



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

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# DÁIL ÉIREANN

*Dé Máirt, 13 Feabhra 2018*

*Tuesday, 13 February 2018*

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

*Paidir.  
Prayer.*

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## Leaders' Questions

**An Ceann Comhairle:** I appeal to all leaders to try to adhere to the allocated time. When leaders adhere to the rules of the House, it encourages other Members to do likewise.

**Deputy Micheál Martin:** The *daft.ie* report on housing rents makes for very dismal and depressing reading. It is another year of double-digit rental increases. Over the past number of years, the increase in Dublin has been quite shocking and is having a huge impact on people. In Dublin, rents have gone up 81% since 2010. Outside Dublin, that figure is 52% but that includes Meath, where they have gone up 81% and Louth, where they have gone up by about 78% in that seven or eight years. Rents in Cork, Galway and Limerick are up 65%. Alarmingly, only about 3,150 properties are available to rent now, which is 20% down on the number available this time last year.

Behind all these figures there are human stories. Many families are under threat of eviction and are extremely worried, having been given deadlines by landlords to leave their properties because they need to renovate them or give them to family members. Many families are now doubling and tripling up, as we know from our clinics. There are people coming in who are living with their parents or siblings and so on. There are young people getting their first jobs in cities and 40% to 50% of their income is going on rent. The student experience is becoming hazardous. It is almost impossible for students going to cities to attend universities and institutes of technology to get any place to rent at a reasonable cost. By any yardstick, for many families across the country, it is now the dominant measure of the cost of third level education.

Above all, it has an impact on homelessness. There are 9,000 people in emergency accommodation, including 3,000 children. Without doubt, the worsening situation in regard to rents is accelerating and making the homeless situation even more perilous. All the initiatives undertaken under the various plans have failed. The rent pressure zones introduced in 2016 are ineffective in stemming the rent increases. Housing supply measures are very poor. Housing targets set by the Government have not been met.

A report on the tax and fiscal treatment of rental accommodation, published by the Department of Finance in September 2017, made ten recommendations, short-term, medium-term and long-term. It is extraordinary that not one of those recommendations has been implemented by the Government. There were approximately 212,000 landlords in 2012, whereas now there are only 175,000. There is a problem there. The Government received clear recommendations, yet it chose not to implement even one of them. Why not?

**The Taoiseach:** I will have to look at that report again. It was published some time ago.

**Deputy Timmy Dooley:** Disgraceful.

**The Taoiseach:** I would have to see the recommendations and remind myself of them and then respond to the Deputy. In terms of the substantive issue, everyone in this House, and certainly the Government, is very aware of the impact that rising rents are having on many people. In some cases they risk driving people into homelessness. In many cases people are required to pay a huge portion of their post-tax incomes in rent, thus leaving very little money for other costs, whether child care or the many other costs of living. We acknowledge absolutely that rising rents are having an enormous impact on people, particularly those who are struggling to make ends meet.

That is exactly why we introduced the rent pressure zones. Let us not forget what they do. They now cover more than half of people who are tenants and those people now have their rent increases capped at 4% or less. They are not covered in the statistics published today by *daft.ie* because, as it acknowledges, they cover only new properties and new tenancies. Most people who are renting have been protected by the rent pressure zones and face rent increases of less than 4% as a result of actions taken by this Government and Oireachtas. Those whose rent has not gone up, or has gone up by less than 4%, will be very glad that is in place.

The *daft.ie* figures do not cover people covered by the 4% cap in the rent pressure zones, people already in properties. They refer to new tenancies and properties and it is a relatively small sample. There will be a bigger sample from the Residential Tenancies Board, RTB, when its numbers come out. They will cover rents paid as opposed to the asking rent.

The Government is doing many things but there are some major things. One is enhancing the powers of the RTB, turning it into a real regulator with more enforcement powers. Another is taking measures to encourage landlords, and it is important that we encourage them to stay in the private rental sector and that more landlords come into it. That is being done by measures such as restoring mortgage interest relief which had been reduced to 75% during the economic crisis and has been increased towards between 80% and 85% in recent times.

We are getting building again. It is very important that we build again. The Minister for Housing, Planning and Local Government is working on new guidelines, especially on apartment building to make it more economic to build apartments in our cities where housing is most needed. The Deputy mentioned student accommodation and there has been an explosion in the amount of student accommodation in recent years. It is being built and provided throughout the country and that will have an impact.

**Deputy Micheál Martin:** I do not know whether the Taoiseach lives in the real world because if he talks to any student or family he will learn that rents have gone through the roof. That is what the *daft.ie* report is telling us. There is no point trying to deny or obfuscate it or put a good spin on it.

The Taoiseach's reply indicating lack of knowledge of this report sums it all up. This was a substantive report undertaken by his Government five months ago. It was published in September, not some time ago as the Taoiseach says. Now he has to remind himself of it. He has to look at it again. These were the measures designed to retain and increase the supply of landlords in the market and he does not have a clue about them. That sums up the complacency around this issue of housing. It is a national emergency. By any yardstick, it is a crisis in our cities and there is no point in trying to dress it up and say we doing this and that. I can go through all of the targets the Government set itself and it has failed to meet all of them. A total of 800 units were to be provided through a repair and lease scheme in 2017, but the number was zero. This was stated in the Government's own report which was published in September and the Taoiseach knows nothing about it. It is put away because there is too much focus on spin all of the time. Let us have some substance and action and achieve some results and outcomes.

**The Taoiseach:** As the Deputy acknowledged, the report was published five or six months ago. I am aware of and familiar with it, but, obviously, if I am to answer questions on specific recommendations made in a report published five or six months ago, I would like to actually read over it once again and see exactly-----

*(Interruptions).*

**An Ceann Comhairle:** Will Deputies, please, allow the Taoiseach to respond?

**Deputy Micheál Martin:** He is talking back to me.

**The Taoiseach:** The Deputy has chosen to refer to a report published last September. I recall and I am familiar with it, but, obviously, if I am to be asked detailed questions about the recommendations made, I would like to have an opportunity to at least cast my eyes over the report again before speaking about it. In terms of substance and actions, I have already mentioned some of them. First, we have introduced rent pressure zones. Most people who rent are covered by a rent pressure zone and have seen their rents increase by 4% or less. As they are not covered by the *daft.ie* figures, most are facing rent increases of less than 4% because of actions taken by the Government. We are enhancing the powers and remit of the Residential Tenancies Board to give it the power to be a proper rent regulator and we are also building. The Deputy can see the amount of student accommodation being built around the city in the past couple of years. He can see that house building is being ramped up in the private sector. We added 7,000 units to the social housing stock last year, which was very significant.

**Deputy Eoin Ó Broin:** On 5 December 2017 the Taoiseach told the House that rent pressure zones were working and that 60% of renters had had the assurance that their rents could not rise by more than 4% per year. He also made the astonishing claim that rent pressure zones had never been designed to cover new tenancies and that they did not apply to them. The latest *daft.ie* rent report was published this morning. It confirms that in the 12 months since the rent pressure zones were introduced, rents have increased by 10%. This is the seventh report which indicates increases in rent which has been published since the pressure zones were introduced. All four *daft.ie* reports show rent increases above the 4% cap, but, crucially, the three ESRI Residential Tenancies Board reports which include existing tenancies show rent increases above the 4% cap in each of the three quarters. Therefore, on average it now costs in excess of €20,000 per year to rent in Dublin, while on average it costs at least €10,000 per year to rent outside Dublin. Rents have increased by 65% since 2011 and are now 19% higher than at the peak of the boom in the Celtic tiger period. How are ordinary people meant to afford this level

of rent? They include young working people, young couples, students or later in life couples. Does the Taoiseach really believe they can afford such excessive rents? Have their incomes increased by 65% since 2011? Perhaps he might think they should ask their parents for the extra rent.

The rent pressure zones are not working. That is what the figures in all seven reports tell the Taoiseach. They have created a two-tier rental market. Long-term secure tenants have some protection, but those in vulnerable or new tenancies have no protection. The *daft.ie* report confirms that breaches of the 4% cap are widespread in the case of new tenancies. There is also a growing number of landlords who are charging existing tenants illegal under-the-counter payments above the 4% cap. Landlords outside the rent pressure zones in Waterford, Limerick and parts of Cork are actively encouraged to jack up rents to unsustainable levels within the rent pressure zones. Worst of all, the Taoiseach expects vulnerable tenants to police the system.

What has the Taoiseach got against renters? Is he blind to the plight of tenants because so many members of his parliamentary party are landlords? Is it because the Minister for Housing, Planning and Local Government has been captured by large-scale institutional investors or vulture funds or is it because the Taoiseach is so out of touch that he just does not understand how working people are able to keep a roof over their heads? My questions are very simple. Will the Government now accept on the basis of evidence that rent pressure zones are failing? Will it move to introduce real rent certainty, linking rents to an index, such as the consumer price index, to give struggling renters a break?

**The Taoiseach:** I assume most of those questions were rhetorical and therefore do not require an answer. I imagine there are plenty of landlords in Sinn Féin; there are certainly plenty of people in Sinn Féin who own multiple properties, as we all know. So I think that is a pretty cheap shot.

**Deputy Louise O'Reilly:** That will please the Taoiseach's parliamentary party.

**The Taoiseach:** The purpose of the rent pressure zones was to protect people in existing tenancies from big increases in their rent that may cause them to lose their homes. The majority of people who now rent in Ireland are covered by the rent pressure zones and are seeing rent increases of 4% or less. There are, of course, exceptions to that, for example, in the case of substantial refurbishment and other things. The difficulty that arises is that for new tenancies and new properties, rents are continuing to rise at double-digit rates.

Therefore, what is the solution? The solution is to ensure there is more supply in the rented sector. Today's report from *daft.ie* shows that only about 3,000 new properties are available for rent. The solution, therefore, must lie in ensuring we have an increase in supply, which is what we are doing. The Deputy can see the amount of student accommodation that has been built around the country in recent years and there is more to come. He can see the ramp-up in the building of social housing by the Government with 7,000 houses and homes added to the social housing stock last year, trebling the number of direct builds by local authorities. He can see an increase in private sector builds with approximately 17,000 new homes built last year. In addition, we are strengthening the powers of the Residential Tenancy Board to turn it into a proper regulator with more enforcement powers so that people are not expected to enforce these rules for themselves.

We need to be careful with any additional measures. I have heard what Dr. Lyons has had

to say and what people from the Irish Property Owners Association and others have had to say. There is a risk that introducing rent controls that are too strict or too rigid could be counterproductive and could actually create even more of a black market in rent. We have seen that happening in places with very strict rent controls where people end up paying cash amounts under the table or subletting to others. We need to ensure we do not make those kinds of mistakes. We also need to ensure we do not do anything that discourages people from staying in, or coming into, the private rented sector. Landlords get a very bad press. While some of them deserve it, they do not all deserve it. We need to ensure we reverse the decline in the number of people who are renting out properties and measures can be taken in that regard.

**Deputy Eoin Ó Broin:** I know the Taoiseach has difficulty with counting when it comes to housing. In fact, given that he cannot even tell us how many new homes were built last year, I can understand why he is struggling with the rent pressure zone figures. He is right that the *daft.ie* report only considers the asking rents for new tenancies. However, the ESRI-RTB reports look at all tenancies. In quarter 1 of last year, they increased by 7%; in quarter 2 of last year they increased by 6%; and in quarter 3 of last year they increased by 9%. The data on all tenancies indicate that the 4% cap simply for the tenants covered by it, simply does not work.

It is not that we want rent controls that are too stringent; we would just like some that work. My non-rhetorical questions are the ones the Taoiseach avoided the first time. Will the Government accept that rent pressure zones on the basis of evidence are not working? Will it move to introduce genuine rent certainty, so that families are not paying astronomical rents they cannot afford or being forced into homelessness because of the failure of the policies the Government introduced in 2016?

**The Taoiseach:** The rent pressure zones are relatively new. We will need a series of data over more than a year and a bit to assure ourselves whether they are working. Let us not forget why they exist. The rent pressure zones are there to ensure we limit rent increases for those who are renting already - more than half of the people who are renting are now covered by them - and are not seeing rent increases of double-digit levels. The Deputy mentioned increases of 4% and 6% - not 9% in one quarter. We will need to see that develop over more time. The Government is always open to new measures and new actions that can assist new tenants and all those who are renting. We need to ensure we do not do anything that is counterproductive. The big concern I have is that the policies proposed by Sinn Féin would be counterproductive because it would result in the entire private market becoming frozen. We would see people essentially doing what happens in other places where there are very strict rent controls, paying extra amounts of rent or cash under-the-counter-----

**Deputy Martin Kenny:** It has already begun.

**The Taoiseach:** -----subletting on to other people who then pay much higher rates. Alternatively very rigid rent controls could result in builders being unwilling to build, and landlords being unwilling to rent out their properties and instead selling them on. Well-meaning measures can sometimes be very contradictory.

**Deputy Peadar Tóibín:** They are massive. Some €20,000 a year.

**The Taoiseach:** We need to ensure that any changes that we make are evidence-based.

**Deputy Thomas P. Broughan:** Last November, the Taoiseach came to Clongriffin in Dublin Bay North with the Minister, Deputy Eoghan Murphy, to lay the foundation stone for an

84-unit social housing development for the Iveagh Trust. Unfortunately these 84 welcome new homes we spoke of on that happy occasion will not be delivered until quarter 2 of 2019. Probably like the Taoiseach and many other Deputies, I meet dozens of citizens and families every weekend who are in great anxiety and distress over the Government's continuing failure to deliver social and affordable housing. I meet constituents who have spent 12, 14, 16 and even up to 20 years on housing and transfer lists and some of these are facing eviction from rental accommodation scheme, housing assistance payment and rent supplement supported tenancies, sometimes on foot of a court order. Other desperate families are approaching two years or more in emergency homeless accommodation. It is also very depressing that homeless families with young children are still being allocated hotel-type accommodation, eight months after the Tánaiste promised me that that practice would cease. Recently, I came across two young people who were living in a car during the current dreadfully cold weather.

