce harmful consumption and thus reduce that burden as well as the other hurt caused by alcohol use and misuse is to be welcomed.

The Bill has been scrutinised for almost three years and is now overdue. There have been working groups, Oireachtas reports, a huge amount of discussion, consensus on many issues and a sub-committee of Oireachtas members who put a huge amount of work into advancing recommendations. The Bill, in its current form, broadly reflects the consensus that has been achieved. It was debated in the Seanad and some issues encountered there were, thankfully, navigated quite well. I acknowledge the work of Deputy Corcoran Kennedy in that regard.

She put in many hard shifts to try to allay people's concerns and get the Bill progressed. The evidence for such hard work is the broad and cross-party support for the Bill.

All Members are aware of the damage done by harmful alcohol consumption. Some have seen it in their families or communities and there is no home or street in the State that has not been affected in some way. The cost of alcohol misuse was brought home to me by statistics showing an estimated average burden of €3,318 per annum is borne by each taxpayer to foot the bill for harmful alcohol consumption. Members know there are three alcohol-related deaths in Ireland every day. Alcohol misuse places a huge burden on the health service, which must cater for all people. However, if there is a way Members can work together to alleviate that burden it behoves us all to so do.

On lobbying, one issue I heard addressed on the airwaves was the relationship between alcohol and cancer. Sinn Féin has repeatedly called for the early introduction of the Bill because it deals with a serious public health issue. Those who have lobbied Members on this matter have tried to make it seem like they want to have a big party and Members in favour of the Bill are trying to stand in their way and come down heavy on alcohol use. That is not the case. All Members have been lobbied by people such as those who say they only like a drink in the evening or that the Bill is an example of a nanny state and so on. Members have come together to silence that lobby. The relationship between alcohol and cancer - and that it is implicated in seven forms of cancer, including liver, breast, bowel, mouth, throat, oesophageal and laryngeal cancers - is a medical fact but this has been dismissed by some in the alcohol industry who liken it to the carcinogens in burnt toast. One is unlikely to find a health care professional in the accident and emergency department of any hospital who has recently treated a person for the harmful effects of burnt toast. Likewise, I doubt that any member of An Garda Síochána has attended the scene of a burnt toast-related incident.

8 o'clock

Deputy Simon Harris: Hear, hear.

Deputy Louise O'Reilly: There is a link between alcohol consumption and cancer and between harmful drinking and death on our roads. We need to grow up and confront that.

Debate adjourned.

National Broadband Plan: Motion [Private Members]

Deputy Timmy Dooley: I move:

That Dáil Éireann recognises that:

— 542,000 homes, schools and businesses, representing 40 per cent of our population and 96 per cent of our geographic cover, have no access to broadband, with no possibility of connection on the horizon;

— the ability of rural enterprises and farms to remain competitive and to carry out their administrative and commercial functions is being seriously harmed by the unavailability of broadband to them;

— the National Competitiveness Council of Ireland has stated that regional job growth is being stymied by the lack of connectivity in rural areas;

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— children and young people in rural Ireland are being denied the same educational opportunities as their urban peers, owing to the lack of broadband in their homes and schools; and

— there is now effectively a two-tier internet landscape in Ireland, where rural areas rank among the worst-served areas in all of Europe;

notes that:

— in 2011, the previous Fine Gael-led Government first committed to the roll-out of high-speed broadband to every home and premises in Ireland by 2016;

— the ongoing tendering process for the National Broadband Plan (NBP) first commenced in 2015;

— the decision by SIRO to withdraw from the NBP in September 2017, owing to the overly onerous and complex bidding structure, highlighted wider deficits within the implementation of the NBP; and

— the recent decision by eir to withdraw from the NBP bidding process, leaving only one bidder remaining, has seriously compromised the tendering process and raises doubts over whether the NBP, as currently designed, can ever be implemented; and

calls on the Government to:

— guarantee that high-speed broadband is delivered to every Irish home and business in a prompt manner, even if this requires greater or full State intervention; and

— conduct a full independent expert review of the tendering process, to be concluded within two months, that will provide a full examination of the following aspects of the NBP:

— the design and implementation of the tendering process, and the degree to which the tendering process is inhibiting participation by suitable bidders;

— whether the existent NBP is future-proofed to meet Ireland's future societal and economic needs;

— the impacts of key decisions made during the tendering process on the overall viability and delivery of the NBP, including, the decision by the Government to sign a commitment agreement with eir to serve 300,000 homes that had previously been within the State intervention area, the decision by SIRO to withdraw from the bidding process, and the subsequent decision by eir to also withdraw; and

— the case for State ownership of the infrastructure.

It gives me no pleasure to have to move this motion. Behind this motion are 542,000 premises dotted around Ireland, largely in the dispersed rural areas. Yes, it is rural Ireland that is yet again being put under pressure by the Government. It is not always about Donegal, Kerry, Clare and Roscommon. Parts of north County Dublin, south Wicklow and places we can see from the top window of this House, fall within the catchment area where high-speed broadband is not available. This should stand as a shocking indictment of the failure of the Government, of which the Minister is part, in rolling out this plan.

These 542,000 premises are made up of: homes with parents who cannot conduct basic online banking transactions; children who cannot do their homework; students who cannot file their assignments; farms and farmers who cannot access the Department of Agriculture, Food and the Marine's schemes, services and records; and small business that cannot trade online.

The impact of slow or no broadband is making life ever more intolerable for people who find themselves in these areas. It is about time the Minister for Communications, Climate Action and Environment, Deputy Naughten, and his Government took full stock and full recognition of the pressures being foisted on the people who live in these areas.

The broadband plan is in disarray. The Government and the previous Government set out a plan in 2011 that would have seen broadband being rolled out from 2016 onwards. I am not laying all of this issue at the Minister's door as he has only been in office for the last 16 or 17 months. It is, therefore, only his time in office that he has to account for. The Minister was handed a plan that was largely decided upon in advance of his coming to the position. If, however, we go back to shortly after the Minister's appointment, in his associations with the then Rural Alliance, he acted as a champion for the cause of rural Ireland and he negotiated the programme for Government with the Fine Gael Party.

Soon after his appointment, the Minister rushed into this House to support and speak on a motion put down by some Deputies from the Rural Alliance. At 3.30 p.m. on 6 July 2016, the Minister, Deputy Naughten, told this House that: "Delivering high speed broadband to every home, business and school in Ireland is a personal promise from me and my top priority as the responsible Minister." If it is the Minister's top priority it leaves a lot to be desired in the context of his capacity to deliver on it over the past two years. The Minister also said in the same debate:

The process is finally moving and is on time [...] The last homes and businesses will be connected within three to five years. No one will be left behind.

The 542,000 homeowners who are still waiting for a contract to be signed two years later believe that they have been left behind.

I am not sure if the Minister had input into drafting that self-congratulatory motion but it certainly appeared that he was in cahoots with the Deputies from the Rural Alliance. The Minister was delighted that the motion had been put before the House and it gave him an opportunity to extol his virtues in this regard. I raised serious concerns at the time. The Minister may recall that I proposed an amendment that would see the State take full control of the roll-out of the broadband network to these areas and to those 542,000 homes, and for the State to assume full ownership at the end of that contract period. The Minister rubbished that proposal at the time. The Minister said that Fianna Fáil's proposal: "would take at the very least six months more to negotiate with bidders, a delay the people in need of broadband cannot afford". That was back in July 2016. We have had the passage of all that time since. This time period far surpasses the six months the Minister threatened would happen if my proposal went ahead, and there is still no contract signed.

It is some 19 months since the Minister made those statements and still there is no contract signed. Last week the Minister's officials were under pressure at a briefing given to journalists when eir exited the race. They talked about next September as being the date at which a contract would be signed. This would represent more than two years of a delay, all on the

Minister's watch. It was the Minister's priority, he accepted it, he came into this House and he set himself his own targets. In July 2016 the Minister rejected my proposal on the basis that it could delay the contract award by six months. Against my better judgment at the time I accepted the Minister's request to withdraw my amendment on the basis that it had the potential to delay the process. Instead of the possible six month delay the Minister projected with my intervention, we now have a best case of a 26-month delay, based on what his officials have said.

Scarcely a month has gone by in the intervening period that I have not asked the Minister to outline a timescale for the contract signing, the commencement of work and for a completion deadline. I give it to the Minister directly that all I have heard is bluff and bluster about what has happened, how many homes, farms, post offices the cables and the fibre have gone by and what a great job is being done. All the time, the Minister is failing to recognise that the roll-out of that fibre has nothing to do with the Government. It was done based on commercial decisions made by eir and others who sought to gain a level of commercial advantage. When the Minister makes those statements he further infuriates the 542,000 people. They believe the Government is shying away from them, is hiding behind the work of others and is failing to present a credible plan as to when, where and how soon they will see broadband.

With that very significant delay since 2016 can we ever expect to see the tender process, which is under way, coming to a conclusion? I do not claim to have particular insight or expertise in this area but it seems that if companies of the size, scale, standing, reputation and experience such as Eir and SIRO, which is Vodafone and ESB, have shied away from the Government's proposal, then there is a problem.

Acting Chairman (Deputy Catherine Connolly): I do not want to interrupt Deputy Doolley but with the shared time I want to remind him that Deputy Fitzmaurice is getting the last two minutes. The Deputy might not be aware of that. This is the list.

Deputy Timmy Dooley: I was not aware of that but I am happy to sit on that again.

With regard to the Minister's response to the situation, if it was not so serious it would certainly represent a comical gesture in this House. With one bidder left to take up this contract the Minister believes he will get shovels in the ground more quickly, he will get the job done ahead of schedule and he will get value for money. I do not think that anybody believes that is possible. The motion before the House gives Members an opportunity to get behind it and look for a review of where the Minister is at today. A review does not have to delay the plan and it can happen in parallel with the work that is under way.

I ask the Minister to go back to Government, to give serious consideration to the proposal put before him and, once and for all, to put in place a plan that gives some hope to the people who are most affected by this debacle.

Deputy James Lawless: One of the constants since I was elected to this House almost two years ago, and since I entered public life almost two years previously, has been the failure of the national broadband plan and of the various attempts to deliver and roll out broadband. It seems to be a hardy annual that the process is stalled, fudged and delayed. The can is kicked down the road again. This process seems to trundle on year after year. This pattern has been evident since 2012, when Pat Rabbitte made various announcements. In 2015, Alex White said that the devil and all would be delivered when it came to rural broadband. As Deputy Dooley has said, we have heard further promises of delivery from the Minister, Deputy Naughten, since

he came into his current position two years ago. Each of these announcements came a couple of years after the previous one. The latest estimate for broadband to be rolled out is 2023. It beggars belief that ten years after it was announced this would be done by 2012, some 540,000 homes are still not connected to a piece of fibre in the ground. I remind the House that it will take between three and five years to build the network. It seems extraordinary that the tender has not yet been put in place.

It may be considered unfortunate to lose one bidder, but surely it is careless to lose two bidders. What happens if we lose the third bidder? What is plan B? I have heard the Minister, his officials and various others saying that 80 people have been working on the delivery of this plan for the past five years. God bless their energy, but what has actually been achieved? Two of the top three bidders have walked away from the process and the other one remains as the last man standing. I am reminded of Homer Simpson's belief that the best way to win a game is by default. That may be the case in a cartoon show, but it is hardly a way to award one the largest contracts in the history of the State.

We have seen multiple reports, Bills and regulations, but none of them has advanced. As the Minister knows, I have had a Bill on the Order Paper of this House for the past year. The aim of the Bill is to tackle many of these issues. The legislative schedule for the new term confirms that there is a Government Bill on the agenda which does essentially the same thing. I noticed another Bill - the telecommunications infrastructure Bill 2018 - in the House today. I assume it represents a third attempt to do the same thing. A ComReg report on competition in the broadband market has been delayed since 2016. Two years on, it has yet to be published.

What about the EU cost reduction directive which the Minister brought into Irish law in July 2016? It makes State assets and State infrastructure available to any provider, as needed. If other State infrastructure under State control were utilised to the full, it could result in the roll-out of the national broadband plan to the 540,000 homes that currently lack broadband. We cannot keep reinventing the wheel. At some stage, we will have to start delivering.

I wonder whether the decision that was made six months ago to allow Eir to cherry-pick 300,000 homes and lift them from the tender was the right one in retrospect. Eir was allowed to take the semi-viable parts of the business away so that what remained was essentially unviable, as we have now seen.

I wonder whether the adherence to a particular mode of technology - fibre to the home - at the expense of everything else might be obstructing and delaying the roll-out of broadband to many homes. We should consider alternative technologies like fixed wireless, which can deliver speeds of up to 70 Mbps, which is essentially twice as fast as the minimum standard under the national broadband plan. We should consider things like fibre to the cabinet. We could even utilise the old copper cables that are still there in many cases. Surely that would provide an interim solution for the many people who will now be waiting until 2023, at the very earliest.

I am sure we will hear many stories in the next couple of hours about how rural Ireland is being denied broadband and access to all the services provided through broadband. I represent commuter-belt Ireland. My constituency is less than 30 km from Dublin city centre, but it is being denied broadband. I think this is a national emergency that requires emergency measures. I hope the Minister will act accordingly.

Acting Chairman (Deputy Catherine Connolly): There are less than six minutes left for

Deputies Stephen Donnelly, Frank O'Rourke, Niall Collins and Niamh Smyth. The last two minutes in this slot are being given to Deputy Michael Fitzmaurice.

Deputy Stephen S. Donnelly: The Government's handling of the national broadband plan is a story of incompetence and secrecy. In 2011, the Government promised to deliver fibre to 90% of homes and businesses within four years. Seven years later, the contract has not been signed. Last year, one of the bidders pulled out. Another bidder, Eir, said at that time that it would do the profitable bits of the business in a manner that involved cherry-picking at a house-by-house level. The last time Eir became a privately owned monopoly, the *Irish Examiner* reported that: "the group racked up €4.1 billion of debt amid five ownership changes before it was forced into the State's largest-ever examinership", and pointed out that the company has had many owners who have: "asset stripped with abandon". The same article suggested that Eir's: "broadband service [...] was - and often still is - hopelessly inadequate despite being among the most expensive in Europe".

The Government has said that Eir's proposed cherry-picked new monopoly is great news. When Eir pulled out of what was left of the bid after it had hollowed it out, which meant that the Government was down to one bidder, the Government said it was great news that this had happened. The remaining bidder, Enet, already operates a fibre network for the State under a concession agreement. When Mr. Gavin Sheridan submitted a freedom of information request in search of that agreement, the Department said "No". When the Office of the Data Protection Commissioner said the agreement should be made available, the Department said "No". When the High Court said the agreement should be provided, the Department said "No". The Government is now bringing the matter to the Court of Appeal. What is the Government so desperate to hide in its existing agreement with the last remaining bidder, Enet? Fianna Fáil wants a quick independent review of what has happened to date, but the Government has said "No" on the basis that this would cause a delay. It has delayed for seven years, but God forbid that there would be a quick review of what has happened. If this Government really has nothing to hide, believes it has done a good job in this area and wants to make sure the Irish people are not screwed on broadband prices for the next 25 years, it should do the right thing and commission a short review, just as Deputy Dooley and his Fianna Fáil colleagues are asking for.

Deputy Frank O'Rourke: I welcome the opportunity to speak on this motion, which has been proposed by my colleague, Deputy Dooley. I support the case that has been made for it this evening. The reality is that the Taoiseach acknowledged to me last year, in response to a question I asked about the programme for Government during Questions on Promised Legislation, that broadband is no longer a luxury but an absolute necessity for people who want to work or study at home or run businesses. How quickly and urgently can the Minister get the contract signed so that the 540,000 homes and businesses which need broadband can be connected to it?

The big frustration in places I represent in Kildare North, such as Celbridge, Leixlip and Maynooth, is that people living beside Intel and Hewlett Packard have no access to broadband. There are problems where the service has been supplied through private entities. It is frustrating to hear statistics being churned out by the Taoiseach every week when he speaks about the number of homes that have been connected. To be fair, these figures have nothing to do with the national broadband plan, which we are discussing here this evening. It is frustrating and annoying for people who are waiting to be connected to hear statistics that are neither true nor accurate and to see private entities bringing cables a certain distance up the road before turning back, thereby leaving the people who live further up the road unconnected.

There is a problem in schools as well. Last week, I visited a school that has 20 fabulous computers but cannot turn them on because there is no broadband in the school. The broadband is 50 m away. The school authorities have been trying to get in touch with the Department of Education and Skills since last September, but they still have no connection. I know the Minister is aware that this is a real problem. It needs to be treated as a matter of urgency. This contract needs to be signed so that these homes and businesses can be connected. This is really urgent.

Acting Chairman (Deputy Catherine Connolly): Deputies Niall Collins and Niamh Smyth have just one minute and 20 seconds to share before I have to call Deputy Michael Fitzmaurice.

Deputy Frank O'Rourke: I did not even take the full two minutes available to me.

Deputy Niall Collins: I will give way to Deputy Smyth.

Deputy Niamh Smyth: I thank Deputy Collins. Like many constituencies around the country, Cavan-Monaghan feels completely neglected because of the non-availability of broadband. As my colleagues have rightly outlined, we expect farmers to get their houses in order even though they are unable to access departmental schemes online. Schools cannot access or use teaching tools because they do not have broadband. Every time an elderly person goes into a local bank, if there is a bank left in his or her local area, he or she is constantly pushed by the officials behind the counter to use online banking.

Pockets of my constituency from Bawnboy to Kilmainhamwood and from Canningstown to Corduff are suffering from depopulation. Tanagh outdoor education service, which receives up to 15,000 visitors each year, is also being affected by depopulation. Young people cannot aspire to live in the areas they come from because they do not have basics like broadband. People are bewildered, exasperated and fed up of the broken promises in this regard. We are constantly talking about rural crime.

Acting Chairman (Deputy Catherine Connolly): I ask the Deputy to give way to Deputy Fitzmaurice.

Deputy Niamh Smyth: When I tabled a parliamentary question to the Minister recently, I received feedback to the effect that Garda stations in my constituency are not using the PULSE system because they have no broadband.

Acting Chairman (Deputy Catherine Connolly): I apologise to the Deputy for asking her to conclude, but that is just the way it is set out.

Deputy Michael Fitzmaurice: A mistake was made, not in this Dáil but in a previous Dáil, when it was decided to sell Telecom Éireann. I have always said we should own our own infrastructure. I note that one official is with the Minister in the Chamber. He probably heard the same; that they were fed up of promises of private operators saying what they would do and that there was no more licences being given out. Six months later, Eir got the ripe apples off the tree and I think that was the fatal mistake that was made.

It is like three engines on a aeroplane. In any tender, if people fall off the wagon there is nothing anybody can do because they are the rules in the EU and so on. To be honest, eir has picked the ripe apples. It is engaging in skullduggery in this country at the moment, abandon-

ing houses up and down roads.

I would like the Minister to answer a few questions. Can we do without eir's poles when we are going with this broadband? Can we use the ESB's poles? I think there will be a problem with Eir down the road from what I hear of the new owners. Will the Minister give a guarantee that by 2020 it will be sorted out? I know there are delays. It may cost more but if it solves the problem for 530,000 people across this country, we have to do that. We want shovels in the ground. We can look for heads but at the end of the day what we want is broadband for everybody.

I urge the Minister, Deputy Naughten, to talk to the Minister, Deputy Creed. At the moment, the Department of Agriculture, Food and the Marine is sending things out to farmers under the BPS, of which the Minister, Deputy Naughten, is well aware. It is looking for all farmers to go online. Given this fiasco and the delays, could the Minister, Deputy Naughten, ask the Minister, Deputy Creed, to hold off this year until farmers have proper broadband?

Minister for Communications, Climate Action and Environment (Deputy Denis Naughten): I move amendment No. 2:

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

“recognises:

— the importance of the Government's National Broadband Plan (NBP), which will bring high-speed broadband to every home and business in Ireland;

— the NBP will economically transform rural Ireland in the same way that rural electrification did in the last century;

— that the NBP is designed to ensure that the high-speed broadband network is futureproofed for advances in technology and increases in demand over the next 25 years;

and

— that the NBP is underpinned by:

— the Programme for a Partnership Government;

— the European Commission's Europe 2020 Strategy - Digital Agenda for Europe;

— the National Digital Strategy;

— the Action Plan for Jobs;

— the Action Plan for Rural Development; and

— the Digital Strategy for Schools;

notes:

— the appointment, through a public procurement process, of a team of circa 80 national and international experts in procurement, finance, funding, network design,

project management, technical specialists and commercial and financial analysts, as well as legal specialists and support staff to support the development of the NBP contract;

— the governance arrangements in place for the procurement process, including a separate Steering Group and Procurement Board which also include national and international experts;

— that ComReg, the statutory body responsible for the regulation of the electronic communication sector, sits as an observer on the Steering Group;

— that the final proposed subsidy is reviewed from a value for money perspective by the National Development Finance Agency against the project budget;

— that the NBP programme is subject to the Public Spending Code;

— that Government agreement will be required before a contract can be awarded and a final subsidy agreed; and

— that expenditure incurred under the NBP is subject to audit by the Comptroller and Auditor General;

considers:

— that stalling the NBP procurement process to undertake a review would delay the award of the NBP contract and of the deployment of broadband infrastructure by a minimum of six months, to allow time for procurement of experts and to carry out a meaningful review;

— the strong governance framework in place for the NBP procurement process;

— that the NBP procurement process is about to enter the final stages and the remaining bidding consortium in the procurement process has reaffirmed its commitment to the successful conclusion of that process; and

— the significant uncertainty that would be created by embarking on an unnecessary review at this late stage of the procurement process could undermine and collapse that procurement process; and

calls on the Government to continue apace with the public procurement process to select a company to build a future-proofed high-speed broadband network in those areas which will not be served by commercial operators, to ensure that every place name, in every county in Ireland is put on the digital map.”