Dublin Bay North, as the Taoiseach may know, comprises the largest Dublin City Council housing area, area B, and the southern part of the Howth-Malahide housing area of Fingal county. The social housing statistics prepared by our city and county managers, Mr. Owen Keegan and Mr. Paul Reid, confirm the sense of hopelessness felt by my constituents in dire need of housing. On the last Dublin city waiting lists and allocations report, there were an astonishing 7,114 families and individuals on homeless, housing and transfer lists in area B out of 27,000 citywide. In the 2017 Housing Agency Rebuilding Ireland report, even before the numbers of households on the Howth-Malahide list are added to the city total, Dublin Bay North had the highest housing waiting list in Ireland, even bigger than the whole of Fingal and South Dublin. It is much more shocking that almost 700 of these individuals and families are homeless and nearly 900 have been waiting for more than ten years with a further almost 2,500 waiting more than five years. This is not just a problem for Dublin Bay North, as we have heard again today.

I do not doubt the sincerity of the Minister, Deputy Eoghan Murphy, and national and local housing officials but the above data clearly show that Rebuilding Ireland is not working for our constituents. Over the past decade, Fine Gael and Fianna Fáil have done everything possible to support a dysfunctional, rigged property market. At the same time, it was the Taoiseach's Government and Fianna Fáil which cut Dublin and local authorities' staff by 20% to 35% since 2008. Is it not time to abandon the ideological posturing and commit to a massive emergency programme of public, social and affordable housing as advocated by the Irish Congress of Trade Unions and its Charter for Housing Rights? Besides the declaration of a national housing and homelessness emergency, that charter demands a referendum to put the right to housing into the Constitution, robust legislation on tenants' rights, rents and standards of accommodation, a ban on evictions of citizens, families and children into homelessness and a land management policy based on the Kenny report and necessary compulsory purchase orders, CPOs. These demands are echoed by the Campaign for Public Housing which I also support. As part of this programme, will the Taoiseach now establish a national social and affordable housing development and construction company, even initially in the Dublin and other urban regions? I know the Taoiseach was discussing an amendment of the National Asset Management Agency legislation to permit NAMA to have this function. That seems impossible but we need a national effort because these figures are disgraceful.

**The Taoiseach:** I do not think anyone in this House doubts the scale of the challenge we face with regard to housing and homelessness. I certainly acknowledge the scale of the challenge that we face. We see some limited progress. The number of people sleeping rough in the past couple of weeks has gone down as a consequence of the additional bedrooms put in by

the Minister, Deputy Eoghan Murphy, before Christmas. The number of families living in bed and breakfast accommodation and hotels is down from the peak. In the last month for which we have records, the number of families in emergency accommodation is down, but that may well just be a seasonal blip and I would not read too much into it at this stage. It indicates some progress in some areas.

We should not forget where we are coming from with regard to the crisis we face with housing. We had a seven-year period after a severe economic crisis during which very few homes were built at all. The banks were bust, the construction industry collapsed and the Government was not in a position to build new housing because of the fiscal crisis. In that period, however, the population continued to grow and many new households were formed. We are now playing catch-up and we are catching up. The amount of social housing built by local authorities is being ramped up. There were only 657 direct builds in 2016 and there were 2,045 last year. The number of social homes built directly by the councils and approved housing bodies has trebled and we are also seeing an increased uptake in construction in the private housing sector. It will take some time before things stabilise and further time before we get on top of things.

In regard to cutbacks in Dublin City Council and the Deputy's reference to Fianna Fáil and Fine Gael, as best as I can recall, Dublin City Council is controlled not by Fianna Fáil or Fine Gael but by a coalition of left-wing groups which have the ability to vary local property tax and commercial rates. Any decision to cut back staffing in the local authority could have been mitigated by decisions taken by the left-wing councillors on the city council, but they chose not to do so.

**Deputy Thomas P. Broughan:** The Government slashed the councils' funding and on many occasions voted to keep the funding for Dublin City Council and Fingal County Council low. Councillors had no choice. We need more than empathy; we need action. There is no credible delivery pipeline of social and affordable housing in Dublin Bay North or the rest of the country. The statistics in the reports we received recently show that only 322 direct build homes were delivered by Dublin City Council across the city of Dublin in the period 2015 to 2017 and that only seven homes were built by Fingal County Council in the period 2010 to 2015 and only 76 in 2016-17. There are well over 7,000 applicants on the housing list in Fingal County Council, as well as over 400 homeless families. It is no wonder that the European Commission, in its latest post-programme surveillance report, has severely criticised the Government's flimsy and lethargic housing policies. The Commission highlights the almost 20% increase in rents since the crash-era peaks and the pathetic trickle of social and affordable housing. The *daft.ie* report published today shows that rents in Dublin 13, a key postal district in Dublin Bay North, are in the territory of €1,800 to €2,000 per month. What chance does a person in receipt of the housing assistance payment have of finding a house? The Government proposes to spend €1 billion per year from 2019 on the housing assistance payment. Fine Gael and Fianna Fáil have spent approximately €7 billion on rent support payments in recent years. Why not just build houses?

**The Taoiseach:** Rebuilding Ireland was never supposed to be a plan that would work in six months, nine months or one year. It is a multiannual plan to be funded in a five to six-year time-frame. The nature of a five or ten-year plan is such that it will not work after five or six months or one year. The Deputy asked why the Government does not just get building. That is exactly what we are doing. The number of direct builds by local authorities and approved housing bodies increased from 650 in 2016 to 2,245 last year and that number will increase again this year. The number of voids brought back into use last year was 1,757. The number of houses acquired by local authorities last year was 2,266, an increase on the less than 2,000 acquired the previous

year. It sometimes makes sense for local authorities to acquire houses rather than build them because it is quicker and helps to develop more integrated communities. In addition, another 798 houses were delivered through leasing arrangements. Through different mechanisms over 7,000 homes were added to the social housing stock last year, which made a real difference. It should not be forgotten that every working day the Government, through local authorities and approved housing bodies, houses 100 individuals and families. We will continue to ramp up provision until we get to the point of stability and then get ahead of it too.

**Deputy Michael Harty:** I want to address the model 2 hospitals and the part they play in the health service. These are hospitals which do not provide emergency services. Model 2 hospitals resulted from the reconfiguration of the hospital system several years ago into centres of excellence as proclaimed by Mary Harney, thus taking acute services away from many county and regional hospitals. In return, the model 2 hospitals were to be developed to provide services such as acute medical assessment units, day care services and outpatient services and act as diagnostic centres to include scans in order that patients would access services close to their homes and within their own regions. Model 2 hospitals, therefore, were to provide services that would be complementary to those provided in the regional hospitals and relieve footfall in them, particularly in emergency departments. The development of hospital groups was to drive this development forward. Model 2 hospitals are being starved of funding, finances and staff, and they are not being supported by both lay and medical management within the hospital groups.

Ennis General Hospital is the only hospital in the Mid Western Hospital Group that provides a medical assessment unit service seven days per week, yet the management of the group is proposing to close the unit and reduce the seven-day service to a five-day service. This has much more to do with medical politics than the delivery of care to patients. Effectively, it is a failure of the group to deploy resources properly. Considering that the Mid Western Hospital Group is unable to open its own medical assessment unit on weekdays, not to mind weekends, it defies logic that it would now propose to close the only seven-day medical assessment unit within the region, namely, that in Ennis. This will curtail services within the hospital in Ennis but it will also transfer considerable pressure to the accident and emergency services in Limerick because the patients who would occupy the medical assessment unit beds will now end up in the regional hospital in Limerick. Medical assessment units are part of the integration of the primary and secondary care elements of our health service, and discontinuing them will break that continuity.

Sláintecare addresses these issues and provides solutions. It demands that there be accountability and responsibility for decisions. Decisions should be made not for medical or political reasons but for patient care. Will the Taoiseach ensure that the existing services in Ennis will be maintained on a seven-day basis and that all model 2 hospitals will be expanded to provide medical assessment facilities on a seven-day basis nationally?

**The Taoiseach:** It is not quite correct to say model 2 hospitals are being starved of funding. I may be wrong about this but I believe every hospital, be it a model 3 or model 2 hospital, saw its budget increase last year and the year before. Therefore, the Deputy's statement is probably incorrect. I would imagine that the Minister, Deputy Harris, can provide the numbers to back me up.

I have never been fully comfortable with the idea of crudely dividing hospitals into model 3 and model 2 categories because different hospitals have different roles in different places. The

hospital in Roscommon may have a very different role from the hospitals in Ennis or Nenagh, although they are all model 2 hospitals. Roscommon hospital, as the Deputy knows, has never been busier. It has seen major additions to its functions and patient numbers in recent years.

Ultimately, the whole point of establishing hospital groups was to give hospital groups autonomy and give them decision-making power regarding how best to deploy resources in their regions between the community and the hospitals, and among the hospitals. As the Deputy knows, Sláintecare refers very much to ensuring autonomy and ensuring decisions are made at local and regional levels and do not come from the Minister's office or the Taoiseach's office.

**Deputy Michael Harty:** As the Taoiseach quite rightly says, the difficulty is not uniquely related to the Mid West Hospital Group. Roscommon has been striving to extend the opening period of its medical assessment unit from five days per week to seven days per week. The Minister for Communications, Climate Action and Environment, Deputy Naughten, has been pursuing this since he entered government. Unfortunately, he has not been successful so far.

Medical assessment units and model 2 hospitals are critical to health care delivery. Not only do they deliver medical assessment services but they also deliver day care, theatre services and diagnostic services. In Ennis, the theatre is idle for in excess of 50% of the time it is manned. The CT scanner there is operated for three hours per day on a five-day week basis. Therefore, it is operated for 15 hours per week. It does not work at weekends. This is a complete waste of resources. Model 2 hospitals have the capacity to develop and take pressure from our acute services. They have the capacity to supply services that are essential to patients without their having to go to accident and emergency services, which would clog them up and add to trolley queues.

**The Taoiseach:** I am informed by the Minister for Health that funding has now been extended to Roscommon hospital to extend the period of service of its medical assessment unit from five days per week to seven days per week. I imagine there will be a lag period in making that happen as staff are recruited and rosters are changed but that is very much under way. The Deputy is absolutely correct. Model 2 hospitals and hospitals that do not have emergency departments can play a very effective role in providing for elective surgery and day cases, access to diagnostics and giving GPs direct access to these hospitals through medical assessment units. The fact that they do not have emergency departments means that they can plan care much better because they do not have to deal with the unpredictability as to whether 30 or 40 patients will need to be admitted from the emergency department on a given day. They can plan their work much more than hospitals that have emergency departments. Ultimately, decisions on resource allocations should not be directed by my office or the Minister. That is very much in line with the recommendations made in the Sláintecare report which states such decisions should be dealt with by the HSE and the hospital groups.

### **Order of Business**

**Deputy Mattie McGrath:** Today's business shall be No. 6, motion re Sixteenth Report of the Committee of Selection, to be taken without debate; No. 7, motion re amendment to Montreal Protocol on Substances that Deplete the Ozone Layer, back from committee, to be taken without debate; No. 7a, motion re parliamentary questions rota change for the Department of Children and Youth Affairs and the Department of Employment Affairs and Social Protection; No. 27, statements on the third interim report of the Commission of Investigation into Mother

and Baby Homes; and No. 3, Employment (Miscellaneous Provisions) Bill 2017 - Order for Second Stage and Second Stage. Private Members' business shall be No. 168, motion re local and regional roads funding, which has been selected by Fianna Fáil.

Wednesday's business shall be No. 3, Employment (Miscellaneous Provisions) Bill 2017 - Order for Second Stage and Second Stage; No. 28, 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. 27, statements on the third interim report of the Commission of Investigation into Mother and Baby Homes, resumed. Private Members' business shall be No. 45, Central Bank (Amendment) Bill 2018 - Second Stage, which has been selected by Sinn Féin.

Thursday's business shall be No. 3, Employment (Miscellaneous Provisions) Bill 2017 - Second Stage, resumed, if not previously concluded; No. 28, Public Health (Alcohol) Bill 2015 [*Seanad*] - Second Stage, resumed, if not previously concluded; No. 4, Industrial Development (Amendment) Bill 2018 - Second Stage, resumed, if not previously concluded; No. 27, statements on the third interim report of the Commission of Investigation into Mother and Baby Homes, resumed; and No. 29, statements on national broadband procurement process, resumed; and No. 8, report on the position of lone parents in Ireland by the Joint Committee on Employment Affairs and Social Protection, to be taken in the evening slot.

I refer to the first revised report of the Business Committee, dated 12 February, 2018. In relation to today's business, it is proposed that: (1) the motion re the Sixteenth Report of the Committee of Selection; the motion re amendment to Montreal Protocol on Substances that Deplete the Ozone Layer, back from committee, and the motion re parliamentary questions rota change shall be taken without debate and that any division demanded on the motion re parliamentary questions rota change shall be taken immediately; (2) statements on the third interim report of the Commission of Investigation into Mother and Baby Homes shall adjourn not later than 8 p.m.; that the statements of a Minister or a Minister of State and the main spokespersons for parties or groups, or a Member nominated in their stead, shall not exceed ten minutes each and that the statements of all other Members shall not exceed five minutes each, with a five minute response from a Minister or a Minister of State. All Members may share time.

In relation to Wednesday's business, it is proposed that: (1) Second Stage of the Central Bank (Amendment) Bill 2018 shall be brought to a conclusion, if not previously concluded, after two hours and; (2) statements on the third interim report of the Commission of Investigation into Mother and Baby Homes shall adjourn not later than 10.15 p.m.

In relation to Thursday's business, it is proposed that statements on the national broadband procurement process shall resume at 4 p.m. or at the conclusion of the statements on the third interim report of the Commission of Investigation into Mother and Baby Homes, whichever is the earlier, and conclude at 5 p.m., if not previously concluded, and that the order shall not resume thereafter.

**An Ceann Comhairle:** There are three proposals to put to the House today arising from the report. Is the proposal for dealing with today's business, Tuesday's business, agreed to? Agreed. Is the proposal for dealing with Wednesday's business agreed to? Agreed. Is the proposal for dealing with Thursday's business agreed to? Agreed.