I will come back to Deputy Fitzmaurice on his points, which are very fair.

The national broadband plan will put every place name, in every county, on the digital map. Delivering high-speed broadband to every home, every business, every farm and every school in Ireland is a personal commitment from me. I have continuously said that I would not allow this process to continue one minute longer than was absolutely necessary in order to deliver a future-proofed broadband network for every single place name in rural Ireland. I am the only Deputy who has consistently pursued this issue for the last two decades in this House and the record proves that fact. Just as roads were built, and then electricity supplied, the Government is

determined that broadband will be delivered. It will leave a lasting legacy across rural Ireland.

The Government cannot accept Fianna Fáil's motion on a number of levels. The motion calls for a review of the procurement process to examine several aspects of the tender, including the degree to which it is "inhibiting the participation of suitable bidders". This suggests the remaining bidder, the consortium comprising of Enet, SSE, Granahan McCourt and John Laing plc is not a suitable bidder.

Deputy Timmy Dooley: It does not.

Deputy Denis Naughten: This is a group with significant international experience across the telecoms, engineering and infrastructure sectors. The fact is that the Fianna Fáil review would push this procurement process into 2019 and plunge the entire project into uncertainty.

Deputy Timmy Dooley: Rubbish.

Deputy Denis Naughten: Deputy Dooley, by his own admission today, said his review has "the potential to cause delays" to this process. Deputy Dooley has admitted the consequences of his motion will result in people in rural Ireland waiting even longer for high-speed broadband. This is just not acceptable to me or this Government. Indeed this evening on national radio, Deputy Dooley called for a period of reflection. I doubt the families, businesses, farmers, and people of rural Ireland, including those in County Clare who are waiting for high-speed broadband require a period of reflection.

The Fianna Fáil motion states that an independent review comprising European experts could be concluded within two months. Leaving aside the potential damage to the integrity of the ongoing procurement process, to embark on such a review makes absolutely no sense now as we approach the final stage, nor could it be achieved within the timeline suggested by Deputy Dooley. My Department has advised me that it would take a minimum of six months to procure and engage international experts to ensure a meaningful review. They then would, of course, be required to review 25 months' worth of material. This would mean time for interviews, reports, discussions, publications and complex legal work.

Over the last 25 months the 80-strong procurement team has been supported and governed by a range of national and international experts in the relevant fields of commercial, legal, technical, procurement, insurance, contract and environmental expertise. Some of the most capable people in Europe with experience in highly complex procurement projects have been working on the project from day one.

Deputy Stephen S. Donnelly: We are down to one bidder, for the love of God.

Deputy Denis Naughten: I mention international experts like Analysys Mason, PwC, Deloitte, Marsh Insurance, Mason Hayes & Curran, RPS Group, KPMG and Here and Now Business Intelligence. Does Deputy Dooley now want to second guess these experts?

Deputy Timmy Dooley: Yes. It is not working.

Deputy Denis Naughten: The procurement board provides independent advice on the procurement process and the separate steering group provides independent oversight on the strategy and again includes national and international experts in the field. International benchmarks for projects such as these have been incorporated into the governance and procurement processes. The steering group and procurement board are separate from the procurement team's

evaluations and engagement with bidders. The governance model is consistent with EU state aid guidelines and structured to address the requirements of the European Regional Development Fund and the Government's public spending code.

Fianna Fáil is also conceding the point that what it calls a sealed tender process is not the appropriate process to appoint a company to roll out this network. It is important that people at least acknowledge that this is not a tender process in the traditional sense. In fairness, most people accept that the competitive dialogue procurement procedure which we are using is common practice internationally for projects of this nature and complexity. It enables and does not inhibit greater participation throughout the process.

The procurement process opens up a dialogue with selected candidates in order to identify and define the means best suited to deliver a national broadband plan. It is also important to point out that a bidder cannot go back on matters. Complexity is not coming from the procurement process; it is coming from the nature and scale of the project.

The remaining bidder, Enet, has already identified its final issues for discussion with the procurement team and this list was submitted some weeks ago while competition remained in the process. Yes, for commercial reasons two companies have pulled out but Deputies must also remember that for commercial reasons we have seen the build-out of broadband across this country. The national broadband plan has been the catalyst for this massive investment. That has been publicly acknowledged by the commentators and technical journalists in this field.

When I became Minister 21 months ago, five out of ten homes in this country had access to high-speed broadband. Today that figure is seven out of ten. By the end of this year it will be close to eight out of ten and it also means that the vast majority of villages across Ireland will have access up to 1,000 Mbps high-speed broadband by the end of this year. Villages like New Inn in east Galway will now have broadband speeds equivalent to what is available in New York city.

Deputy Niamh Smyth: When?

Deputy Denis Naughten: That is something that could not have been contemplated 21 months ago.

The motion before the House also asks whether the national broadband plan is future-proofed. The submissions provided to date indicate that the technical solution will be predominantly fibre to the home. This solution is considered by industry to be the most future-proofed technology because there is nothing faster than light.

Bearing all this in mind I would ask Fianna Fáil to consider the implications of what they are asking and how this would affect families, businesses and rural communities. Deputy James Lawless has published a Bill that would have practical and positive implications on delivering broadband to people in rural Ireland. I agree with Deputy Lawless when he said that there have already been numerous delays on the roll-out and there is simply no justification for me, as Minister, to start the clock again. The review that Deputy Dooley is calling for will rewind the clock considerably, with serious consequences. If Fianna Fáil wanted to help rural Ireland it would have brought forward Deputy Lawless's Bill tonight, which would have helped to improve broadband access in a practical way. Is it not time that this Dáil and politicians start to work together to deliver for the electorate?

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I gave a commitment to the people of rural Ireland that I would not allow this process to continue one minute longer than was absolutely necessary in order to deliver a future-proofed broadband network for every place name in rural Ireland. Standing on the eve of delivering that, an historic project for the economic development of rural Ireland, I do not intend to allow politics to push this procurement process out further. I intend to supply real high-speed broadband to rural Ireland, and I have the confidence that this contract and its infrastructure will stand the test of time. I believe there is unanimous support in this House for the speedy and efficient delivery of the national broadband plan. Now is the time to continue that momentum, not the time for indecision, reflection, point scoring or diversion. It is the time for resolve in our ambition, not for uncertainty. Rural Ireland is waiting and we must step up and deliver. I understand and share the frustration of the people across this country who do not have access to high-speed broadband, but the finishing line is in sight. Rural Ireland has waited long enough. Let us all work together and deliver high-speed broadband to every single home and every single premises, business, farm and community in Ireland.

Deputy Brian Stanley: The broadband plan to connect 542,000 homes and businesses with high-speed broadband is in complete disarray. With only one bidder left in the procurement process the Government has lost control. I have warned it of this outcome many times over the last two years. The seeds of the fiasco were sewn in the privatisation of the State telecom company, Telecom Éireann, in 1999, which has turned out to be a disaster. Investments were made with taxpayers' money and it was built into a modern, state of the art communications network in the 1980s and 1990s by the workforce, only to be sold off under the Fianna Fáil Government in 1999. Sinn Féin said that the privatisation route with national broadband was not the way to go.

The rural broadband scheme was first announced six years ago and people are still waiting for access to broadband. We are no closer to connection today, or to shovels going into the ground, or indeed shovels even being put into the back of a lorry. The recent much heralded roll-out by Eir of 300,000 cherry-picked, easy-to-reach households means that a private company has the State over a barrel when it comes to negotiating the remaining connection of 542,000 homes and businesses without access. I warned the Minister of this eventuality on the day of the press conference which announced 300,000 household connections by Eir. The Minister's officials were there, and I remember the Minister's response. I have raised this issue with the Minister many times since then. I told him that once a private company was allowed to cherry-pick the connections the scheme would be in difficulty. That is the main reason that SIRO, the ESB and Vodafone pulled out, and the Minister and his officials know that. It is going to affect jobs in rural Ireland. It is going to affect farming, rural businesses and education.

State ownership would have facilitated a less complex and less expensive process. We in Sinn Féin are calling for a full examination of State ownership on the roll-out of this essential infrastructure. We have waited for six years, and for many years before that, to get to where we are now. Six, seven, eight or nine weeks is not going to make a big difference. We are also calling for a feasibility study of using the State infrastructure that is held by the ESB for broadband roll-out and for the Government to place an obligation on existing and future broadband service providers to provide guaranteed minimum speeds. The Minister speaks about the maximum speed he wants. We need minimum speeds. That is the key to it. The access to and quality of broadband speeds fluctuates, depending on what time of the day it is, in parts of rural Ireland. Broadband is vital if we are to have any form of economic development in rural Ireland.

The communications network is a perfect example of what not to do with State infrastruc-

ture and where privatisation has not served the people. Fianna Fáil is now calling for public ownership, and that is to be welcomed. We agree with it, but it is joining the party late. We have repeatedly called for public ownership. It is good that Fianna Fáil is now supporting this, but what happened with Telecom Éireann in 1999 was a pity. If it could do it again, would Fianna Fáil have privatised Telecom Éireann? Was it a bad decision? As a result of privatisation we are now in a situation where, through the national broadband plan, the State will be renting back poles at €20 plus which were bought, paid for and erected by Telecom Éireann using public money.

The chain of negative events that encompasses our telecommunications infrastructure is now having the effect of reducing any potential economic growth in the regions in this State. The Minister spoke about 20% coverage. The facts are that 540,000 households and businesses - almost one third of households - are waiting for this under the national broadband scheme.

We cannot hope to achieve any kind of proper decentralisation or regional planning, organise the distribution of economic growth across the State or increase the output of what the IDA and Enterprise Ireland are doing in rural Ireland unless we get this broadband scheme up and running properly. We cannot do any of these things until we have a functioning communications network in rural Ireland. We do not have that, and it does not seem likely that we will have it in the near future. The Minister has said that it is amazing that there is a team of 80 or more civil servants and outside experts working on this. He listed them off and said that we should not question this scheme. Of course, they are hired, and considering who these people are, it is clear that their agenda is to privatise the scheme. That is what they were hired to do. They have provided the advice that has brought us to where we are now. The Government has gone down the privatisation route, and the scheme has become the play thing of international capitalists. The Minister has hit a brick wall with it. The Department has a theme of 80 plus. There are tender documents involved that contain millions of words. The companies will have the Department tied up in knots. As a result there is only one bidder left in the procurement process, with Eir having circled and donuted around towns and villages, where there are now hubs of houses in rural areas among the first 300,000 easy to reach customers. The next bidder is going to have an effective monopoly. Eir pulled out mainly because the Government allowed the connections to be cherry-picked.

This is the largest contract the State has ever undertaken, and the only bidder is a reasonably small telecoms company. The heavyweights have pulled out. The Minister of State can shake his head.

Deputy Seán Kyne: SSE is as big a company as ESB.

Deputy Brian Stanley: It portrays this State in a dreadful light internationally-----

Deputy Seán Kyne: It has 15,000 km of fibre.

Deputy Brian Stanley: -----that more than 400 schools are still without high-speed connectivity, over 60% are without connections, and 96% of the landmass is in the State black-spot areas. Households and businesses are suffering because of the standstill with the national broadband plan. Those who are lucky to have some broadband also suffer because of the current communication services in Ireland. It ranks low in terms of broadband speed and quality. Ireland ranks behind Azerbaijan in terms of broadband speed. It is ranked 62nd for its average mobile download speed and 81st for upload speed at the end of 2017. We are 21st out 25 EU

member states in terms of broadband speeds, behind Slovakia, Slovenia, Estonia and Jersey.

Sinn Féin is proposing that an obligation be placed on suppliers to provide a minimum level of speed. That would help those currently in rural Ireland who have access to some broadband. I am aware of many who are trying to run small businesses but they cannot do that with an intermittent level of services. At some parts of the day they have a good quality service but at others it is very bad, which is very difficult for small businesses. I have met some of those people in Laois and in other counties who explained to me exactly the problems they are facing. There are times when the service is virtually unusable. It is vital that what is there now is brought up to a proper standard. We need to get that minimum connectivity level put in place for existing providers. That is vital for a modern communications network and that cannot be overstated in terms of what we need.

The national roll-out of high-speed broadband is necessary for Ireland to achieve any kind of modern economic development and the social, educational and agricultural needs must be facilitated. We spoke about a national planning framework this week. If we are to have a proper national planning framework we need to have the infrastructure to back it up.

The Government must deliver on its commitment to connect the entire country, even in remote areas, at speeds necessary for connectivity now and into the future and ensure that this will be achieved in a timely manner. Also, it must keep the infrastructure in public ownership and ensure that the roll-out of the national broadband plan is based on an all-Ireland framework to enhance the Irish economy to the benefit of Irish citizens.

Much is dependent on this service. Many people are watching this debate tonight and hoping that progress can be made on this matter. It is a hugely important issue that involves quality of life and educational issues. It will affect farmers because from this year, farmers have to apply for their payments and farm subsidies on-line. They do not have broadband connection so how will they do that? Our international reputation is resting on the progress of this and the State needs to gain control. It has a good deal of control; it needs to regain. There are 442,000 households and businesses waiting on it.

Deputy Denis Naughten: It is 542,000.

Deputy Brian Stanley: Some 542,000.

Deputy Caoimhghín Ó Caoláin: Broadband is to rural Ireland today what running water and electrification were back in the 1960s. It is a vital and necessary service provision that is a core essential for business development, community development and connectivity for the most infrastructurally deprived areas of our island.

Universal roll-out will be a massive infrastructure undertaking reported to be costing up to €1 billion. That is a serious amount of money in anybody's understanding. It is, therefore, quite incomprehensible that we have gone from a tendering process involving five bidders to a situation presently where we are left with just one bidder, namely, Enet. What is the reason for the withdrawal of four of the original bidders in what looks like, on paper at least, a most commercially lucrative contract?

I have to say it is convenient for Fianna Fáil to come in here tonight and call on the Fine Gael-led Government to "guarantee that high-speed broadband is delivered to every Irish home and business in a prompt manner, even if this requires greater or full State intervention". I re-

member very well, as a Dáil Deputy here over many years, in May 2002 the then Fianna Fáil Minister for Public Enterprise, Mary O'Rourke, announcing Fianna Fáil's pre-election technology policy. This included a plan to "provide broadband infrastructure throughout the state, placing Ireland within the top 10 percent of OECD countries for broadband connectivity". It went on to declare, in bold terms, that, "Within five years we will have wired the island". My God, have they what?

Five years later, in 2007, the Fianna Fáil manifesto included a pledge to "Complete the roll-out of broadband throughout the country with the National Broadband Scheme". I could continue in this vein highlighting even more recent similar pledges. Sadly, the past will not change where we are now though. What it does, however, is prove that Fianna Fáil failed rural Ireland for a period of nine years at a time the country was, as others say, awash with money. It preferred to dish it out in tax breaks. It is ironic in the extreme, therefore, to see this Fianna Fáil motion calling for possible "greater or full State intervention". Fianna Fáil sold off and privatised Telecom Éireann, a company that would have been best placed to roll out a truly national broadband scheme that would have made its way up every boreen and byway to install broadband without taking profit into account. This is what public service companies do.

Fianna Fáil began the sell off of virtually all our publicly-owned companies and it was Fianna Fáil which began the journey towards privatisation. Let us be clear, and the Minister can have no comfort in this, Fianna Fáil and Fine Gael, the Minister's former party, are as culpable as each other in failing to roll out the national broadband scheme.

In my constituency of Cavan-Monaghan the broadband coverage is nothing short of scandalous. In County Cavan, there is a 40% geographic area relating to 17,150 premises requiring State intervention through a national broadband scheme. In County Monaghan, the figures are even worse. There is a 47% geographic area not covered relating to 15,792 premises. That is a very serious situation and is part of the reason we have a serious absence of that young cohort of people, 18 to 35 years of age. We should look at the profile of Cavan-Monaghan today. Our young people have been forced, if not to emigrate, then certainly to migrate within this State.

This week we are talking about national planning frameworks, future planning and capital infrastructure investment. I want to state clearly to both Fianna Fáil and Fine Gael, in their respective capacities as Government partners through their confidence and supply agreement, that this project cannot be held up for any further period.

We have put forward an amendment to this motion calling for the progressing of the national broadband plan through State ownership. That would be my strong preference.

Let there be no question about it. We believe in addressing this issue, as the Kelvin project would indicate, on an all-island basis. That is something to be commended. We look at the potential of great instability post-Brexit. I believe that serious capital infrastructure investment should be looked at from a 32-county perspective and on an all-Ireland economy basis. It makes absolute sense.

We call on all parties to stop the neglect of rural Ireland, to allow rural communities reach their full potential and to prosper, and to retain our young people with a real future in the counties and communities of their birth. Let us commence the roll-out of broadband to all communities and with the urgent resolve that is now so clearly needed.

Deputy Sean Sherlock: I would like to ask, through the Leas-Ceann Comhairle, what the

status of the motion will be if the Government is defeated on its amendment. If Fianna Fáil wins the day on this motion, is the Government obliged to carry out Fianna Fáil's ask, so to speak, and *de facto* conduct a review? I ask the Minister that if, in the event the Government is defeated, it is obliged to carry out the review being called for in the motion? It is a technical question but there is a little political edge to it also.

Tonight all Members received from the Minister, and I do not know if it was by accident or design, correspondence relating to the current situation that pertains to what some have called a fiasco. The correspondence is between Mr. Moat and the Minister, Deputy Naughten. I will quote from a letter dated 30 January addressed to the Minister in which Mr. Moat states:

eir entered the [national broadband process] NBP in good faith with the ambition of winning the entire tender. We have spent over €7m during the past 30 months and have fully engaged in the process. Notwithstanding our well-communicated 'red line' issues, eir remained in the process and submitted our ISDS in September in the hope that these issues would be addressed in the final months of the contract negotiation.

"Red line" is the key phrase there. In his response dated 31 January, the Minister stated:

When we met last Tuesday (23rd January 2018) my officials set out clearly that the completion of the draft contract negotiation phase of the project would not occur for several weeks yet. There was ample opportunity to continue to engage on outstanding "red line" issues, and it would, therefore, appear premature for eir to take a decision to exit the process. You indicated an Intent to consult further with your Board.

We know what happened subsequently. What is perplexing everyone in and out of the political realm is the question of how this transpired. How did it transpire that there were still red line issues at this stage of the process such that Eir, as one of the bidders, decided to pull out of the market? What were those red line issues? Everyone here and outside these walls wants to know. If we had some articulation from the Minister or his officials as to what the red line issues were without invoking the cloak of commercial sensitivity, it would be very helpful for us to further understand the ongoing process. What is very confusing for me and thousands of others is that not too terribly long ago a deal, as I understand it, was done to facilitate Eir to provide for an extra 300,000 houses and premises. In the intervening period, approximately 100,000 of those have been covered. The Minister will clarify that.

Deputy Denis Naughten: Some 131,000 have been completed.

Deputy Sean Sherlock: Arguably, that is progress. How was that deal done and why did eir do that deal but a few short months later, completely and utterly pull the plug? We all have our theories on what is happening but it is incumbent on the Minister, perhaps not during Private Members' time tonight, but certainly tomorrow when we have statements, to clarify the correspondence he has sent to every Member on his interaction with Eir. There are serious questions in that regard.

We all have scenarios in our constituencies of relevance to this issue. There is one pocket or enclave of 12 houses in my constituency, for example, where Eir came within 12 poles on either side before stopping the roll out. That is typical of west Cork and parts of Kilkenny. If one were to move around the Chamber, Members from every county would have an articulation of the very scenario I have just painted. The question now is whether the last bidder, in effect the winner given the scenario we are in, can come in and plug that gap. There is some scepticism

out there, including on my part, given that it is reasonable to wonder what price it will take for the last bidder standing to come in and close the loop in those black spots if Eir could not do so within the current competitive architecture. Will that bidder in fact be able to name its price and hold the Government to ransom as a result?