**Deputy Micheál Martin:** In the programme for Government there is a clear commitment to

introduce an independent patient advocacy service. It seems that the only patient advocacy service in the country is “Liveline”, courtesy of broadcaster, Joe Duffy. There has been extraordinary contact in recent weeks from patients throughout the country over the removal of Versatis pain relief patches and medication from thousands of patients in a cost-cutting measure by the Government. A parliamentary reply estimates that there will be 90% savings in the execution of this measure. However, from a patient perspective, anyone listening to “Liveline” in recent weeks will have been struck by the agony and genuine distress caused to patients and families. These people of all ages got great pain relief from this particular medication. Where was the patient advocacy informing this decision?

**Minister for Health (Deputy Simon Harris):** As Deputy Martin knows, this was not a decision taken by the Government. It was a decision taken by the medicines management programme, which is made up of clinicians. It was a clinical decision made on the appropriate use of Versatis, a patch that had been used for conditions it was not previously meant to be used for. We were actually spending more and using more in this country than the entire United Kingdom.

The Deputy is making a point about compassion for people for whom this medication was providing clear pain relief. I wish to make the point that there is an appeals process. Already, general practitioners can apply using an online system to have the application assessed. That is turned around within two days. Hundreds of people have been put back on the patches as a result of it. It is important that we follow clinical advice and that we let our policy on medication be decided by doctors rather than radio shows.

**Deputy Micheál Martin:** The Minister for Health did not talk to doctors. There was a 90% saving. That is what this was about.

**An Ceann Comhairle:** There is a Topical Issue matter on that later today.

**Deputy Eoin Ó Broin:** We expect the national planning framework to be published this year. As the House knows, it is to be placed on a statutory footing. I am a little confused on the procedure so maybe the Taoiseach can enlighten us. The legislation to underpin the statutory nature of the national planning framework clearly states that it should be placed before the Houses, as it states in the legislation, for the approval of each House and the Oireachtas before it is published. Despite this, a parliamentary reply I got this morning from the Minister states that a formal vote on the final national planning framework was never envisaged under the legislation. Either there is approval, as the Bill states, or there is no approval, as the parliamentary question states. Given the importance of the document and the surrounding debate, it is vital to have a debate and vote on it whenever it comes before House.

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** There is a considerable amount of legislation but it will not be finished until after Easter. We have had discussion in the House. We went through the committee with the report. We had a debate in this Chamber in October on the draft report and the committee report. It was agreed to honour the spirit of the legislation, which we are still teasing through the House. It will be finished after Easter. I hope the plan will be launched this week. We have tried to have consultation.

**Deputy Eoin Ó Broin:** That was done without the approval of the House.

**Deputy Damien English:** Deputy Ó Broin has been fully engaged in that consultation.

During the last round of the discussion we had more than 150 submissions from Oireachtas Members.

**Deputy Brendan Howlin:** We want to see it, though.

**Deputy Damien English:** We will submit it to that as well. Our office has been well engaged on this at committee, Dáil and Seanad level during the past year.

**Deputy Brendan Howlin:** I have repeatedly asked during the past year about the Education (Admissions to School) Bill. The Bill consultation ended almost a year ago. We have been awaiting the legislative amendments. We are told continually that they are with the Attorney General.

While waiting for the Bill that would address the baptism barrier, we have divested several primary schools that are being run by Educate Together. In that context, it is bizarre that five of those schools, those in New Ross, Tramore, Trim, Tuam and Castlebar, are now being told that they can only take 13 pupils in each year. In Trim, there are five primary schools but only one multidenominational school. In New Ross, this new directive came as a shock to the school. At the time of their establishment, the schools were not given any indication that such a restriction would be imposed on intake. When will the amendments to the Education (Admissions to School) Bill be published and when will the legislation be advanced? By what rationale are intake and parental choice being restricted in these schools?

**Minister for Education and Skills (Deputy Richard Bruton):** As Deputy Howlin well knows, the original Bill on school admissions, which was introduced by the previous Government, did not deal with the baptism barrier or other concerns of Deputies, including the need to give the National Council for Special Education the power to designate a school that would have a special unit.

**Deputy Brendan Howlin:** What about the Bill?

**Deputy Richard Bruton:** To accommodate these, we have been drafting new amendments and very good progress is being made with the Attorney General. The issues are delicate because they raise constitutional provisions and we must be insured to deal with them.

**Deputy Brendan Howlin:** It has been a year.

**Deputy Richard Bruton:** It has not been a year. We are dealing with these issues.

On the issue of when the Department decides to build additional accommodation and sanction new schools, this is applied on the same basis in every one of the 314 planning areas. The Department will only sanction additional new schools where there is a scarcity of places in the area. We are not in a financial position to build additional schools just because people do not want the schools that are already in place.

**Deputy Brendan Howlin:** The Government is forcing people to send their children to denominational schools.

**Deputy Richard Bruton:** Every one of the additional schools I have provided at primary level have been under either multidenominational or a non-denominational patronage.

**Deputy Brendan Howlin:** Why is the Government capping their intake?

**Deputy Richard Bruton:** The position is the same in every area. We only build additional places as and when they are designated as required by demographics in the area.

**Deputy Richard Boyd Barrett:** The programme for Government states the Government will listen to ideas from others about how to deal with the housing and homelessness crisis. When it introduced legislation on rent certainty, we told the Government the measures would not control rents. We stated it would be necessary to set rents at affordable levels and introduced legislation to achieve this objective, which the Government voted down. Does the Taoiseach accept that, with a report from *daft.ie* showing an 81% increase in rents since their low point and an increase of 10% in the past year, the Government's legislation has failed and we need legislation that will control and reduce rents to affordable levels? Incidentally, I disagree with my colleagues in Sinn Féin on controlling rents by linking rent increases to the consumer price index because that would not deal with the problem of new tenancies or rising rents. We need to set rents at affordable levels. Given what is happening, will the Government consider this as the only emergency response that would deal with rents, which are spiralling out of control?

**The Taoiseach:** I addressed this issue in my answers to previous questions. The *daft.ie* report published today does not cover the majority of people who are renting and who are protected by the rent pressure zones and face increases of 4% or less. While the Government has heard the suggestions put forward by Deputy Boyd Barrett and his colleagues, which would essentially involve the Government intervening in the market and setting rents at a certain level - presumably a much lower level than their current level - this would be counterproductive for the reasons I gave. It would result in a black market and people paying under-the-counter cash payments and key money to landlords to get around rent controls. It would also further dampen supply because fewer builders would build and fewer people would want to be landlords. For these reasons, the well-meaning proposals made by Deputy Boyd Barrett and his colleagues would make matters much worse for people who are renting.

**Deputy Richard Boyd Barrett:** They could not be any worse.

**The Taoiseach:** To respond to the original question asked by the leader of the Opposition, I have confirmed that September was five months ago. The report was, therefore, published between four and a half and five months ago. There are only five short-term proposals, the first being the restoration of mortgage interest relief, which is being done on the basis of an annual increase of 5%.

**Deputy Micheál Martin:** Sorry but-----

**An Ceann Comhairle:** No interruptions.

**Deputy Micheál Martin:** Somebody gave the Taoiseach a note with an update.

**The Taoiseach:** The second proposal was to exempt landlords from the local property tax. The Government does not believe it would be fair to exempt landlords from the local property tax when everyone else has to pay it. Perhaps that is Fianna Fáil policy.

**An Ceann Comhairle:** We will have one question and one answer. We cannot make up the rules as we go along.

**Deputy Micheál Martin:** The Government should have been on top of this issue five months ago.

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**An Ceann Comhairle:** I call Deputy Mattie McGrath. Could we have order?

**Deputy Micheál Martin:** That shows the priorities. There are no priorities.

**The Taoiseach:** It was raised 45 minutes ago. At least give me notice.

**Deputy Micheál Martin:** The report was published and put on the shelf.

**Deputy Paul Kehoe:** I would not go there.

**Deputy Mattie McGrath:** I want to go forward anyway, rather than back and forth.

**An Ceann Comhairle:** If the Deputies wish to adjourn the House, we could have a free-for-all.

**The Taoiseach:** A past master.

**Deputy Paul Kehoe:** Deputy Martin was good at putting them on the shelf himself.

**Deputy Micheál Martin:** I would not, Deputy.

**Deputy Paul Kehoe:** Deputy Martin was good at it himself.

**Deputy Micheál Martin:** The Minister of State should keep an eye on his own record.

**An Ceann Comhairle:** We should hear Deputy McGrath. Please allow us get on with the business.

**Deputy Micheál Martin:** It is hardly stellar stuff.

**Deputy Mattie McGrath:** In the programme for Government, there was much aspirational talk of supporting our agriculture industry. Goodness knows, with the onset of Brexit and the hiccups we have seen, it is in a perilous state. There is a crisis with every dairy herd in the country having all hands on deck delivering calves, feeding them, looking after them and giving them an early start. There is no export vehicle. The Irish Farmers Association and all the other farming organisations are very concerned that there is no ship ready to transport these calves to markets abroad. The Minister for Agriculture, Food and the Marine is as láthair but the Tánaiste, Deputy Coveney, knows a small bit about this and he might have been on a dairy farm once or twice. This is a serious issue and not a laughing matter. Will the Government ensure a facility is available to farmers and exporters so they can transport calves with full documentation safely to overseas markets? It is beyond urgent.

**An Ceann Comhairle:** I take it the Deputy raised this with regard to the programme for Government.

**Deputy Mattie McGrath:** Of course. The calves are not in it but the aspirations are.

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I will happily take up the invitation to speak a bit about farming. Live export markets are something that the Minister, Deputy Creed, has done much to facilitate. We are seeing a very active live export market now.

**Deputy Mattie McGrath:** Good.

**Deputy Simon Coveney:** There is a particular problem relating to dairy herds. The Department has encouraged the live export of calves to appropriate markets, but ultimately this would be a commercial operation run by the private sector. A number of proposals have been put on the table that are more than viable propositions.

**Deputy Catherine Murphy:** As part of the programme for Government there was the recent introduction of a local authority loan scheme for housing. One of the qualifying criteria for an applicant is that there must have been two refusals from banks. I come across people who have been verbally refused but the banks do not want to give a letter to that effect. That means these people cannot apply for the scheme. Were the banks asked to provide those types of letters in advance of introducing the scheme? If not, how will this be addressed?

**Deputy Damien English:** I understand banks are giving those letters, which are very detailed, and they clarify how much money has been approved. This new loan will cater for people who do not get approval for the full amount. We will ensure that happens.

**Deputy Catherine Murphy:** I have heard they are not being given. I will provide the information to the Minister of State.

**Deputy Damien English:** That is grand.

**An Ceann Comhairle:** If the Deputy tables a parliamentary question or Topical Issue matter, we can try to facilitate her.

**Deputy Eamon Ryan:** Schools admission was raised earlier. In Dublin 2, 4, 6 and 8, certain schools are cherry-picking academic-only students and everybody knows that if there is a special needs child who might be able to attend secondary school, he or she is clearly directed to other schools. These students do not necessarily need a special autism unit but could use individual supports. There is a two-tier system and, according to my colleague, the school inspection process might inquire as to why there are not more academic students but it does not ask why there is no special needs provision. All our students are missing out. The students at the schools that do not welcome special needs children grow up in a world thinking there is no such thing in real life. They do not get the wonderful lessons learned in life from living and growing up with somebody who has special needs. This applies to my area and, I am sure, in other parts of the country. Will the Minister introduce legislative measures that push every school to take their fair share of special needs students as part of their incoming stream every year?

**Deputy Richard Bruton:** Every school must have an admissions policy.

**Deputy Eamon Ryan:** It is fiction.

**Deputy Richard Bruton:** In any case where a child is refused admission, an appeal can be made to the Department of Education and Skills and it will turn over instances where schools are discriminatory against children with special educational needs. The admissions Bill currently before the House contains explicit provision not only to outlaw discrimination of that nature but to give the National Council for Special Education powers to compel a school to take an individual child and open a special needs centre should that be required.

**Deputy Catherine Martin:** Page 134 of the programme for Government refers to the completion of the Luas cross-city line and states “[a] decent public transport system is essential to the everyday lives of so many citizens”. That is undoubtedly true, but, with the opening of the

new cross-city Luas line, the green line has gone overnight from being a very reliable to an unpredictable and unreliable commuter service for many of my constituents in Dublin-Rathdown. What short and long-term measures will the Minister for Transport, Tourism and Sport take to tackle capacity issues, erratic scheduling and the issue of delayed trams which are frustrating commuters daily. The Minister referenced these issues in the House last month as “teething problems” but the problems grow day by day. When will the Minister’s infancy period end? The problems seem to be avoidable and signal, as usual, a lack of proper planning and joined-up thinking in the expansion of the green line, which is to be warmly welcomed. I realise the full roll-out of trams with greater capacity is to happen soon, but it will not fix all of the issues with the Luas.

**The Taoiseach:** The Luas cross-city project was completed on time and under budget. It is a programme for Government commitment that has been fully honoured. It connects the existing Luas lines, as well as the Luas lines to the Maynooth line at Broombridge, thereby providing lots of travelling options for lots of people. There are evident problems with new signalling equipment, the size of the trams and so on. In the short term there will be changes in signalling, as well as the rerouting of buses and taxis, to ensure Luas trams will pass through College Green more efficiently. Carriages are being lengthened and new ones are on the way and due to arrive in the next few weeks. Given the demand for the new line, it is evident that it will need to be upgraded to metro standard south of Stephen’s Green in the medium to longer term.

**Deputy Shane Cassells:** The education part of the programme for Government has a section entitled Diversity and Choice for Parents. It states “[w]e need a dynamic and innovative education system that reflects the diversity of Twenty First Century Ireland” which will “[reflect] the need in modern Ireland for new forms of multi-denominational and non-denominational [schools]”. What is happening on the ground flies directly in the face of that stated objective. Five Educate Together schools throughout the country, including the Trim Educate Together school in my county of Meath, have been instructed by the Department of Education and Skills to adopt a half-stream only enrolment policy this year which will restrict them to enrolling only 13 students. The Department has tried to deflect by stating a study from five years ago claims there is no demand, but Emma O’Kelly of RTÉ caught it out this morning on “Morning Ireland” on its misquote. On the impact on existing schools, they exist. The Minister knows that the school in Trim has been operating out of a golf club on Kildalkey Road for the past four years because I raised the issue with him last year. Will the Government back its pledge to have a dynamic and innovative education system and reverse this discriminatory half-stream policy for Educate Together schools?