I am conscious of the time and those are just some of the issues we have. We will support the motion, but we do so under advisement in circumstances where there is a further opportunity for the Minister to come to the House tomorrow for statements. It is an opportunity for him, without using any couching language, to clarify matters for everybody here and outside who is depending on the national broadband plan, as well as on him for answers, and to set out his stall. He has come out fighting tonight, for which I give him credit, but he has stood over the facilitation of a crucial market share for a monopolistic player. The Minister will answer the point tomorrow night and I will give him time to think about it. There are still question marks over why it was done. I appreciate that a commitment was given to bring in 300,000 players, but where stands SIRO now? What is the nature of the communications with SIRO and does it exist as an entity? What are those other players doing within the market? Are they creating parallel processes or networks on which they can deliver products? There are a lot of questions but time, unfortunately, is against me. I look forward to having this debate with the Minister again tomorrow evening.

Deputy Gino Kenny: The story of rural broadband is a damning indictment of the love affair of establishment parties with privatisation. In 2007, 2012 and 2014, all Ministers with responsibility for communications promised broadband for rural Ireland. In reality, over 800,000 houses in rural Ireland have no access to broadband. To give the debate historical context, I note the hypocrisy of Fianna Fáil in tabling this motion when it was the party which privatised Telecom Éireann in 1999. We all know what has happened since. The hundreds of thousands of people who bought shares in that privatised company lost 30% of their money. The only winners in that plunder were vulture capitalists. Even worse, albeit it is only a footnote to the debate, two banks, Merrill Lynch and AIB, made €94 million from the flotation debacle. It makes me nauseous when I see that. The new company, Eircom, was sold a number of times and had its assets plundered in turn to pay huge dividends to vulture capitalists. In the orgy of greed and privatisation, they saw no need to invest in broadband facilities, in particular in rural parts of Ireland. This is the legacy with which people in rural Ireland are faced.

The latest events further evidence the cherry-picking that goes along with the national broadband plan. Eir was allowed to cherry-pick 300,000 homes, or one third of those in need of the service. Why were these 300,000 homes removed from the overall tender for broadband? We can only assume these were the easiest and most profitable houses to connect. The effect of this was that the third bidder, SIRO, pulled out of the tender process. After that, Eir got its way and also pulled out to leave a sole bidder to supply broadband in Ireland. That company is Enet. It makes one wonder whether this was the intention all along and whether a sweetheart deal was done with these multinational companies to determine who would be the end bidder. The whole saga is an absolute debacle and the losers are the people in rural Ireland who cannot access broadband, which is something I take for granted where I live.

In fact, for most people in Dublin having 4G broadband is something they take for granted, yet other citizens cannot get access to broadband because of privatisation and the ideological mistakes of both Fine Gael and Fianna Fáil. People living in rural areas have been disadvantaged by their bankrupt policies. If there is anything to come out of this - I know that the Minister will not agree with me ideologically - it is that privatisation does not work. The ser-

vice needs to be in public ownership to give people what they need. Privatisation has been a complete failure.

Deputy Thomas Pringle: I wish to share time with Deputy Catherine Connolly.

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

Deputy Thomas Pringle: It has not been a great week for rural Ireland and County Donegal, in particular. For one thing, the national planning framework promises to once again bypass an entire portion of the country, while broadband provision has been hit with the latest scandal, after Eir pulled out of the tendering process in the past week.

I would like to take a moment to consider the national planning framework because, as I will discuss shortly, it is relevant to the ongoing fiasco that is the national broadband plan. What I want to discuss, in particular, is the narrative hashed out by the Government that it could not possibly get a return on its investment in rural Ireland and that it would be best to focus on the main cities and their never-ending growth. This narrative should be turned on its head because the dominant political parties have long pandered to the idea that what is good for Dublin is good for rural Ireland, even though that has not been the case. What is good for rural Ireland can only be good for Dublin and all other urban centres. If rural Ireland was well connected both in terms of transport infrastructure and broadband, jobs could remain local and thus create sustainable employment. The unsustainable growth in urban areas can be curbed to bring about a better quality of life for all those living in rural and urban areas. A new complementary relationship could then develop between rural and urban living. However, I suspect it would not serve the interests of big international financial investors and the multinational future the Government is so eager to create.

The plagued national broadband plan is another reiteration of the negative narrative for rural Ireland. It is an example of how centralised policy decision-making and private sector dominance has plagued public services. Rural towns have suffered enough in losing out on post office services, banks, Garda stations and even community hospitals. We then have the Government selling national broadband plan infrastructure to the private sector, which facilitated Eir in getting the cream of the crop, the best premises covered by the plan, leaving a difficult and fragmented procurement process for the remaining 500,000 homes. The Minister announced all of those involved in the process but who still could not see it happening. There were 80 people working within his Department, as well as international experts such as Analysys Mason, PwC, Deloitte, Marsh Insurance, Mason Hayes & Curran, RPS Group, KPMG and Here and Now Business Intelligence, all of which could not see anything like this happening, which is amazing.

I want to give an example to highlight the pressing issue of broadband connectivity and what it means for development in County Donegal. One constituent emailed me recently to highlight his constant struggle to get any Internet connection after he had learned that Eir's fibre to the home service stopped at the pole just before the turn-off to his house. He has missed out on a fibre broadband connection by mere metres and it takes him a couple of hours to do online what should only take 15 minutes. Meanwhile, his partner, a lecturer, struggles to work from home and both have decided to stop trying to work from home altogether. The person concerned is also engaged in a community project which is hugely beneficial to County Donegal. However, he cannot do much of the work involved from home because of the lack of broadband connectivity. For how long will he and other constituents in County Donegal have to wait to be

connected? I am asked this question on a weekly basis by many people who are suffering the same issue and I have to tell them that I do not even think the Government knows the answer. It is not just about connecting fibre broadband to the home; it is also about connecting people, services and rural and urban communities. If we cannot see how broadband provision in rural Ireland would give a so-called return on State investment, the Government has serious questions that it needs to answer for people living in County Donegal and the 42% of the population who are classified as rural dwellers.

Deputy Catherine Connolly: I thank Fianna Fáil for bringing forward the motion and allowing us an opportunity to discuss this issue, although I share the deep cynicism in the background when it was Fianna Fáil that set out the privatisation agenda for Telecom Éireann which led to the creation of billionaires and the loss of an opportunity to roll out major infrastructure owned by a State company. Many comparisons have been made with the rural electrification scheme, while completely ignoring the fact that it was a State company that rolled out that scheme. While I have great respect for the Minister on a personal basis, the nature of his contribution was frightening, in particular his failure to learn anything from the mistakes of the past. Once again, both he and his officials - I am not sure which - are lecturing us and asking how dare we question the expertise available. He went on to set out the list of experts which, as my speaking time is short, I will not go through. However, it is frightening to name the companies involved, with the list finishing with Here and Now Business Intelligence. If anything is utterly lacking, it is business intelligence. We are in a situation where 542,000 houses are without broadband. The Minister of State, Deputy Seán Kyne, knows that there are the most ludicrous situations in Connemara where, although two houses are almost as near as Deputy Thomas Pringle is to me, one house has access to broadband, while the other does not. As public representatives, we have been writing letters and been told that it is not commercially viable but that the State will provide a service in due course. It has not provided it; it has once again foolishly relied on the private market to provide it and we have ended up with this process after many pronouncements. It is idiotic to talk about a delay of six months. Of course, a review is the most basic thing that is necessary.

We had pronouncements by Ministers in the past. Deputy Eamon Ryan made the first in 2010, when he told us that we would have a rollout by 2012. He was followed by former Deputy Pat Rabbitte who was very articulate in telling us when we would have broadband. He was followed by former Deputy Alex White who told us when we were going to have it. In fairness, the Minister, Deputy Denis Naughten, was left with a very bad legacy, but there was a golden opportunity for him to do something different and he did not.

What is forgotten in all of this is that Enet was set up by the State. I understand the Government is in the process of selling it, or perhaps it is more appropriate to say it is getting rid of it. Was it not set up by it? Surely questions have to be asked about how last year it made a decision to allow Eir to effectively remove 300,000 homes from the original plan. Where were all of the experts mentioned? What risk assessment was made? There are many other questions to be raised, although I see that my speaking time is almost up.

I support Sinn Féin's amendment and the tenor of what has been tabled by Fianna Fáil. Sinn Féin's amendment is right and proper at this point. Let us learn something. Let us not use the same language that we used about Anglo Irish Bank and the bankers. They knew best and were so big that they could not fail, but, most of all, democracy was ignored and we had no role. We are being told again tonight that we have no role.

Deputy Michael Collins: I am delighted to have the opportunity to speak to this important motion. However, I have yet to be convinced that it will help to have broadband provided in rural Ireland any more speedily. Areas in which there is an efficient broadband service in my constituency of Cork South-West are few and far between. Before I continue, I acknowledge and thank the Minister, Deputy Denis Naughten, for visiting my constituency during the summer and meeting many of my constituents to discuss issues related to communications. They are among the 542,000 homes, schools and businesses which account for 40% of the population that have no Internet access.

The Minister inherited a complete mess. During the years Minister after Minister made crazy announcements which sounded good but which were only farcical and the people on the ground knew it. I note the Minister's dedication and interest in his communications portfolio and appreciate that he inherited the national broadband plan from the 2011 Fine Gael-led Government when it first committed to the roll-out of high-speed broadband to every home and premises in Ireland by 2016. However, given that the ongoing tendering process for the national broadband plan only commenced in 2015, it is little wonder that we have seen the withdrawal of tenders and other general issues in the overall process.

The Government and the Department must review its model. I have long said that the only way we will achieve efficient broadband roll-out is to go back to the communities, but of course we could not do that because then no one would make a nice fortune that way. The communities are the people who know best how to deliver for their own people. In many other European counties, the Leader programme funded communities to roll out broadband locally. No one has ever listened to these suggestions over the years. I was involved in the community council that first brought broadband, and it was wireless, to a rural village in Goleen in west Cork at a time when nobody knew what broadband was. We delivered it by working with the company. We rolled it out, and in many cases it is still there.

I was elected to the Dáil on a mandate to protect and stand up for rural Ireland and my constituency of Cork South-West. I am proud to be a member of the Rural Independent Group. The failure of rural towns and villages to access sufficient broadband is yet another example of how we are being left behind by a booming Dublin. Broadband in the 21st century is a necessity. It is relied upon daily for our educational needs, work and doing business and even keeping in contact with friends and family in every corner of the globe. It is necessary that the Government puts realistic steps in place to allow rural Ireland catch up to the rest of the world.