**An Ceann Comhairle:** I call Deputy Mary Butler who will be followed by Deputy Thomas Byrne on the same matter.

**Deputy Mary Butler:** Page 86 of the programme for Government states “[e]ducation is the key to giving every child an equal opportunity in life”. Unfortunately, that is not the case for five Educate Together schools which were recently informed that for the coming enrolment year they must adhere strictly to a half-stream intake of 13 junior infants. I refer especially to Tramore Educate Together school which has gone from the strength to strength since it opened in 2014 and has applications in respect of 29 infants in 2018 and 28 in 2019. I appeal to the Taoiseach to remove the restriction that there only be a half-stream intake as it does not make sense. The parents who have enrolled their children, many of whom already have siblings in the school, are extremely disappointed and cannot understand why the decision was taken.

**Deputy Thomas Byrne:** In the programme for Government the Minister for Education and Skills, Deputy Richard Bruton, announced a plan to deliver 400 new multidenominational schools. On 30 January 2017 the Minister announced an accelerated plan to deliver these schools. Last week the same story was given by him to the *Irish Independent* as a new news story. He is bringing back the half-stream school into urban areas. Will it be hedge schools next? For announcements and press releases, he would receive a H1 grade in the leaving certificate examinations. However, for actual delivery on the ground, he would receive a H8 or a no grade as we called it in the past.

*3 o'clock*

**Deputy Richard Bruton:** I assure the House that, in line with demographic changes, we are conducting a review of the capacity of all schools in all areas and that work will soon be completed.

**Deputy Brendan Howlin:** That work is meant to be done already.

**Deputy Richard Bruton:** Where a school is approved, it is always approved for a certain capacity in terms of its intake. That is to ensure we provide schools in line with the demographic needs of each area and that is always clear when the school is approved.

On the wider issue raised by Deputy Cassells, we have a new patronage model. We are commencing surveys across the country to encourage the live transfer of schools from one patronage to another. These surveys will establish the desire of parents to see such a transfer and it will be operated by the locally supported education training boards, ETBs. This is a new approach to seek to accelerate what has been a very difficult and slow process of transferring from an existing patronage to another one.

**Deputy Thomas Byrne:** That was accelerated a year ago.

**Deputy Mary Butler:** Can I get an answer in regard to the half-stream intake?

**Deputy Jack Chambers:** The Programme for a Partnership Government states that the National Asset Management Agency, NAMA, will fund new investment in infrastructure. In Tyrrelstown in the constituency of Dublin West, which the Taoiseach and I share, there has been a significant deficit and lack of investment over many years. How does the statement in A Programme for a Partnership Government tally with NAMA's approach to Tyrrelstown GAA club where it is trying to formalise a receivership process that will ensure the club will be expelled and removed from its only pitch. How does that tally with a NAMA investment programme and with the Taoiseach's stated ambition for sports clubs? What is he going to do about it?

**The Taoiseach:** It does not. That reference in A Programme for a Partnership Government in terms of infrastructure is NAMA funding infrastructure to access sites so that they can be developed. For example, the link road between the N2 and the N3 in the Tyrrelstown and Hollystown areas, with which the Deputy will be familiar, was part funded by NAMA thus allowing that land to be opened up for development. That reference was not planned to be a reference to sports clubs but rather to infrastructure that would allow the land to be developed for much-needed housing and other developments. However, I am aware of the local issue and we are working on it.

**An Leas-Cheann Comhairle:** No. 4.

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**Deputy Danny Healy-Rae:** I thank the Leas-Cheann Comhairle very much.

**An Leas-Cheann Comhairle:** I am not doubting the Deputy at all but I presume he has a card.

**Deputy Danny Healy-Rae:** I have a card.

**Deputy Mattie McGrath:** It is not a red card either.

**An Leas-Cheann Comhairle:** It is not beyond some others.

**Deputy Danny Healy-Rae:** Do not give me a card anyway.

**Deputy Michael Healy-Rae:** Do not mention the war.

**Deputy Danny Healy-Rae:** It is an ambition of this partnership Government to empower people with disabilities to live independent lives, in other words to taking them out of congregated settings and placing them in decongregated settings. However, no assessment is being done of how this is working. In one instance, a person was given 28 anti-psychotic doses in the month of May when that person should only have gotten four. This person is blind as a result. I want this case investigated. I want the rest of the decongregated settings investigated and assessed to see how they are operating but in this particular case, this man is blind-----

**An Leas-Cheann Comhairle:** I thank the Deputy.

**Deputy Danny Healy-Rae:** -----as a result of these anti-psychotic doses that he got in the month of May last year.

**An Leas-Cheann Comhairle:** I call Deputy Brassil.

**Deputy Danny Healy-Rae:** This person was removed from St. Mary of the Angels in Kilmorglin.

**An Leas-Cheann Comhairle:** I thank the Deputy and call Deputy Brassil on the same issue.

**Deputy John Brassil:** Four severely disabled adults attend Ashfield Lodge in Listowel daily. An application has gone in to provide funding to house these four individuals on a permanent basis. I understand the Minister of State, Deputy Finian McGrath, is to visit this particular house in Listowel shortly with a view to progressing this. When will the Minister of State be able to visit with a view to progressing this particular issue?

**Deputy Michael Healy-Rae:** That is a different issue.

**An Leas-Cheann Comhairle:** I will decide that.

**Deputy John Brassil:** Surely the Deputy is not objecting to me speaking.

**An Leas-Cheann Comhairle:** I cannot think in advance. I call Deputy Michael Healy-Rae. I am not being facetious but I presume the Deputy's brother has made a good case.

**Deputy Michael Healy-Rae:** It is on the same issue. The decongregation of settings and taking apart of centres of excellence since 2011 has resulted in cases like the one that my brother highlighted. It has had a detrimental effect on those who benefitted from being in congre-

gated settings. We have constantly highlighted this matter with the Minister of State, Deputy Finian McGrath. While I welcome the fact that he will visit Kerry, these are serious issues and they are having a detrimental effect on the most important person of all, that is, the person who needs care.

**Deputy Simon Harris:** I thank the Deputies for raising this matter. The Minister of State will visit Kerry shortly and will have an opportunity to visit those facilities and engage on the issues. I take seriously the point that Deputy Danny Healy-Rae raised about the well-being of an individual in a facility. If he wishes to pass on the details to me, I will look into them.

**Deputy Danny Healy-Rae:** Certainly.

**Deputy Charlie McConalogue:** This is a question to the Minister of State at the Department of Housing, Planning and Local Government, Deputy English, regarding the expert panel report on defective concrete blocks, an issue that affects up to 5,000 homes in Donegal. Will the Minister of State update the House on the progress in implementing the report's recommendations? Given that it has been more than a year since the report was presented to the Government, has there been a Government decision in principle that a remediation scheme will be put in place to help the many families whose homes have continued to deteriorate in the meantime?

**Deputy Damien English:** As the Deputy knows from the meeting he attended before Christmas, the plan is to have recommendations Nos. 1 and 2 in place by March. We will bring something to the Cabinet in March. We are still on track for that, which the Deputy will be aware of, given that he has been involved in the meetings. At that stage, all the legal and funding questions can be answered and we will be in a position to progress this situation in the months ahead.

**Deputy Jackie Cahill:** Under the heading "Regional Spread of Growth and Jobs" on page 41, the programme for Government reads: "We will implement regional jobs plans, with local input, to help spread growth to all areas. The aim of these strategies will be to encourage agencies and companies to work together and build on the competitive strengths of each region." This week in my constituency of Tipperary, 11 local companies have lost their contracts with the Garda College in Templemore due to the Government's change of policy on tendering. This is just another example of the Government's disregard for rural Ireland and job creation in rural areas. The contracts were vital for the viability of the 11 local companies. The Government's decision is putting all of them in jeopardy.

**The Taoiseach:** I am not familiar with those particular contracts, but the way contracts work is they go out to public tender and people can tender for them. Whether the businesses are located in a rural or an urban area, one in the Deputy's home county or one in the next county, they are all free to tender. This is a democracy and this is a free market. That is all I can say about that.

Regarding the wider issue in terms of job creation, I am very pleased that we are now in a situation whereby between 70% and 80% of new jobs being created in Ireland are now being created outside of Dublin, that we are seeing unemployment fall in every county and that employment is increasing in every county. I particularly welcome the announcement today of 350 new well-paid good jobs in County Carlow with MSD.

**Deputy Niamh Smyth:** On page 41 of the programme for Government, there is a commitment "to deliver sustainable full employment". Mention is also made of jobs outside Dublin.

In 2015, the Bose factory in Carrickmacross, County Monaghan, closed with the loss of 140 jobs. This morning, Carrickmacross has suffered another devastating blow with 31 forced redundancies at Kerry Foods. Will the Taoiseach ask the Minister for Business, Enterprise and Innovation, Deputy Humphreys, to engage with this situation immediately? The Minister for Employment Affairs and Social Protection could also ensure that everything is done for those workers who are about to lose their jobs in the coming weeks.

**The Taoiseach:** My apologies. Regarding the last question, the MSD jobs will be in Swords, but the MSD investment in Carlow is a separate announcement that was just approved by the Government this morning. The Minister, Deputy Humphreys, will confirm that at a later stage.

Regarding the job losses that Deputy Smyth mentioned, obviously the Government has enormous concern for anyone who is facing redundancy. I certainly will take it up with both Ministers. I will ask the Minister, Deputy Regina Doherty, to ensure that the Department of Employment Affairs and Social Protection goes there and advises people as to what their rights are in terms of redundancy, replacement payments and retraining options, and the Minister, Deputy Humphreys, to work with the local authorities and national agencies to ensure that alternative jobs can be found for those areas.

**Deputy Michael Collins:** On page 43 of the programme for Government in the section on rural development the Government promised to implement a regional jobs plan to help to spread growth to all areas, including the islands. The Sherkin Island Development Association has worked with the Department of Culture, Heritage and the Gaeltacht, the Dublin Institute of Technology and Cork County Council to co-fund the running of a BA course in the visual arts on Sherkin Island since 2012. It has been hugely successful for the island and created jobs and an economic boom in the off-season. The local authority promised to provide €20,000 each year in partnership with the DIT and the Department, but it is renegeing on its promise and will now only give €10,000, which will lead to the collapse of the course. I ask the Taoiseach to personally intervene to save the course for the people of Sherkin Island and surrounding islands as it provides a unique opportunity for them.

**Minister of State at the Department of Culture, Heritage and the Gaeltacht (Deputy Joe McHugh):** The Department is engaging with the group on Sherkin Island, with which I am familiar. When I was on the island, I met the group and it is a great project. As the Deputy pointed out, there was a history and precedent of Cork County Council funding part of the programme. We will continue to consult the island community and need some pathway to a solution. We do not have it, but perhaps the Deputy might influence Cork County Council which could be a way forward.

**Deputy Imelda Munster:** In Rebuilding Ireland the housing assistance payment, HAP, was lauded as the be-all and end-all that would help to resolve the housing crisis by pushing people into private rented accommodation. Clearly the scheme is not working and one of the reasons it is not working is it is weighted in favour of landlords. Consider a situation where a sitting tenant of five years on a moderate fixed income qualifies for the payment. As a result of the spiralling cost of rent, he or she needs financial support but the landlord refuses to accept the housing assistance payment which he or she also puts in writing. In that case, the landlord has clearly broken the law, but in order for the tenant to get a hearing at the WRC, he or she has to wait at least eight months. Availing of the Residential Tenancies Board offers two options to the tenant. One is telephone mediation which can take about four weeks and with which the landlord is under no obligation to comply. The other option is availing of an adjudication process which

can take up to eight weeks and is clearly weighted in favour of the landlord. What immediate protections does the Government intend to introduce in favour of the tenant?

**Deputy Damien English:** If there is an issue with the housing assistance payment, HAP, scheme, we will look at it, but there are over 32,000 HAP tenancies that are going quite well. I hear reports week-in, week-out that the scheme does not work. From what we can see, it works very well and most people are happy with it because it gives them a chance to be able to obtain rent assistance while in work. Under previous schemes, people were not able to go back to work to improve their situation. If there are individual cases which are causing difficulty, we are happy to look at them to see what we can do. In general, the HAP scheme works quite well and thousands of people are very happy with it.

**Deputy Imelda Munster:** The mechanisms are not in place to protect tenants.

### **Sixteenth Report of Committee of Selection: Motion**

**Minister of State at the Department of the Taoiseach (Deputy Joe McHugh):** I move:

That Dáil Éireann approves the Sixteenth Report of the Standing Committee of Selection in accordance with Standing Order 27F, copies of which were laid before Dáil Éireann on 9th February 2018, and discharges and appoints members to committees accordingly.

Question put and agreed to.

### **Kigali Amendment to Montreal Protocol on Substances that Deplete the Ozone Layer: Motion**

**Minister of State at the Department of Communications, Climate Action and Environment (Deputy Seán Kyne):** I move:

That Dáil Éireann approves the terms of the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, done at Kigali on the 15th day of October 2016, a copy of which was laid before Dáil Éireann on 16th November 2017.

Question put and agreed to.

### **Ministerial Rota for Parliamentary Questions: Motion**

**Minister of State at the Department of the Taoiseach (Deputy Joe McHugh):** I move:

That, notwithstanding anything in the Order of the Dáil of 12th December 2017, setting out the rota in which questions to members of the Government are to be asked, questions for oral answer, following those next set down to the Minister for Transport, Tourism and Sport, shall be set down to Ministers in the following temporary sequence:

Minister for Employment Affairs and Social Protection

Minister for Rural and Community Development

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Minister for Children and Youth Affairs

whereupon the sequence established by the Order of 12th December 2017, shall continue with questions to the Minister for Housing, Planning and Local Government.

Question put and agreed to.

### **Topical Issue Matters**

**An Leas-Cheann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy Michael McGrath - to discuss the concerns of commuters regarding Bus Éireann services in Cork city and county; (2) Deputy Clare Daly - to discuss Fingal County Council's role in applying EU Regulation 598/14 on noise reduction; (3) Deputy James Browne - the need to discuss the shortage of respite care places in County Wexford; (4) Deputy Fergus O'Dowd - to discuss the availability of tonsillectomy services in Our Lady of Lourdes Hospital in Drogheda; (5) Deputy Michael Harty - marine rescue services at Kilkee; (6) Deputy Maureen O'Sullivan - restructuring the Citizens Information Service and MABS; (7) Deputy Mary Butler - to ask the Minister of State with responsibility for mental health services and older people his plans, if any, to replicate the model of care homes unique to the south east, where residential accommodation is provided for older adults who require minimal assistance and if he will make a statement on the matter; (8) Deputies Joan Burton and Robert Troy - traffic congestion in Dublin city centre; (9) Deputy Eamon Scanlon - the urgent need to upgrade Lough Talt regional water supply following the detection of cryptosporidium in water; (10) Deputies Niamh Smyth and Mattie McGrath - the urgent need to address the allocation of funding for roads; (11) Deputy Billy Kelleher - the need to review the HSE decision on access to Versatis patches; (12) Deputy Bobby Aylward - the urgent need for 24-7 cardiac care services for the south east; (13) Deputy Mick Wallace - to discuss the restriction of pupil intake to be imposed on New Ross Educate Together national school, County Wexford, from September 2018; (14) Deputies John Lahart, John Curran, Jack Chambers, Seán Haughey, Darragh O'Brien, Jim O'Callaghan, Richard Boyd Barrett and Brian Stanley - soaring rent prices in Dublin; (15) Deputy Martin Ferris - the continuing lack of respite care beds in County Kerry; (16) Deputy Mick Barry - to discuss the EU committee on social rights' ruling on union representation rights for Defence Forces personnel; (17) Deputy Donnchadh Ó Laoghaire - delays in driving tests at Sarsfield Road in Cork; (18) Deputy Anne Rabbitte - the need for the Minister for Health to make a statement on maternity services in Portiuncula Hospital; (19) Deputy James Lawless - to ask the Minister for Education and Skills to give an update and a timeline for the construction on the long-awaited new school building for St. Joseph's national school in Kilcock, County Kildare, and if he agrees that the existing buildings are unsuitable for modern primary school education; (20) Deputy Margaret Murphy O'Mahony - staff at Ballineen post office in west Cork received notice two weeks ago advising that the post office was being considered for closure; the plans the Government has in place to save post offices in circumstances where a €30 million loan was made available to An Post last October; (21) Deputy John Brassil - to ask the Minister for Rural and Community Development to immediately intervene to prevent the closure by An Post of Glencar Post Office, County Kerry, which is a crucial rural service in an already rurally isolated part of south Kerry and having been updated by local Kerry county councillor, Norma Moriarty, this service is well utilised by the community and its closure would only serve to further damage the viability of the local area; (22) Deputy Ruth Coppinger - NAMA's social responsibility

to the Tyrrelstown community in the light of the decision to commercially develop land used for the Tyrrelstown GAA club's playing pitches; (23) Deputy Gino Kenny - the withdrawal of Lidocaine pain patches from the drugs payment scheme; (24) Deputies Michael Healy-Rae and Michael Collins - a recent application made by Sherkin Island Development Society, SIDS, seeking financial support to deliver the 2017-18 DIT Bachelor of Arts visual arts programme on Sherkin Island; (25) Deputy Peter Burke - the absence of a consultant orthodontist covering counties Longford and Westmeath and the hugely detrimental effect this is having on waiting lists and outcomes for children in the orthodontic system in counties Longford and Westmeath; (26) Deputy Paul Murphy - plans by Irish Water to introduce excessive use charging; and (27) Deputy Catherine Connolly - the impact of the ongoing closure, with no timeline for replacement, of two orthopaedic theatres at Merlin Park University Hospital, Galway.

The matters raised by Deputies Michael McGrath, Clare Daly, Mick Barry, Billy Kelleher and Gino Kenny have been selected for discussion.

## **Ceisteanna - Questions**

### **Cabinet Committee Meetings**

1. **Deputy Gerry Adams** asked the Taoiseach when Cabinet committee F (national security) last met; and when it is scheduled to meet again. [5521/18]

2. **Deputy Brendan Howlin** asked the Taoiseach when Cabinet committee F (national security) will next meet. [5753/18]

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

The committee last met on 8 February and the meeting was attended by Ministers and senior officials from the Departments of Finance; Public Expenditure and Reform; Foreign Affairs and Trade; Justice and Equality; Health; Communications, Climate Action and Environment; Transport, Tourism and Sport; Housing, Planning and Local Government; and Defence. Also in attendance were personnel from the Defence Forces and An Garda Síochána.

The role of Cabinet committee F is to keep the State's systems for the analysis of, preparation for and response to threats to national security under review and provide for high level co-ordination between relevant Departments and agencies on related matters. The Cabinet committee also allows greater ministerial involvement in preparing for and managing major security threats.

**Deputy Eoin Ó Broin:** Yesterday the National Cyber Security Centre issued a statement on a cyberattack on Departments and agencies over the weekend. According to a report in *The Irish Times*, the affected websites include those of the HSE, the Oireachtas, *safefood* and some local authorities. According to the report, cyberattacks have become increasingly common in recent times, particularly on Government websites and IT networks. What action has been taken by the National Cyber Security Centre in response to the latest attacks? We have to accept that it is not just a domestic issue; it is also one that needs an international response. The EU directive on network and information systems is supposed to represent a significant change in how countries in Europe approach cybersecurity and is due to be transposed into Irish law

before 9 May. Will that deadline be met?

In recent days the European Committee of Social Rights upheld the right of representative associations of the Defence Forces to better collective bargaining negotiating rights and affiliate to the Irish Congress of Trade Unions. The Government has repeatedly blocked this on the grounds of so-called national security. Yesterday the president of PDFORRA said “the Government fought us every step of the way in respect of this complaint.” Is it not the right time to do the right thing and provide proper employee rights for members of the Defence Forces to allow for collective bargaining and affiliation to the ICTU?

**Deputy Brendan Howlin:** I will pick up on the point made by Deputy Eoin Ó Broin on the cyberattack by rogue hackers which infected a number of State agency systems, apparently mining for cryptocurrencies. I do not know how it is done, but I am sure somebody does. The impact is simply the latest manifestation of the vulnerability of State’s Internet systems to external attack. Obviously, the data held by organisations such as the HSE, the Oireachtas and local authorities can be very important for citizens. What efforts are under way specifically to deal with the most significant potential assaults on us as a nation? I understand the Defence Forces have only two personnel seconded to the Department of Communications, Climate Action and Environment to deal with this issue on an ongoing basis. Will the Taoiseach give us an indication of the structure and size of the efforts made to combat cyberattacks and maintain cybersecurity in the State? Does he believe it is enough? Do we need a new agency? Are the agencies in existence co-operating well? How could matters be improved and have they been debated?

I have two other brief questions. One concerns foreign interference with our electoral processes. We are aware from what happened overtly in the United States, France and a number of other countries that it is expected that external forces often try to influence the outcome of democratic elections by manipulating opinion online. Do we have any defence mechanism against this or is it something that is on the Government’s agenda?

My third question is on a point I raised some time ago. The Taoiseach might have had an opportunity to reflect on it. If not, he might come back to me on it. In the event of a national crisis, we issue a red alert. We did it in the case of Storm Ophelia and there was a lot of confusion about what exactly it meant. The Government task force on emergency planning was to have submitted a document in January for consideration by the Government. That is what we were told at the end of last year about a national standard response that was expected when a red alert was declared. Was that report submitted to the Government in January and will the Government issue national guidelines on how to handle a red alert?

**Deputy Micheál Martin:** On 22 May last year, the Taoiseach’s predecessor said that the date and any element of the national security meetings should be kept confidential. The Taoiseach has obviously changed this approach by tweeting the date and attendance of a meeting. What is the current position on the public status of the committee? Has the Government moved to a system where the dates and rotating attendance, as opposed to the fixed membership, will be public? On several occasions the Taoiseach has said he wants to take time to examine what has been undertaken to neutralise cyberattacks which have been identified in the national risk as a threat of the highest level. Has there been any progress on this measure? Have any new steps been taken to join with groupings of European countries working together to identify and fend off cyberattacks?

The Government recently opposed a Private Member’s Bill introduced by Deputy Lawless

which dealt with addressing the threat to democratic debate posed by illegally funded disinformation campaigns using social media. This makes Ireland an outlier in Europe in saying that it is not interested in taking legislative action to protect its basic electoral financing and transparency laws. Given what he heard in Davos and from the Prime Minister of Estonia, whose democracy is under constant attack, will he reverse this position and support Deputy Lawless's Bill?

**The Taoiseach:** I will start by responding to the questions about cyberattacks and cyberterrorism. The director of the National Cyber Security Centre attended the Cabinet subcommittee meeting last week and gave us a presentation on the work of that centre, what is being done and what more needs to be done. Deputies will understand why I cannot disclose what is being done and what more needs to be done. It is a relatively new centre, based in University College Dublin, UCD, and has approximately 20 members of staff. It is fair to say there are real risks to information and data held by public bodies such as the HSE, the Revenue Commissioners and the Department of Employment Affairs and Social Protection when it comes to cybersecurity and cyberattacks. We saw the impact of the WannaCry attack on the National Health Service, NHS, which thankfully we avoided in Ireland. Given the many technology companies and data centres based in Ireland, we do have a particular responsibility to enhance and increase our actions in this area.

On the cyberattacks, over recent years, having identified cybersecurity as an issue of national importance, we have steadily been building our cybersecurity capacity to ensure the State is protected against threats of security, confidentiality, integrity and availability of the network and information systems of critical national infrastructure operators and providers. The Department of Communications, Climate Action and Environment published a national cybersecurity strategy 2015-17. That formally established the National Cyber Security Centre, which is now up and running. It is focused on the protection of critical national information infrastructure in sectors such as energy, health care, financial services, transport, drinking water supply, digital infrastructure and communications. Recent cybersecurity incidents that have occurred globally were responded to and contained in Ireland but there was no cause for complacency. By comparison with other jurisdictions the impact in Ireland has been limited.

Significant progress has been made in transposing the EU directive on the security of network and information systems. That includes measures such as establishing a list of potential operators of essential services, OES, and the Department has published a consultation paper on the proposed security measures and incident reporting guidelines that these entities, once formally designated, will have to meet. It will be on them and their obligation to provide such security but we will oversee it. Work is progressing on the second area of legislation regarding the transposition of the directive and that will be finalised in quarter 1 of this year. The current threat assessment for Ireland continues to be moderate. That is, an attack is considered possible but not likely.

The European Committee on Social Rights has considered a complaint submitted in 2014 by the European Organisation of Military Associations, EUROMIL, on behalf of the Permanent Defence Force Other Ranks Representative Association, PDFORRA, concerning the lack of certain rights for military representative associations in Ireland. Having considered the submissions made in 2015 and early 2016, the committee published its findings yesterday. The committee concluded that prohibiting military personnel from the right to strike was not a breach of the European Social Charter but that the charter was breached in prohibiting the representative associations from affiliating with the national employee organisations such as the Irish Congress

of Trade Unions, ICTU, and in respect of the right to bargain collectively. The Government acknowledges the committee's findings and specifically the conclusion that the prohibition on the right to strike for members of the Defence Forces is not a violation of the European Social Charter. The taking of any form of industrial action is irreconcilable with military law, which is critically important for security and for the Defence Forces so that they are not restricted in undertaking their operations.

Since the submissions which were the basis for the decision were made, the Government has taken steps to begin to deal with these issues. The representative associations were invited to make submissions to the Public Service Pay Commission and were involved in the most recent pay negotiations that led to the Lansdowne Road agreement or its latest iteration. The Minister of State with responsibility for defence, Deputy Kehoe, has commenced a review of the Defence Forces conciliation and arbitration scheme. That is being chaired by Mr. Gerard Barry and PDFORRA is participating in that. At the Minister of State's direction, the terms of reference require that the review now consider the committee's findings from yesterday. This is the appropriate forum in which to consider the issues that arise from the committee's decision. The Minister of State has also recently announced a review of the schemes and an initial meeting with the parties to the scheme will take place on 26 February 2018. The committee's findings will be considered as part of that approach.

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

3. **Deputy Gerry Adams** asked the Taoiseach if he will report on his engagement with the Prime Minister of Estonia, Mr Jüri Ratas on 31 January 2018. [5522/18]

4. **Deputy Richard Boyd Barrett** asked the Taoiseach his planned meetings with foreign Heads of State over the next two months. [5692/18]

5. **Deputy Seán Haughey** asked the Taoiseach if he will report on his recent meeting with the Prime Minister of Estonia in Dublin; and the issues discussed at the meeting. [5977/18]

6. **Deputy Brendan Howlin** asked the Taoiseach if he will report on his meeting with the Estonian Prime Minister on 31 January 2018. [6882/18]

7. **Deputy Micheál Martin** asked the Taoiseach his travel plans over the next two months. [6905/18]

8. **Deputy Joan Burton** asked the Taoiseach the details of his forthcoming meetings with Heads of Government, Heads of State and EU Presidents over the next six months. [7296/18]

9. **Deputy Micheál Martin** asked the Taoiseach if he has spoken to Chancellor Merkel since she has formed a government. [7443/18]

**The Taoiseach:** I propose to take Questions Nos. 3, to 9, inclusive, together.

I met the Estonian Prime Minister, Mr. Jüri Ratas, during his official visit to Ireland on 31 January. This year marks the 100th anniversary of Estonian independence. As a small EU member state approaching its own centenary, I congratulated the Prime Minister on Estonia's achievement and on the dynamic space it has created for itself in modern Europe.