Eir has gone off the pitch. Many have suggested here tonight that was always its intention. That is something we can leave to our own imaginations. I felt it was only cherry-picking all along. It was a very nice set-up, where it was going to get 300,000 homes connected in areas where Eir itself wanted it. I fully agreed with Deputy Fitzmaurice's comment that its carry-on was nothing short of skulduggery. To try to work with the company is a joke, whether it is its telephone lines or trying to discuss the roll-out of broadband in rural communities. I shudder to think that if we had allowed it continue and it had won the contract, where the people would be. Eir does not listen to the public representatives. It is a law unto itself in its phone service. We saw what happened with Storm Ophelia. Its workers on the ground were murdered trying to bring telephone lines back to people's houses, but if they were asked to go next door they would say they were not allowed because of rules and regulations. Everything had to go through the system and things were going round and round to the point that I expect some houses have only just been reconnected. How was eir going to roll out broadband to rural communities? I know of a housing estate in Bandon where there are several houses and among them only every sec-

ond house has broadband. It is a farcical set-up from eir and no one is answerable. Eir is not answerable to anyone. We are better off without it. I hope this mess can be resolved for the greater good of the people of rural Ireland.

Deputy Danny Healy-Rae: I am glad to get the opportunity to speak about this important issue but I believe that Fianna Fáil and Fine Gael would be better advised to work together rather than attacking each other across the floor of the House. It ought to be remembered that the two are in government together. Whether it is called a coalition or whatever is called, one party is holding the other up or supporting it. That is a fact.

The lack of high-speed broadband is a serious issue throughout the country. It was one of the most dominant issues at the previous election and will be again in the next one whenever that is. People are sick to death of taking about broadband instead of the powers that be getting on with it and organising proper broadband in the country for all the people.

Some 33% of households in Kerry need State intervention to acquire broadband. They are entitled to that connectivity with the world. The implications of Eir pulling out of this tendering process is that Enet will have the monopoly but in fact Eir will still have the monopoly as Enet must use Eir's infrastructure. The big question is whether Enet has the capacity to carry out the operation and to do so on its own. Many people wonder if it has the ability to do so.

This story puts me in mind of 50 years ago when a place called the Black Valley did not have electricity. At that time, my father had a massive battle to get the Black Valley electrified. Ten or 15 years later the same thing happened again with the Black Valley, with places such as the pocket in Glenmore where they could not get mobile phone coverage. Happily, the Black Valley has mobile phone coverage now, although not all of it. We are told that farmers must submit applications online, or subcontractors' payments must be agreed online when they are looking for approval from the Revenue Commissioners. Everything is online and the only line they have at the present time is their clothes line. That is God's gospel truth. It affects them when using online banking. Small companies have problems paying wages when they do not have broadband. Take places such as Mangerton in Killarney. We cannot understand what is happening. There were 40 houses to be connected there. For some reason, management pulled Eir away, closed up the trench and left the people there standing, as it were. There are pockets in different places across Kerry where there could be 12, 20 or it could be 30 houses where houses have broadband around them but and they cannot understand how they have been left behind and have none. Why was it not carried out methodically? Who is running this show? Who is responsible? I have asked the Minister, whom I do not blame personally, but I do blame both sides of the House who are attacking each other tonight. They ought to get into some room in here - there are plenty of them - get around a table and talk it out to secure all-party agreement as to what must be done. If they go out to the people, whenever the next election is, every one of us will be roasted.

An Leas-Cheann Comhairle: The Deputy's time has expired.

Deputy Danny Healy-Rae: It is like the man who told me that if we went to the doors before Christmas, "God almighty, Danny, they will be pelting turkeys at you."

An Leas-Cheann Comhairle: Deputy, some co-operation please.

Deputy Danny Healy-Rae: If the Government goes before the people without doing something about the broadband before the next election, they will have the kettle and the frying pan

and the whole lot at them. I am very sorry, a Leas-Cheann Comhairle.

An Leas-Cheann Comhairle: There is no point in being sorry. The Deputy must watch the clock.

Deputy Catherine Murphy: I do not think that anyone disputes that broadband is essential to all parts of the country. My own area is very good in parts and terrible in others. I live in an area that is very good, and we are lucky, but I have spoken to people who have considered moving house because their service is so bad. Working at home or running a business is impossible for people in that case. In a digital age, broadband is not a luxury but a basic necessity. That is particularly true for those running businesses, but whatever the use, whether it is for children using it for homework or older people using Skype to stay in contact with people who have left the country, it is required across all society.

This process concerns me a great deal. Something about it feels very wrong. The very fact that it is a *fait accompli* with one bidder means it is not a competitive tendering process. It does not have the kind of competitive tension that one would expect to see in a process that is properly run. If we do not stop and have some consideration at this point, and have some answers as to why this is happening, down the road we are likely to have some sort of inquiry as to what happened exactly. Why can we not hear it now in real time rather than in five years' time, having awarded a tender where there is not really a tender process, discovering there is a problem with it and then having an inquiry as to why it did not work as was intended?

The Minister can come out all guns blazing - I was watching him. He gave us every class of expert as the reason we should just go with our betters and know what our betters are telling us. I have got to say we are here to interrogate matters. We are here to ensure that the process works as it should.

I have an uneasy feeling about this process and the adequacy of it and I do not want to delay for one minute. The Minister talked about not wanting to delay and being anxious to get on with this process, as people outside are. None of us wants to delay this process but neither do we want a process that will cause us a significant problem. For example, is it not a valid question to ask why the bidders are pulling out of this process? Is it because they feel they cannot make money on it? Do they feel they will not make money on it because people will not be able to afford to connect to it? If they cannot afford to connect to it, is there the spread of broadband that the Government is seeking to roll out? The Minister, instead of coming in here and talking out loud, and all guns blazing and telling us about all the expertise, should answer some of the questions about why this process has failed to live up to what one would expect for such a big project. It is a one-horse race and it is inadequate from that point of view.

We regularly see what happens when responsibility for vital public services is outsourced to the private sector. This is a vital public service. I have no problem with the market or the private sector where appropriate but this is a fairly basic necessary service. Essentially, if it is only judged on a profit motive, we have a difficulty in that there is a public service without considering public access to it. That is a really serious problem.

The Minister needs to come in here and answer the questions rather than lecture us.

Deputy Eamon Ryan: The Minister, Deputy Naughten, stated in a speech earlier that he is the only Deputy who has consistently pursued this issue for the past two decades and the record proves the fact. There is no one else in this Parliament who has an interest in broadband. The

Minister is not here. It is 120 minutes into the debate. The Minister is the only Deputy who has an interest in broadband and has proved it over the past two decades. Come on, that is hubris and nonsense.

I was involved as a Minister. We set up the national broadband scheme. We started in 2007. We had the contract signed the next year and we rolled it out on time and to budget. I heard someone else state it could have been faster. I agree, but it was complex. I had to do a similar scheme to that which is being attempted here in having a map and all sorts of complex legal arrangements. We did it in a year. We got the contract signed. This process started in June 2011 with the establishment of the broadband task force. Almost seven years later, we do not even have a contract, let alone a single wire hung on a pole, and that is the real problem.

The Department and the three Ministers have to answer questions as to why we have been seven years. The Minister listed out all the experts. He is crowded out. He seems to have nothing but technicians and lawyers at every turn and what is missing is political leadership to get it over the line.

There is a particular problem because it seems the Minister has made a fundamental mistake by taking the bait that Eir put out there, in terms of delivering 300,000 houses in his time. It was the lucrative idea, politically, with eight areas in Roscommon, of there being 7,000 houses in Roscommon it could deliver to the Minister in the next year. As we all will be aware, this Dáil was probably not long for this world and there was a temptation to say, as a Minister, that he would take those 7,000 houses in Roscommon and be the man who is delivering here and today. However, it was a fatal mistake. It seems that was the reason SIRO pulled out of the detail, namely, that all the lucrative parts of the contract were gone. In fact, even more than that, SIRO would have to have leapt over Eir's engineers and all the work they were doing in certain rural areas to get to the outer fields. It just did not make sense and SIRO pulled out. It was one of the best engineering and telecommunications companies in the world stating that it was interested, it was doing it, it was signed up, it was ready to tender but the Minister changed the nature of the business proposition and it was pulling out.

The Minister stated at the time that one should not worry as we still have a highly competitive race with two experienced consortia, which they were. However, I believe Eir pulled out then with the change of ownership when it realised the business case here. Looking at it, Eir has all the nice lucrative stuff - 300,000 already contract agreed and a done deal - and it does not need to go after the others. Eir even has an agreement with the Department that Eir will get €20 a pole per annum, that is, a €45 million cheque no matter what. Why would Eir continue with the process? The Minister would need to recognise that hubris I mentioned at the start that all is well and fine, or this might help us have a faster deal. He is signing a 25-year deal in a one-horse race and depicting it as a good news story that we have less competitive tendering risk now and maybe we can get it done quicker. We should be honest in saying it was a really bad day for this process when the last of the other competitive tendering companies pulled out.

What do we do, because there is an urgency? I am reluctant to go back and start again. For those houses and for the development of rural Ireland, we need to proceed. However, we have to be very careful because we are locking ourselves into a 25-year system where one could have an impossible situation where Eir is saying that those poles are fine and one does not need an old pole there - they are grand. We are dealing with a company, Enet and SSE, which does not have the same experience that ESB or Eir would have in delivering wires across the State.

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An Leas-Cheann Comhairle: Tá an t-am caite.

Deputy Eamon Ryan: This is a bit of a mess and it is up to the Minister to clean it up and sort it out.

An Leas-Cheann Comhairle: The next is a Fianna Fáil ten-minute slot. Before Deputy MacSharry starts, I want to clarify the position in relation to the two-minute slot for Deputy Fitzmaurice. I vacated the Chair at 7.30 p.m. during the Public Health (Alcohol) Bill 2015. I returned at 8.30 p.m., when this debate had commenced. I had no act or part in allocating or, as was suggested, slipping in, Deputy Fitzmaurice. As anyone familiar with proceedings will be aware, Deputy Fitzmaurice is granted two minutes from time to time by various parties and groups, and that is agreed at the Business Committee. Any Deputy who has an issue can check that with his or her Whip. I just wanted to clarify my own position because that is not my form.

Perhaps Deputy MacSharry should indicate who he is sharing time with.

Deputy Marc MacSharry: I would like to share two minutes of time each with Deputies Butler, Aylward, Murphy O'Mahony and Casey. I myself will keep a close eye on the clock.

I am glad to have the opportunity to make a few points on this issue. I am sorry the senior Minister is not present. I accept it is a long day. The Minister has a demanding media schedule being the comical or chemical Ali of the Cabinet, as he has been described by a national media organisation with the level of denial that is associated with his constant pronouncements in terms of the health of the broadband plan. I refer to the broadband plan, as christened by Mr. Peter Casey, a Donegal man of Claddagh Resources, when he correctly stated it should be changed to the Donegal shambles. That is what it is.