Ireland and Estonia are like-minded on many issues, and we exchanged views on further intensifying our co-operation across the EU agenda. This is particularly important in light of the debate on the future of Europe. Our approaches are similar. We both believe the EU needs an ambitious approach with a focus on implementing measures in areas that directly benefit our citizens' daily lives. This means, for example, that we want to see completion of the Single Market, the digital Single Market, the capital markets union and the banking union. We want to develop our trade relations with other parts of the world beyond the European Union.

Estonia and Ireland have worked especially closely together on the digital agenda. The Prime Minister and I agreed to continue our co-operation here, and we discussed some innovative new ideas, such as eprescriptions. We also, of course, discussed the Brexit negotiations. I thanked Prime Minister Ratas for his support for our unique concerns, and highlighted the need to ensure that the commitments and principles agreed in December are translated into legal text in the withdrawal agreement, which is under negotiation. We welcomed the negotiating directives on transitional arrangements that were agreed by foreign and Europe Ministers on 29 January, and looked forward to starting negotiations on these with the UK, as the EU 27. We both agreed that the future relationship between the EU and the UK should be as close as possible while ensuring a level playing field and protecting the integrity of the Single Market.

The Prime Minister and I discussed a range of other EU issues, including security and defence, where Estonia has some real concerns and where I noted our decision to participate in the permanent structured co-operation, PESCO, as a founding member, and the EU budget, where we agreed on the need to ensure continued funding for agriculture and cohesion and to be open to looking at funding other new areas.

Engagement with our EU and international partners is crucial to Ireland's interests, particularly as Brexit advances and as we seek to form alliances around a range of issues. I travelled to Vienna on 8 February where I had a bilateral meeting with the new Austrian Chancellor, Sebastian Kurz. We discussed several issues of shared interest, including the forthcoming Austrian Presidency in the second half of this year. I also had the opportunity to meet the Austrian President, the Foreign Minister and the European Affairs Minister.

I have not yet had an opportunity to speak with Chancellor Merkel since the conclusion of government formation negotiations. As the House is aware, Chancellor Merkel and I had a bilateral meeting last June and I look forward to meeting her in the near future once a new government is established in Germany.

I have met and spoken with Prime Minister May on several occasions, including most recently yesterday in Belfast where we assessed the state of play in the negotiations to restore the Northern Ireland Executive and Assembly and encouraged the parties to reach an agreement so that functioning institutions can commence work again in the interests of the people of Northern Ireland. We are hopeful that the two main parties will be able to come to agreement this week allowing other parties to join thereafter and establish an inclusive Executive for Northern Ireland. We also discussed Brexit and I made clear that we want and expect to see the agreement reached in December fully reflected in the withdrawal agreement. This means spelling out the regulatory alignment option in detail but does not preclude exploring the other options proposed by the UK Government in parallel. This is option B.

I will meet with President Mattarella of Italy tomorrow during his state visit to Ireland. On 23 February, I will attend an informal summit of EU Heads of State and Government in Brus-

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sels as part of President Tusk's leaders' agenda.

I also plan to visit the US for the traditional St. Patrick's Day celebrations. This provides a unique opportunity for us to advance our interests with a country with which we have deep connections and many shared interests. I look forward to the visit during which I will meet with President Trump in Washington DC.

I will attend meetings of the European Council in Brussels on 22 and 23 March and on 28 and 29 June. As usual, I will report to the House both before and after those meetings. I also hope to attend an informal EU summit which has been scheduled to take place in Sofia in Bulgaria on 17 May. Further bilateral engagements are being planned, including a visit to Dublin by the Prime Minister of Luxembourg, Xavier Bettel. I will, of course, announce these when they are finalised.

**Deputy Micheál Martin:** On a point of order, I have noticed in the past two weeks the lumping of questions that are quite different into one group, which is not acceptable. We stopped this way back. I noticed that the same thing happened last week. This week, we have lumped together Estonia, Germany, travel plans all over Europe and the US into one group.

**An Leas-Cheann Comhairle:** We will take questions anyway. The Taoiseach will refer to that when he responds.

**Deputy Micheál Martin:** It does not help us to plan in terms of preparation for questions to the Taoiseach.

**An Leas-Cheann Comhairle:** I will take supplementary questions as they are tabled. Deputy Micheál Martin will have an opportunity to put one.

**Deputy Micheál Martin:** I appreciate that but I would like some-----

**An Leas-Cheann Comhairle:** The Taoiseach might respond.

**The Taoiseach:** I will certainly take it on board. The reason they are all grouped together is that they all relate to bilateral meetings with Prime Ministers, who I met, when I met them and where I met them, but I will take that on board.

**An Leas-Cheann Comhairle:** The Taoiseach will take it on board. There are seven supplementaries. Could Deputies take about a minute each? It is in their own interests.

**Deputy Eoin Ó Broin:** Absolutely.

**Deputy Brendan Howlin:** We will be taking seven questions-----

**An Leas-Cheann Comhairle:** We will be flexible.

**Deputy Joan Burton:** Just give more time.

**An Leas-Cheann Comhairle:** If Deputies so wish, but let us be pragmatic and see how they develop.

**Deputy Eoin Ó Broin:** I will be brief. I support Deputy Micheál Martin's point of order, which is well made. Estonia is a country with a history not unlike our own. It has endured centuries of occupation and, as the Taoiseach said, celebrates a very significant centenary this year,

which is the anniversary of its declaration of independence. We have a relatively small but very vibrant Estonian community in Ireland and I think we will all extend our solidarity to it on this significant milestone. In more modern times, Estonia is very similar to this country in that it is a small northern European country with an open economy that is heavily reliant on IT and technology sectors. In that respect, it has many of the same objectives as us in the context of Brexit. It is important that we build new and strong alliances and I welcome the Taoiseach's comments in respect of that. I know the Taoiseach has met with the Estonian Prime Minister as well as other Prime Ministers from northern Europe and that in advance of the European Council meeting in October, he participated in a meeting of the leaders of the Nordic-Baltic Eight group of states, which includes Denmark, Sweden, Finland, Estonia, Latvia and Lithuania. At the time, the Taoiseach referred to states as like-minded so did he attend the same meeting in December and does he intend to do so in March? Does he intend to join this group on a permanent basis?

**Deputy Richard Boyd Barrett:** Pretty much every week that goes by, the US President, Donald Trump, provides us with further evidence of the threat he represents to the world, peace, the environment and whole swathes of the world's population. I assume the Taoiseach will meet Donald Trump on St. Patrick's Day in the White House. I would prefer if he did not and made it clear why he should not but I wonder whether he has any thoughts about what he will say to Donald Trump. If we just take two recent instances, in the past few days, Donald Trump has indicated that any discussion about Jerusalem is off the table. He is not even willing to discuss what the whole world recognises as a dangerous development, namely, the recognition by his Government of Jerusalem as the capital of Israel with all the connotations and provocation that represents for the Middle East. He does not even want to discuss it. He is saying it is off the negotiating table. Donald Trump has also simultaneously ramped up further aid to Israel. While he has reduced the overall US international aid budget by a third, he has increased funding to Israel by \$200 million, a clear indication of what he is up to, which is backing Israel in its aggressive and provocative stance.

In the past few days, on another issue about which the Taoiseach has spoken, Scott Pruitt, the head of the Environmental Protection Agency - you could not make this stuff up - has said that global warming is actually a good thing and that it may be beneficial for humanity. Donald Trump recently tweeted that the US needs more global warming-----

*(Interruptions).*

**Deputy Richard Boyd Barrett:** The guy is mad and has mad people in his Government-----

**An Leas-Cheann Comhairle:** Language.

**Deputy Richard Boyd Barrett:** -----but the madness is threatening peace in the Middle East and the global environment. How is the Taoiseach going to make a statement against these sort of crazy policies?

**Deputy Seán Haughey:** With the UK leaving the EU, it is very important that Ireland build up new alliances in Europe. The Taoiseach mentioned that in his reply. The UK and Ireland have traditionally been in agreement about many of the big issues confronting the EU. Brexit is a big concern for us and other EU states adjacent to the UK from the point of view of trade but it is not a big issue for many other EU states. I note that the Taoiseach recently met with the Prime Minister of Estonia in Dublin and the Chancellor of Austria in Vienna. Estonia is part of the Nordic-Baltic Eight while Austria is a neutral country. Their support for the prevention of

a hard border on this island is most welcome.

Of course, all of this is against the backdrop of a wider discussion on the future of the EU. The Taoiseach is gradually outlining his vision in that regard. I have noted his comments on such matters as the need to safeguard cohesion funding, particularly for central and eastern Europe, having regard to the principle of subsidiarity; the future of the CAP; our low corporation tax regime; the completion of the Single Market; the digital Single Market; the capital markets union; and the banking union. Immigration is, of course, a big issue for Austria having regard to the composition of its new Government. Security and defence are obviously big issues for the Baltic states given their proximity to Russia. What were the main issues of concern to Estonia and Austria as outlined to the Taoiseach and what assurances did he give the Estonian Prime Minister and the Austrian Chancellor in this regard when he met them recently as Heads of Government? Can the Taoiseach also give us an outline of the main issues that will be the basis of new EU alliances going forward?

**Deputy Brendan Howlin:** I tabled a question about the meeting with the Estonian Prime Minister and prepared my supplementaries on that basis. Now I find that I can ask questions about meetings with the British Prime Minister, the options presented after the December discussions or even the St. Patrick's Day visit to the US. It is really not a good way to do that. I am profoundly concerned about the viability of the December agreement and I think we need some opportunity in this House to debate that in a very frank and clear way. It is important for both our UK and EU interlocutors to hear clearly the views of this House on that because it became crystal clear over the weekend that none of the options - a, b or c - can be achieved by the British Government or will be sustained by a majority in the British Government. We need to have very frank discussions about that and where we lie in respect of that.

My own question related to the meeting with the Estonian Prime Minister. Despite the distance, there are many synergies between Estonia and Ireland. I acknowledge the important milestone in Estonian history.

Did the Taoiseach discuss the notion of the transition arrangement with Mr. Ratas? He said they had discussions on future relationships, in other words the final agreement between the European Union and the UK. Did they discuss the interim agreement? What is the Estonian position on free movement in the interim? I presume Mr. Ratas's position is that Estonian citizens would continue to enjoy access to the United Kingdom. Is that also our position?

As the Taoiseach knows, Estonia has been a leader in the digital economy. It developed a concept of e-residency, which has been in place since 2014. That allows non-Estonian citizens access to services, such as company formation, banking, payment processing and taxation. I think it is a very good idea. It gives e-residents a smart card that they can use for signing documents. It is aimed at attracting entrepreneurs into the country. Is it something the Taoiseach has reflected on and could we have something similar?

Did the Taoiseach discuss the EU digital tax with Mr. Ratas? Obviously the issue of changing how corporation tax works into a sort of sales tax would have a profound, negative impact on countries such as Ireland and Estonia. Did they discuss that and does Mr. Ratas have a view on it?

**Deputy Micheál Martin:** There are four questions in this group, ranging from Estonia to Washington. I agree with Deputy Howlin that we need a specific session on the December deal,

which we were told was bulletproof. I am not talking about the common travel area or the recognition of European citizenship rights; they were always there and non-contentious. The key issue was the regulatory alignment and essentially for the purposes of the North-South Border irrespective of whether the UK was in or out of the customs union there would be regulatory alignment.

The bulletproof deal has since become a default deal that we do not want to get to. This is in the Taoiseach's own words. Michel Barnier and Commissioner Hogan have put it very starkly that if the UK stays out of the customs union and outside the Single Market, there will be a border. That is in sharp contrast to what we were led to believe before Christmas. Irrespective of whether it was over-hyped or oversold before Christmas, there was a clear sense which was communicated to us by Government personnel that what was agreed before Christmas was legally fireproof. We need clarity on that and a specific session on the matter would be useful.

Estonia has been very close to Ireland since it joined the European Union in 2004. I note its Prime Minister specifically referred to the role of Ireland's then Government in welcoming Estonia and the other Baltic countries into membership.

**Deputy Brendan Howlin:** Who was in government then?

**Deputy Micheál Martin:** The Deputy would never guess. He tried to wipe it out of the historical narrative on one occasion.

**Deputy Brendan Howlin:** I do not know about that. I thought it was the collapse that wiped out Fianna Fáil.

**Deputy Micheál Martin:** On a substantive issue, at the bilateral meeting the future of the European Union's budget was discussed. The Estonian Prime Minister subsequently outlined his Government's policy. What is the status of the Taoiseach's comments concerning the next European Union budget? Last week the Taoiseach told us his speech to the European Parliament was a personal statement and not a statement of agreed Government policy. Does Ireland specifically support the simple maintenance of the budget post Brexit, its contraction or, indeed, its expansion?

The forthcoming European Council meeting will consider a formal proposal concerning digital taxation. A number of Commissioners have recently ratcheted up their rhetoric on the issue in anticipation of the Council. We are fully aware that the Taoiseach is maintaining the position concerning tax harmonisation which has been in place since the schedule of reductions in our domestic corporation tax was finalised 20 years ago. However, we have no idea about the Government's specific policy on digital taxation. So far there has been no attempt to explain what the Commission is proposing. There is no sign of any basic study concerning the impact on Ireland and other countries of different models of a digital tax. Will the Taoiseach announce a policy before the Council meeting? Will the Government publish an impact study on this issue so that we can properly understand it before final decisions are made?

**Deputy Joan Burton:** On a historic note, the Taoiseach probably knows that this is the year of Vótáil 100 commemorating women getting the vote and women being elected to Parliament. There were lovely photographs of the Taoiseach and his British counterparts in all the newspapers. There was a particularly divine one in *The Irish Times* of six men on the Republic of Ireland side as though nothing has changed since the British left, and three women and two men on the UK side. In the year that is in it and given the nearly €6 million being spent on the

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Government's media communications unit this year, could we ensure gender sensitivity when it comes to delegations? It was not beyond the wit of Ireland to have had two or three women on that delegation and at that meeting. As the Government arranges these photo opportunities so meticulously, what happened yesterday? I would really like an explanation.