I do not know who are responsible for this process since 2013 but there are two words that accurately sum up those involved, and the first one begins with "G". At this point in time, we have no contracts in place. As Deputy Eamon Ryan states, we have no wires in place. We have endless amounts of brochures, photo calls, announcements, tours around the country and more announcements. We have Ministers looking good, Ministers who are now retired, Ministers who are now broadcasters, all responsible for announcing different plans. The reality is nothing happened. It is constant lip-service. It is similar to the draft national planning framework, which I think I will rename the plan to standstill, but we will see what is published as part of the real plan. Will the Minister of State tell the senior Minister that what we want is a price, a delivery schedule and construction, commencement and finish dates? That is what the people require. Let him come back here in a month. My colleague, Deputy Dooley, rightly said we want to review this. That will take the Government ten years. We do not have time for that kind of a review. I therefore ask the Minister of State to give us, within a month, a start date and an indication of how much it will cost and when it will be finished. I have one little tip. The Government should get the providers to carry out the less lucrative work first. I refer to Donegal, Sligo, Mayo, Roscommon, Cavan and Monaghan. Perhaps then we will not have another Carillion on our hands or another Eir that will tell us it has already picked all the gold and will leave the silver and copper to someone else. I will hand over the floor to my colleagues now, but that is what needs to happen. There are three things we need to know within one month: when it is starting, who is doing it and how much it will cost.

Deputy Mary Butler: In the past week challenges facing rural Ireland have been to the fore. We hear much talk of the national planning framework, the vision for the next 20 years,

and what it will mean for our country. The roll-out of fibre-to-the-home broadband is key to bridging rural Ireland's digital deficit. To halt the decline in our rural communities, this issue must be addressed. However, the Government's national rural broadband roll-out is in a complete shambles. Having started the tendering process in 2015, the Government has dragged its heels to the extent that there is now only one bidder left in the process, Enet. In September 2017, one of the three bidders in the process withdrew owing to the lengthy and complicated tendering process. This should have triggered alarm bells for the Government but, unfortunately, it did not. We learned last week, in January 2018, that Eir, another large and experienced operator, has also pulled out. The process had become so complicated that potential bidders found it impossible to respond in a commercially viable way. These blackspots of broadband wasteland are costing jobs, threatening rural sustainability and creating a digital divide. I have serious reservations about the national planning framework, the vision for the next 20 years, if we cannot deliver broadband to 500,000 houses in Ireland.

Deputy Margaret Murphy O'Mahony: I commend my colleague, Deputy Dooley, on bringing this motion before the House and on all his great work in communications in general. I represent the most picturesque constituency of all, namely, Cork South-West. We are on the beautiful Wild Atlantic Way, yet due to a lack of broadband and poor mobile phone coverage, or in some areas none, which also comes under the remit of the Minister, Deputy Naughten, we are like birds with our wings caught. We cannot reach our full potential in the tourism sector. Cork South-West has much to offer people who want to set up home or business, but again, the lack of broadband in many areas is a huge deterrent to both. Farmers in west Cork, as everywhere else, now have to access many payments online, but many of them cannot. Does the Minister of State know why they cannot? It is because they have no broadband.

I am advised that Bantry General Hospital attempts to run high-tech equipment in the course of its daily duties. However, the IT infrastructure available to it is simply unacceptable. It is unacceptable in an environment in which people's lives are at risk and it is unacceptable in circumstances in which hospitals such as Bantry General Hospital endeavour to take the pressure off the bigger hospitals, such as Cork University Hospital, and they are being impeded in this way. The matter is now much more serious than just missing deadlines, in which the Government is expert. An urgent review is necessary with a view to ascertaining definite timescales without any further delay.

Deputy Bobby Aylward: I come to the Minister of State with a short and simple message from rural Ireland. We need broadband now or as soon as possible. The people are frustrated, fed up and tired of the delays with the national broadband plan. I have representations that have been sitting in my office since my by-election victory in May 2015 from people living in rural communities and the outskirts of regional towns who cannot understand why I cannot give them updates on the progress of broadband services in their localities. The frustration on the ground is reaching boiling point. There is frustration for us as public representatives as well as we have no information with which to go back to our constituents. When people contact me with their Eircode postcodes and I check the national broadband plan map and their houses are classified as being in the amber area for State subvention, I cannot offer any solution whatsoever. Rural communities throughout the country have been kept waiting seven years for the roll-out of high-speed broadband by this Government. I get the sense that the Government is not really serious about rural Ireland and rural communities such as those in Carlow and Kilkenny.

Broadband is not a luxury for schools, families, businesses and farmers; it is an absolute necessity. If it is not delivered soon, the benefits may be lost forever as investment will not flow

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to rural and regional Ireland. Successive Ministers have failed miserably to bring this crucial national project to completion. I am sad to say I have serious doubts as to when, if ever, it will be delivered. It represents one of the greatest Government failures in living memory and demonstrates that when it comes to thinking big and delivering for rural Ireland, this Government always falls short. We will never reopen the boarded up shopfronts, create jobs and sustain enterprise in our regional towns and villages if we do not have the equal platform of broadband services to compete with the larger cities. The current digital divide is completely undermining the economic viability of rural Ireland. SMEs are walking out of rural Ireland because they cannot rely on reliable broadband services. They are not expanding and growing their businesses or creating jobs in their localities because the services and infrastructure are simply not on a par with the larger population centres and cities. I ask the Minister of State not to give us platitudes, but answers and solutions. That is what the people of rural Ireland want, and the sooner it is done, the better.

Deputy Pat Casey: I support Deputy Dooley in bringing forward this welcome motion to address sensibly the shambles that is the seven-year saga of the roll-out of rural broadband. In Wicklow more than 34,000 people are still awaiting a connection. A perfect example is my home village of Laragh and Glendalough, where the primary school is not connected, the Brockagh Resource Centre is not connected, farmers who need to complete forms online are not connected, local residents have no broadband, business needs are not connected and - forgive my indulgence - my own hotel business is still not connected. Glendalough, the most beautiful valley in Ireland - sorry, Margaret - is in a rural location that attracts more than 1 million visitors a year, and in 2018 it still has no broadband. There is a connection between those rural parts of west and south Wicklow, including parts of some of our towns and villages where there is no broadband, and those areas where the economic recovery has not yet happened.

In Wicklow we have seen many opportunities to develop our economy and our society. We have all worked to develop these opportunities. However, in every industry broadband is as important as electricity. There is no point having a rural development programme, no point having an agribusiness strategy and no point having a national planning framework if rural Ireland does not have broadband connectivity. However, this crisis is being managed as a political communications problem, with the appalling spin that with one buyer left, this process is actually improving. This would be laughable if it were not so important to people living in rural Wicklow. Time and time again, people in rural Wicklow are treated as second-class citizens. We are told we should not expect the same treatment as urban Ireland. We are told to stay quiet and wait. Rural Wicklow is sick and tired of being treated in this manner. We want our voices listened to. We are citizens and we will no longer be ignored. I urge the Minister of State to do the right thing and to listen. We want responsible leadership. Process is as important here as results. Rural Ireland wants broadband delivered in a responsible way, with oversight and control. Rural people are rightly angered, having had enough of Fine Gael's patronising attitude.

Minister of State at the Department of Communications, Climate Action and Environment (Deputy Seán Kyne): Cuirim fáilte roimh an díospóireacht seo a thaispeáineann tábhacht faoi leith le cur i bhfeidhm leathanbhanda ardluasa i ngach foirgneamh, scoil agus gnólacht sa tír. Is áis riachtanach an leathanbhanda ardluasa agus tá sé ráite ag an Rialtas sa phlean náisiúnta leathanbhanda go gcuirfí é ar fáil i ngach teach in Éirinn. Rinne an tAire, an Teachta Naughten, tagairt don leibhéal suntasach infheistíochta ón earnáil teileacumarsáide cheana féin. Mar gheall ar an bplean náisiúnta leathanbhanda, tá méadú suntasach tar éis teacht ar chlúdach leathanbhanda in áiteanna áirithe. Bhí rochtain ar leathanbhanda ardluas ar trí as deich nó

700,000 den 2.3 milliún foigneamh in Éirinn sa bhliain 2012.

In 2012, three out of ten or 700,000 of 2.3 million premises had access to high-speed broadband. Today, more than six in ten or 1.5 million of all premises throughout the country can get access to high-speed broadband. The Government is highly aware that the commercial operators will not provide coverage everywhere. This is where the State must step in with the national broadband plan State intervention area.

As Minister of State at the Departments of Communications, Climate Action and Environment and Rural and Community Development, where my key responsibilities include community affairs and digital development, I recognise that the national broadband plan is essential to the future economic prosperity and social development of rural Ireland. High-speed broadband is a powerful instrument for the solutions sought by numerous sectors, including business, farming, schools and local communities. It utilises and enhances the potential of existing infrastructure in provincial towns and boosts rural viability. I acknowledge many Deputies have alluded to this.

High-speed broadband provides opportunity for the regeneration of rural areas and the fostering and supporting of small businesses, to allow our citizens who chose to live in rural areas enjoy similar economic and social benefits to those in urban areas. We must realise the immense benefits which will be brought by the national broadband plan and the profoundly positive impacts quality connectivity can bring to the lifestyles and livelihoods of those living and working throughout Ireland, especially in rural areas. As the Minister, Deputy Naughten, has described, the national broadband plan State intervention will bring high-speed broadband access to places which would most likely just have to go without.

As Deputies have also said, too many people in rural Ireland need the State to intervene and bring essential broadband access. They include 542,000 postal addresses, 990,000 citizens, 381,000 members of the labour force, 52,057 farms, 47,096 SMEs, 437 schools and 310 business parks. The motion before the House asks for a review of the case for State ownership. In July of last year, the Minister, Deputy Naughten, stood in this House and confirmed that full State ownership would likely increase the cost of the subsidy for the State. Both models, namely gap funded and full concession, would deliver the same thing to the taxpayer with State ownership being a notional benefit at the end of the contract.

Are Deputies trying to pretend to the people of Ireland, not just in rural Ireland but in towns and villages throughout the country, that a solution to a national project, to build a network that will serve this generation and the next, funded with their own money, should be simple? Of course it is not simple. Do Deputies believe that necessary measures to ensure long-term viability, governance, oversight and transparency in a project such as this are overly onerous and complex? If it were that easy these things would have been rolled out years ago.

Much of the debate has focused on the delivery of the national broadband plan to individual premises. The national broadband plan consists of many strands working together to deliver a digital Ireland. It is not just procurement, as there are other elements on which the Minister, Deputy Naughten, and I have been working to improve connectivity across the country. Many of our citizens and businesses rely on mobile phone and existing broadband. Through the mobile phone and broadband taskforce the Government is making sure that as many as possible of our citizens and businesses have the services they immediately need. This was an issue for the Independent Deputies during the Government formation talks and the taskforce was created.

Prior to the roll-out of the State-led intervention, the Government's mobile phone and broadband taskforce identified immediate solutions to broadband and mobile phone coverage deficits and investigated how better services could be provided to consumers. The Minister, Deputy Naughten, is planning to release shortly the taskforce's annual report, which will show the great progress being made. Every local authority now has a dedicated broadband officer, acting as a single point of contact for operators on coverage and roll-out issues. This means that once the national broadband plan roll-out begins, every county in the country will be ready to engage and ensure a smooth roll-out. Local digital strategies will mean that once the national broadband plan infrastructure is in place, every local authority will be able to fully realise all the benefits that high-speed connectivity brings.

Work is ongoing to cut through the red tape around planning issues, with most local authorities now applying waivers in respect of development contributions for telecoms development, and the updating of planning exemptions to make them fit for today's and tomorrow's mobile technologies. Mobile coverage black spots are also being tackled. Local authorities are mapping priority black spots in their own areas and identifying infrastructure that could potentially be used by mobile operators to provide additional coverage.

Other initiatives are under way to maximise and enhance existing connectivity. The release of the 3.6 GHz 5G spectrum in May 2017, to a value of €78 million, will enable operators to provide faster fixed wireless and mobile services to their customers. A total of €8 million is being invested to facilitate the reallocation of the 700 MHz spectrum away from TV broadcasting to support broadband and mobile telephony plans in rural areas. This means valuable spectrum band is being freed up to deliver better mobile data services in rural areas. As the Minister, Deputy Naughten, has emphasised, the national broadband plan State intervention procurement is firmly on track and moving into the final stages.

Considerable effort and oversight by numerous individuals and stakeholders have been mobilised to ensure that the process has progressed to its current advanced stage. To divert the process off course at this moment would only serve to delay the roll-out of the essential services, and disadvantage those living and working in rural areas which are covered by the State intervention area. I can see no sense in being told on one hand that the process is taking too long, and on the other to pause it for a period of up to six months. I unequivocally support the counter-motion that urges the Government to continue apace with the public procurement to select a company to build a future proofed high-speed broadband network in those areas which will not be served by commercial operators, to ensure that every place in every county in Ireland is put on the digital map.

I will address some of the issues raised by Deputies. Almost every Deputy stressed the importance of high-speed broadband and the need to deliver the service soon. I acknowledge the frustration of people that is evident in the Chamber and in many rural communities with the timelines and the delays. Deputies seem to be reluctant to accept the impact of the Government's national broadband plan in leveraging telecoms investment. In April 2016 52% of premises had access to high-speed broadband and today that figure is at 69%. Why is that? It is because commercial providers upped the ante and upped their game over the last period of time in advance of the national broadband plan because they could see the Government's commitment to delivering broadband to all rural areas. Deputies, including Deputy Ryan, spoke about the national broadband strategy. When it was published in 2008 I was a member of the local authority and vast swathes of my area were deemed to be covered and deemed to have a service, which they clearly did not. Some of that is now being rolled out under the eir com-

mitment contract and some of it is still to be rolled out under the national broadband plan. The map in 2008 was designed to deliver basic broadband at a low speed of 2 Mbps. This is about bringing high-speed broadband and having it future proofed for the next 25 years. To suggest it is the same as the 2008 national broadband strategy would be misleading. It is not as it is much more highly complex.

People have spoken about privatisation and hindsight is wonderful. Privatisation happened at that time and we know its history. Unfortunately, the full network of poles and lines and the critical infrastructure throughout rural Ireland went with it and Telecom Éireann, Eircom and now Eir have gone through a series of changes and buyouts during that time, which, I imagine, has not helped the process of delivery.

Deputies have spoken about the 300,000 houses in the commitment contract whereby eir committed to connecting 300,000 houses, of which 130,000 are connected, and said if it did not do so the State would enact fines. The Minister, Deputy Naughten, will speak more about this in tomorrow's statements. I understand the concerns people have about it, but part of the issue and part of the complexity is when this was decided and when we were in the process of mapping out the national broadband plan, commercial companies did not stop. They did not lay down their tools and state they would connect no more houses. It was an ongoing process. Commercial activity was still taking place while we were trying to get the mapping done. At that stage, it is fair to say, that Eir, knowing how the national broadband plan was going, decided to roll out extra houses. Unfortunately it could have done this for a long number of years before but did not. That led to part of the complexity. At that stage the Government made a decision and, as I have said, the Minister, Deputy Naughten, will speak more about it tomorrow in terms of the 300,000 houses connected under the commitment contract.

I thank all of the Deputies for speaking. I accept and understand the frustrations of people in the Chamber and in rural communities with regard to the roll-out and delivery of the national broadband plan.

Deputy Niall Collins: I will share time with Deputies Dooley, Aindrias Moynihan and O'Keeffe.

The biggest issue in my constituency of County Limerick, and throughout the country at the most recent general election and, I want to emphasise, every day since, is the lack of adequate high-speed broadband connectivity. It is impacting on many communities throughout my constituency in Limerick. If I were to list them out it would take the whole night. It is fair to say this has been interpreted by these communities, people and businesses as another attack on rural Ireland. This is how it is perceived, rightly or wrongly, and it behoves all of us to try to find a common sense solution as soon as possible because it cannot pertain. We can see the pattern of the previous Government and this Government with regard to the withdrawal of front-line services from our communities in rural Ireland, including post offices, Garda stations, credit unions, public health clinics and GP clinics. I refer to the whole unravelling of services. The Government is telling people to do business with it on the online platforms, including applying for medical cards, passports and basic farm payments and dealing with Revenue, but it is failing to roll out basic broadband services. It is simply not good enough.

The motion tabled by Deputy Dooley asking for an independent review in parallel with the continuation of the process is the way to go. The population needs to have assurances this is going to be dealt with properly once and for all. The motion should be supported by everybody

in the House and, most importantly, by the Government.

Deputy Aindrias Moynihan: I am concerned about the way the national broadband plan has been stumbling along and about how it is being rolled out. In 2011, the Government promised that 90% of homes would have high-speed broadband by 2015 and everybody would have it by 2020. By 2016, this had slipped to 85% of homes by this year. The Taoiseach recently said that only 75% of homes were being targeted by the end of this year. It is slipping constantly and the attempt to deliver is slow. We see poor Internet connections, torturing people in so many rural communities. It is constantly buffering and then suddenly collapses. That is how people see the national broadband programme in my constituency of Cork North-West.

Last September, SIRO backed out owing to the lengthy and complicated process. Eir has now dropped out. Householders are concerned the whole thing could collapse or they could be left with highly expensive connections. That is frustrating for thousands of people across rural Cork desperately in need of high-speed broadband. Last night I met with people in Ballinora which overlooks Cork city and is adjacent to EMC, one of the largest cloud computing companies in the world. However, they struggle to get an Internet connection or even a mobile phone connection. It is the same in places like Ballinageary, Ballinagree, Barrahaaurin and in so many other places across rural Cork.

Access to broadband is one of the biggest issues in rural Ireland. Farmers need it to apply for their agricultural payments, students need it and householders need it for online banking and county council services, including housing applications. Broadband has the potential to be a game-changer for so many rural communities giving opportunities to attract business, tourism, etc. The Government needs to stop talking about it and start delivering realistic high-speed quality affordable services for communities.

Deputy Kevin O’Keeffe: The first line of the motion puts the scale of the crisis into perspective. Some 542,000 homes, schools and businesses, representing 40% of our population and 90% of our geographic cover, have no access to high-speed broadband. There is no possibility of a connection on the horizon. It has taken another Fianna Fáil motion in Private Members’ time to get the Government to even discuss the issue. This is despite the fact that my party has called on the Government over the past number of months to provide clarity on the matter.

I have no doubt the usual Fine Gael rhetoric will come into play here with it asking what Fianna Fáil did when it was in government. This will no longer wash with the public. We are now into our seventh year of a Fine Gael-led Government. It has further isolated our rural areas, turning them into some of the most backward in Europe. The ongoing tendering process has been nothing less than a farce. It must be recognised that the tendering process began in 2015 with the then Labour Party Minister, Pat Rabbitte, initiating the process, some time before the Minister, Deputy Naughten, assumed his role. It would be unfair to lay the full blame at the current Minister’s door. He inherited a national broadband plan with no structure or forward planning. It was just another Government plan with fancy graphs and text to fill the Government press launch.

The warning signs were there last September when SIRO decided to exit the tendering process. Fianna Fáil then asked for the criteria of the tendering process to be published. There was no transparency forthcoming. Over a week ago we heard a report that the Government was trying to pull a fast one with the hope of carrying out the work on the cheap by slashing the price of access to eir’s telephone poles. This had the potential to cause further delay. This

is, in effect, like asking a mechanic to go into another man's garage and carry out the work for a cheaper fee. It was ignorance on behalf of the Government to think that this would not aggravate one of the potential bidders.

Prior to my becoming a Member of the Dáil, road repairs were a big issue. Now broadband is my pothole issue.

Deputy Timmy Dooley: For the past year and a half the Minister has failed to provide this House with answers to basic questions. When will the contract be signed, when will work begin and when will it be completed? When I have asked him those questions, he made it clear it is not about timing but about getting it right. However, all of a sudden, he has a plan and there are dates and times but my intervention and that of Fianna Fail is going to throw it to the four winds. The Minister should publish the timeline now, if he has one, and stop hiding behind this bluff and bluster.

For the Minister and for me, it is a case of *déjà vu*. He delivered virtually the same speech tonight that he delivered in 2016. On 6 July 2016, he was on the cusp of signing a contract but 19 months later there is no sign of that contract being signed. On the last occasion, I was convinced to withdraw my motion, as I said, against my better judgment. That was a proposal for the State to intervene directly, take control and ultimate ownership. That was 19 months ago but the contract has still not been signed. The Minister had the gall to repeat the same request and ask me to again withdraw my proposals. In 19 months nothing has been achieved but there is further indication that this is a flawed process. Three companies with the experience and the know-how have pulled away from the process.

It is as simple as this. On that occasion, the Minister fooled 542,000 homeowners but I will not let him fool them again.

An Leas-Cheann Comhairle: That concludes the debate.

Amendment put.

Deputy Timmy Dooley: Vótáil.

An Leas-Cheann Comhairle: In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 8 February 2018.

The Dáil adjourned at 10 p.m. until 10.30 a.m. on Wednesday, 7 February 2018.