**Deputy Micheál Martin:** Nobody else was to get the glory.

**Deputy Joan Burton:** It was an historic meeting and it is a disgrace that there are no women in that picture representing the Republic, just as it was 100 years ago. The Taoiseach owes us an explanation and I am sure the men in the Chamber will support me-----

**Deputy Brendan Howlin:** Hear, hear.

**Deputy Joan Burton:** -----as I am sure will the woman Minister of State who is present. It is a disgrace and it is not acceptable anymore. I will object. I object when the Department of Finance comes in with an all-male team, suggesting that women do not know anything about finance and so on. It is just not acceptable at the Taoiseach's level given the amount of time he puts into planning his media communication.

The second point is as follows. The Taoiseach is quoted as saying yesterday that a comprehensive free-trade and customs agreement involving Britain and Ireland was the best way to avoid any new barriers north, south, east and west, and that they had agreed to work together. How realistic is that indication? It is a bit like the bulletproof agreement which now seems to be emerging with bullet holes. Have our 26 EU co-negotiators under the leadership of Monsieur Barnier agreed to this? Has the UK given any indication that it intends to agree to it and then pay the EU the price of such a deal?

I can understand why the Taoiseach would desire it strategically; it makes considerable sense. It would mean us having a separate negotiating strand in effect, something the Labour Party has advocated over a long period of time. We would be supportive of the Taoiseach in that. However, I agree with the points raised by Deputies Howlin and Micheál Martin that we need a debate in this House about the bulletproof agreement, which is now in the Taoiseach's own language opening up very wide discussion.

**Deputy Eamon Ryan:** Last March, the Taoiseach's predecessor invited President Trump to Ireland. The Taoiseach said at the time that he was not sure what purpose it would serve and that he would not invite him. However, we now understand that as Taoiseach, he will continue the invitation. If President Trump were to come to Ireland, has the Taoiseach's protocol unit looked at the possibility or is it advising on whether that visit would include a visit to the Houses of the Oireachtas? Would he be following the example of US Presidents Fitzgerald, Reagan and Clinton, the Australian Prime Ministers, Keating, Hawke and Howard, or indeed Blair, Mitterrand, Kohl or even those incredible men Mandela and Nehru? Will this be part of any visit when the Taoiseach continues this invitation or does he stand on the side of the Speaker of the UK House of Commons who said about a possible visit to the House of Commons that it is not an automatic right but an earned honour?

How would we deal with it, if we had President Trump here in the Houses of the Oireachtas? How would we manage the protests that would inevitably have to take place because he has not earned that honour? Given that he stands for things in the way he is treating Palestine, in his regard for climate change, and in his economic nationalism which is dividing and tearing up the international order, we could not accept him with any honour. Will the Taoiseach confirm

whether that is part of any planned visit, if he is ruling it out or, since it seems that one never knows what President Trump will say, if he might get the bowl of shamrock and say that he is coming over and cannot wait to meet the Taoiseach in Dáil Éireann? What do we do then?

**The Taoiseach:** I will answer the questions in order. With regard to the Nordic-Baltic group, the Dutch Prime Minister and I, as well as Foreign Ministers and Finance Ministers, attended by invitation but we are not members of the Nordic-Baltic group. I did not attend on the last occasion as I attended the European People's Party, EPP, summit. A number of pre-meetings happen before European Council meetings, sometimes at regional level and sometimes at party level. I decided to attend the EPP summit prior to the European Council meeting. In attendance were President Tusk, President Juncker, Michel Barnier, Angela Merkel and Antonio Tajani. I thought it was important to touch base with them before the European Council meeting which was held subsequent to that. No decision has been made on the next meeting of the Nordic-Baltic group but it is fair to say that Ireland, the three Nordic countries and the three Baltic countries, along with the Netherlands, have very similar interests in a number of areas, particularly with regard to tax sovereignty, free trade and enterprise competitiveness. We also have a similar approach to the future of Europe which we think should largely be led through the institutions and the leaders' agenda, and Donald Tusk's process rather than any particular proposals from particular governments. We will continue to work closely on those issues.

We may find that we have different allies on other issues, particularly with regard to agriculture and the Common Agricultural Policy, CAP, budget and related trade issues. We have a strong traditional ally in France. With regard to the EU budget and the multiannual financial framework, we potentially have strong alliances with central and eastern Europe. Today, Cabinet decided that we would issue a letter of intent to express our interest in joining with the Benelux countries and Austria to form an alliance relating to medicines, to ensure that we share information and work together so that patients in our respective countries can get access to new medicines more quickly, but equally-----

**Deputy Micheál Martin:** One would be better off contacting Joe Duffy to get fast-tracked medicines.

**The Taoiseach:** It is equally important that that is done at a cost that is fair and reasonable to the taxpayer. Any money that we can save on medicines is money that can be used for other purposes, particularly in our health service.

I was asked about the particular concerns that different countries have. Austria's main concern relates to migration. It had an experience of 1 million people crossing through the country, going to Germany and the Nordic countries, 90,000 of whom remained in Austria. Austria is having real difficulties with that and it is the overwhelming political issue in Austria at the moment. We differ on that particular issue. Ireland has opted in to accepting quotas and has accepted thousands of people from Syria and other places whereas Austria and Hungary do not support a quota-based arrangement. I am conscious that our geography is very different from Austria's and the experience of having 1 million people cross the country, with 90,000 staying, caused people in those countries to feel that they had lost control of their borders. Even if we do not agree as to why different people have different views in different countries, it is good to understand why they have different views.

Estonia had concerns about security and ambitions relating to the digital agenda. Its major concern relating to Brexit is not trade and borders but rather the position of Estonian citizens al-

ready living in the United Kingdom. I offered Estonia our full support in ensuring that Estonian citizens who still live in the United Kingdom have their rights protected. We are very much aligned on that, as it is aligned with our objectives relating to the avoidance of a hard border. On the EU digital tax issue, it is fair to say that neither country is enthusiastic but until countries see details of what is proposed, it is hard to form a considered view. This matter is currently being handled by the Minister, Deputy Donohoe, through the Economic and Financial Affairs Council, ECOFIN, and he would be best placed to answer detailed questions on it.

I am not familiar with the e-residency issue but the Minister of State, Deputy Patrick O'Donovan, has been given a particular role relating to e-government and he may be examining that.

On Brexit negotiations, it is important to bear in mind the number of things which are very relevant to Ireland in the December joint report agreed by the European Union and the UK which were by no means certain or guaranteed but are now written down in black and white in an agreement with guarantees, for example, the retention of the common travel area-----

**Deputy Micheál Martin:** That was always agreed.

**The Taoiseach:** -----and people being able to travel freely, north and south, east and west. It also includes the retention of the reciprocity of civic rights, with Irish and British people being able to live and work-----

**Deputy Micheál Martin:** That was all agreed.

**The Taoiseach:** -----study, access housing, health care, education, welfare, pensions-----

**Deputy Micheál Martin:** That had all been agreed.

**The Taoiseach:** It had not. Those can be accessed in each other's countries as though people were citizens of both. It had not been previously agreed and certainly had not been written down in an agreement between the EU and UK in black and white. There are commitments relating to the Good Friday Agreement and to continue funding for INTERREG, which is important for regional development, to retain funding for PEACE, which is particularly important in Northern Ireland, and also an agreement that there will continue to be a separate strand on Irish issues. That was agreed in December and there is already such a second strand. There was a set of guarantees and commitments relating to the avoidance of a hard border and three options to achieve that are outlined in the December joint report. The first option, the preferred option of the British and Irish Governments, is to avoid a hard border through a new relationship between the European Union and the United Kingdom, within the framework of the EU-UK agreement, which includes all of Ireland and in which we have a new arrangement which is as close as possible to the customs union and Single Market arrangement that exists now. That will be hard to achieve but is absolutely our preferred outcome and is what we are currently working on. The second option is the UK-specific solution. It is up to the UK to come up with those proposals and convince the European Union that they can be done. The third option, which I described at the time as a backstop and the Prime Minister describes as a last resort, is that there are special arrangements for Northern Ireland, where it continues to maintain full regulatory alignment with the European Union, allowing a hard border to be avoided. For reasons that I think should be obvious to everyone in this House, the first option is preferred.

**Deputy Micheál Martin:** These were not sold as options. It was sold as a done deal that

there would be no hard border.

**The Taoiseach:** It allows us not to have-----

**Deputy Micheál Martin:** These were not sold at the time as options.

**An Leas-Cheann Comhairle:** Let the Taoiseach speak without interruption.

**Deputy Micheál Martin:** He might take a supplementary.

**Deputy Brendan Howlin:** We need a debate.

**The Taoiseach:** It allows us to continue to trade between Britain and Ireland as we currently do. If one is a farmer or is involved in agrifood-----

**Deputy Brendan Howlin:** Will we have a debate?

**The Taoiseach:** -----and has a small or medium enterprise or is an exporter, one will understand why-----

**Deputy Micheál Martin:** Will the Taoiseach take a supplementary?

**The Taoiseach:** -----retaining open trade between Britain and Ireland is so important.

**Deputy Micheál Martin:** Before Christmas, it was sold as a done deal, and now it is an option. Will we have a debate on it?

**The Taoiseach:** At the moment, what we were seeking, which was in the December agreement, is written into the legal text of the withdrawal agreement. What is currently being negotiated and what phase two is all about is the negotiation of the withdrawal agreement-----

**Deputy Micheál Martin:** I thought it was a deal. Was the deal sound?

**The Taoiseach:** -----which is legally binding and what was in the agreement in December is now written into the legal text of the withdrawal agreement. As I said in December, phase one was only phase one. It was the end of the beginning, not the beginning of the end.

**Deputy Micheál Martin:** I have to contrast the press conference with this presentation.

**The Taoiseach:** We need to remain vigilant and engaged.

**Deputy Brendan Howlin:** This is delusional.

**Deputy Joan Burton:** The legal text is not an agreement.

**The Taoiseach:** I assure Deputies that we have been vigilant and engaged all along. Our objective in phase two, as I said at the time, was to make sure that what is in the December joint report is written into the legal text of the legal agreement in the withdrawal agreement in full. We have very strong support from the EU 27.

**Deputy Micheál Martin:** Deputy Donnelly thought it was legally binding that Ireland was the focus.

**Deputy Richard Boyd Barrett:** The Taoiseach was asked about Trump.

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**An Leas-Cheann Comhairle:** I know there are many who would like supplementaries but the time has expired, my hands are tied and we now have to move on.

**Deputy Richard Boyd Barrett:** There are still 36 seconds.

**Deputy Micheál Martin:** Do not worry, the clock was well run down. The Taoiseach was never getting to Trump.

**Deputy Richard Boyd Barrett:** I asked the Taoiseach about Trump.

**The Taoiseach:** I am always involved in the cauldron of debates but when one is trying to answer the questions raised-----

**Deputy Micheál Martin:** The Taoiseach did it well.

**Deputy Richard Boyd Barrett:** I asked about-----

**The Taoiseach:** No preparations or plans have been made with respect to a visit to Ireland by President Trump.

**Deputy Brendan Howlin:** I am sure they have not.

**Deputy Richard Boyd Barrett:** Or Washington. The Taoiseach was asked about Washington. What does he have to say?

**An Leas-Cheann Comhairle:** We will move on to questions to the Minister for Agriculture, Food and the Marine.

**Deputy Joan Burton:** What about women and the all-male delegation. The Taoiseach did not address the question of spokeswomen and the presence of women.

*4 o'clock*

## Priority Questions

### Areas of Natural Constraint Scheme Funding

26. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when the programme for Government commitment to increase areas of natural constraint, ANC, funding by €25 million in 2018 will be delivered; and if he will make a statement on the matter. [7416/18]

**Deputy Charlie McConalogue:** When will the programme for Government commitment to increase areas of natural constraint, ANC, funding by €25 million in 2018 be delivered and how does the Minister propose to distribute and allocate that funding among the categories of disadvantaged area payments?

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I thank Deputy McConalogue for raising this issue. I am very aware of the importance of the areas of natural constraints, ANC, scheme which issues annual payments in excess of €200 million to more than 95,000 farmers. The ANC scheme has always been recognised as a very important support for rural society and farmers across the country who farm constrained lands. In light of

the importance of the scheme, A Programme for a Partnership Government included a commitment to provide an additional €25 million for the scheme in 2018. I am pleased to confirm that this commitment was delivered in budget 2018 and that, subject to the European Commission's approval of an amendment to Ireland's rural development programme, this new funding will be available for payment under the 2018 ANC scheme.

A number of different options were available in deciding how this additional funding was to be divided. I was conscious of the need for money to be targeted at those farmers on lands with higher levels of constraint. With this in mind and having considered the views of stakeholders, I have decided to distribute the additional €25 million as follows: €13 million will be allocated to the mountain type land category; €9 million will be allocated to the more severely handicapped category; and €3 million will be allocated to the less severely handicapped category. These allocations will have the effect of increasing the current payment per hectare rates across all land categories. Those farming on what is known as mountain type land will see their payment increase from €109.71 to €135 on the first 10 ha and from €95.99 to €112 on remaining hectares up to a maximum of 34 ha. Farmers with land categorised as more severely handicapped lowland will see an increase from €95.99 to €104 per hectare up to a maximum of 30 ha, and those with less severely handicapped lowland will see an increase from €82.27 to €88.25 per hectare up to a maximum of 30 ha. I am satisfied that these increased payment rates are consistent with the underlying logic of the scheme, where the highest level of support is targeted at those who are faced with the highest level of constraint on their land. These changes must now be formally agreed with the European Commission by way of an amendment to our rural development programme. My officials have initiated this process, with a view to introducing these new rates for payment in 2018.

**Deputy Charlie McConalogue:** I thank the Minister for his response. I agree with him that the ANC payment is an important one. The vast majority of farm families, approximately 100,000, receive it. One of the benefits of this funding is that all of it goes directly to farmers. I also agree on the proposed method of distribution of the funding, which is very much in line what I had proposed. I think it is a fair way of doing it. It is important there is fairness in the land categorisation and that payments reflect the type of land that farmers have to farm.

Today, I am proposing that the increase in ANC funding this year be €50 million rather than the €25 million provided for in the budget. I note the Minister is smiling. Given the large underspend in his Department year on year, including in respect of rural development programmes, he has the capacity to be flexible with payments and to deliver for farmers. I would rather that the Minister would do that instead of smirking at the constructive suggestion I have made. The underspend in respect of the Department of Agriculture, Food and the Marine for last year was €78 million. It was €106 million in 2016. Can part of that underspend be used to increase ANC funding this year to €50 million and thus provide twice the level of funding to farmers this year than is currently proposed?

**Deputy Michael Creed:** I find it ironic that Deputy McConalogue can raise this issue month after month and refuse to face up to the logic that what he proposes is robbing Peter to pay Paul. For example, the Deputy is suggesting that I would spend a farmer's entitlement under the green low-carbon agri-environment scheme, GLAS, in a different area. I cannot legally do that. The Deputy should reflect on what he is proposing. When Fianna Fáil was last in government, the underspend for the Department of Agriculture, Food and the Marine was €150 million. That same year, Fianna Fáil cut disadvantaged area payments and it abolished the installation aid schemes. I rest my case.

**Deputy Charlie McConalogue:** It would serve the Minister well to focus on his own record rather than take comfort from policies that might have happened in the past, from which we should be learning. The Minister should refrain from citing what happened ten years ago under previous Administrations to justify what he is doing now. We need to look at what is on the table. According to the statistics from the Department of Agriculture, Food and the Marine there was an underspend of €78 million last year across various sections of his Department's budget. The year before that the underspend was €106 million after the reallocation of funds to other programmes under the Revised Estimates process. The capacity is there but the will is not. I do not propose to go into the GLAS statistics, but as the Minister is aware, €1.4 billion was promised but only €1 billion is being delivered, which is a shortfall of €400 million.

Before he puts the amendment to the proposed rural development programme to Europe, the Minister should consult his officials on the underspend in his Department with a view to an additional €25 million being allocated to the areas of natural constraint scheme and thus deliver increased income this year to farm families.

**Deputy Michael Creed:** I have repeated my position *ad nauseam* but it has become something of a dialogue of the deaf between Deputy McConalogue and me. I do not propose to break a contractual commitment into which I have entered with a farmer in Donegal, Cork or any point in between and to reallocate that funding to other areas, be that GLAS, the beef data and genomics programme, BDGP, targeted agricultural modernisation scheme, TAMS, or any other area under the rural development programme. Every cent that we are entitled to under the rural development programme will be spent.

### **Afforestation Programme**

27. **Deputy Martin Kenny** asked the Minister for Agriculture, Food and the Marine his plans to make changes to the forestry programme to restore priority to farmers as opposed to non-farmers who under the present programme receive equal treatment, which has created an anomaly in land prices that disadvantages the farming community; and his further plans to increase the level of assistance for engagement in agroforestry. [7227/18]

**Deputy Martin Kenny:** The Minister will be aware of the mid-term review of the forestry programme in respect of which a huge issue arises for County Leitrim and other areas in the north west where there are large amounts of afforestation that are having a devastating affect on communities and society in general. I am seeking confirmation from the Minister that, in the context of that review, consideration will be given to restoring priority to farmers in relation to grants for afforestation as opposed to the people who buy up the land and get farmers to apply for the grant, which means that for the first 15 years investors, who are very far removed from the communities in which the trees are grown, rather than farmers are getting the grant.

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I thank Deputy Kenny for this question. My colleague, the Minister of State, Deputy Doyle, is unavoidably absent today. The current forestry programme does not differentiate between a farmer and non-farmer but targets funding at all landowners who wish to convert lands to forestry. It is important to note that the non-farmer category also includes recently retired farmers and the family members of existing farmers. I am satisfied that the vast bulk of the grants and premiums paid under our forestry schemes are paid to, and remain in, rural Ireland.

Reinstating the farmer-non-farmer forest premium differential is not an option being considered by the Department. Therefore Forestry Programme 2014-2020 will continue to pay the same premium to all landowners to ensure that the maximum amount of land is available for afforestation.

With regard to land prices, the value of land is governed by the laws of supply and demand, and for those selling land, this is a positive development. There are many reasons lands are put up for sale and there are also regional variations in terms of demand, supply and quality which influence the final price paid for land. Forestry may be one of many factors which can influence movements in land prices. According to my Department's own analysis, returns from forestry, while attractive for landowners, are not such as to drive excessive land prices.

From an investment perspective, investors cannot afford to pay too much for bare forestry land given the returns available, and this should act as a natural brake for this type of investment. For farmers, forestry offers a viable alternative enterprise which allows them to diversify their income stream towards the more stable timber market and for this reason the supports offered by the State are very much welcomed.

My Department is currently undertaking a mid-term review of the forestry programme 2014-2020, under which there will be proposals to make further improvements to the forestry schemes. These improvements are aimed at encouraging farmers to see forestry as part of the farming enterprise as opposed to being an alternative to farming. I expect to be making a further announcement on this review and its recommendations in the near future.

**Deputy Martin Kenny:** I thank the Minister for his reply but it is not what I wanted, nor does it reflect what the vast majority of farm organisations and people involved in the industry, certainly in the north west, want to see happen.

The Minister referred to a mid-term review. That should be postponed until such time as several issues are dealt with. One such issue concerns Coillte, the contracts and the associated problems. Another issue is ash dieback, which has not yet been resolved. Large sections of the north west - the land to which the Deputy McConalogue referred, which is usually land of natural constraint - are being taken over by a monoculture of Sitka spruce forestry. This is having an absolutely devastating effect on communities and farmers trying to buy adjacent land. These farmers may be competing with farmers from very far away who are buying the land to obtain carbon credits from forestry to offset against other activities. They are legitimately entitled to do this but, from the point of view of the people who live in the areas where the forests are being planted, it is devastating. The Government needs to halt the review, go back to the drawing board and come up with solutions. The existing solution is not working for the communities.

**Deputy Michael Creed:** I accept some of the points the Deputy is making. I realise the narrative on forestry in the communities to which he refers is not positive. We all need to work collectively with the communities to explain the benefits. The Deputy represents a constituency in which there is considerable employment downstream from the timber industry. It is very valuable employment. I am sure the Deputy agrees. This employment would be put in jeopardy if we did not continue to have a supply of timber. This message rarely gets out. I refer not only to the major processing plants but also to local enterprises providing fuel and pellets for heating, for example. In total, there are approximately 12,000 people working in the industry. This is not to be sneezed at. Significant export earnings are generated.

I accept there is resistance, however. Landowners almost regard forestry as throwing in the towel and accepting defeat. A fundamental question must be asked, however, regarding what forestry will deliver for farmers, not through the selling of land and throwing in the towel but through tax-free income. This is significant and sometimes overlooked. We should try to acknowledge collectively that forestry has a significant role to play, including in terms of climate change mitigation. We should try to embrace the positive side while also working with the communities.

**Deputy Martin Kenny:** I accept that. I know many people who work in the forestry industry. I was at the Masonite factory last week. For every hectare of land planted with forestry, however, the number of jobs created is very low by comparison with the amount of work generated by farming. Consider all the inputs associated with farming land. Farmers bring their cattle to the marts and when they sell them the meat is processed. This happens every year. The cow calves every year, the calf is raised and the processing occurs on an annual basis. One must wait 40 years for the trees to grow.

**Deputy Michael Creed:** There is a tax-free premium for 15 years.

**Deputy Martin Kenny:** There is a tax-free premium for 15 years but the point I am making is that, in County Leitrim, that premium is very often being drawn by people who do not live in the community and who have nothing to do with it. Where I live and in other such places, almost 20% of the land has been planted. If one takes the rivers, mountains and lakes out of the equation, one notes that probably 50% of the available land in County Leitrim is under forestry. It is time to call a halt to it. Other areas of the country need to bear some of the burden. County Leitrim will be overrun with forestry and will have no place for people any more. This should not be allowed. The time has come to ban forestry in places such as County Leitrim.

**Deputy Michael Creed:** The purpose of the mid-term review is to take stock of the forestry programme and analyse why the established targets were not being met, the extent to which they were not being met and the measures necessary to ensure we get back on track in meeting the targets. This is the context of the mid-term review and what it has primarily been about; it is not a fundamental reappraisal of the forestry policy at all.

I hear the point the Deputy makes. Nobody who is tuned in to this debate is unaware of the issues he talks about. There is a positive side that rarely attracts attention, however. The Deputy mentioned Masonite Ireland. That is part of the story but not the full story, however. There is the question of partial afforestation and the ability of farmers to continue to farm the rest of their land. It is not necessarily a matter of selling up and allowing the land to be planted by somebody else, be it a local buyer or an outsider. One must be careful about interfering in the market and with people's right to extract the best price when they decide to sell their holding. There are issues to be addressed but there is a positive story that can be sold. Notwithstanding what the Deputy says, Leitrim does not have the highest rate of afforestation in the country.

**Deputy Martin Kenny:** Agroforestry.

## Dairy Sector

28. **Deputy Jackie Cahill** asked the Minister for Agriculture, Food and the Marine the reason he agreed to European Commission plans to remove the fixed price for skimmed milk

powder for public intervention stocks in 2018; and whether he will make a statement on the matter. [7417/18]

**Deputy Jackie Cahill:** I would like to ask the Minister for Agriculture, Food and the Marine the reason he agreed to the European Commission's plans to remove the fixed price for skimmed milk powder for public intervention stocks in 2018, and if he will make a statement on the matter. There was always a fixed amount of product bought at a fixed price, amounting to 109,000 tonnes. How come the Minister allowed it to be put on a tendering basis for 2018?

**Deputy Michael Creed:** I thank the Deputy for the question. As he is aware, the Irish dairy market, following on from broader EU and international trends, is currently in a much improved position compared to the relatively recent past. Of course, we remain extremely vigilant in monitoring the current market and emerging trends, particularly as we approach the peak period for Irish milk production.

While the overall dairy sector is now in a much better place, particularly at the farm gate, the issue of intervention stocks overhanging that particular market remains a cause for concern arising from the significant recourse to this market measure for skimmed milk powder across the EU since September 2015.

There are now approximately 376,000 tonnes of skimmed milk powder in public intervention stocks, effectively overhanging the EU skimmed milk powder market. My Department and I engaged at Council of Ministers meetings and directly with the Commission on recent measures to limit further stockpiling of skimmed milk powder in 2018 without due justification, including the Commission's proposal to reduce the fixed-price ceiling to zero, to which the Deputy refers. I strongly argued that this measure should be specified as for 2018 only to avoid setting a precedent for the longer term. This point was accepted and agreed in the final version of the measure as adopted by the Council through Regulation No. (EU) 2018/147 of 29 January 2018, which came into effect the following day, 30 January.

I have clearly stated previously, at Council of Ministers meetings and elsewhere, that it is imperative that the Commission remains vigilant in monitoring the market and that it have contingencies in place in the event of market volatility re-emerging, particularly in relevant markets, particularly the raw milk, butter and skimmed milk powder markets. In common with the vast majority of EU member states where dairy production is of significance, I recognised that the current position on existing stocks could not be allowed to persist indefinitely and that there is general acceptance that doing nothing is not an option.

It is important to note that this measure does not represent a change to the fundamental provisions of the intervention mechanism, nor to the necessary supports that intervention provides during periods of market volatility. Ireland has welcomed and made use of intervention during such periods of instability. This measure responds and is framed around a very specific set of circumstances, namely, very significant intervention stocks of skimmed milk powder, a significant divergence between skimmed milk powder and butter prices in negative and positive directions, respectively, and a generally more favourable market context in the EU dairy sector, including the farm gate in respect of more recent raw milk returns.

I have clearly stated the system, as it evolves, will need to display flexibility in respect of adapting to market contingencies, including flexibility around proposed skimmed milk powder buying-in prices at tendering rounds, to react to the broader market situation at any given time.

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The issue of current stocks cannot be disentangled from the issue of managing skimmed milk powder intervention in 2018 and beyond, however. The issues involved, with respect to both market management and sentiment in the sector, are complex and require ongoing careful management. Given the Commission's status among the world's biggest players on the skimmed milk powder, SMP, market, and as such its capacity to affect market sentiment, it would be appropriate that it continues to act prudently and responsibly in the disposal of stocks. I am satisfied to date that the Commission has managed those stocks in a prudent manner. My Department has engaged and will continue to engage with the Commission, with other member states, and with national stakeholders on these important issues.

**Deputy Jackie Cahill:** The Minister gave a very comprehensive reply but, unfortunately, I disagree completely with what he said. In fact, the Minister has reneged on his responsibility to Irish dairy farmers. He has allowed the Commission to set the precedent of taking away the floor price from milk. In 2016, only for the fact that all the product that was going into intervention was bought at a fixed price, milk prices would have gone into the middle teens or below that. The Minister has now allowed the Commission to operate a tendering system for the purchase of skimmed milk powder, which means in essence there is no floor under milk prices in 2018.

In 2017 the price of skimmed milk powder never went above the intervention price. In fact, a lot of product was sold by Irish processors under the intervention price rather than put the product into storage. The Minister has now given the Commission a weapon in that it can buy skimmed milk powder at whatever price it wishes, going forward. That is a hugely dangerous precedent to set. I accept there is a lot of skimmed milk powder in intervention and the reports we hear are that the Commission is prepared to sell that at a very low price. The Minister has now given it the weapon to purchase product for intervention at a low price as well. He has fundamentally changed the rules by which price supports operated. It was written in stone that 109,000 tonnes could be purchased each marketing year at a fixed price. The Minister has allowed the Commission to move away from that and it is incorrect for him to say he is not setting a precedent. He cannot expect Irish dairy farmers to accept that because it is unacceptable. We had set a precedent and we have now allowed the Commission to take away the floor price for dairy products.

**Deputy Michael Creed:** Deputy Cahill should be cautious in terms of making the point that what I believe to be a prudent measure is removing the floor from dairy prices. I draw his attention to the fact that one of the leading processors in the Irish dairy market has maintained the price for milk in January at the price paid for milk in December. Many processors may only need an excuse to begin to drop the milk price and Deputy Cahill should be careful in the comments he makes.

I will just make a couple of other interesting and relevant points. In the event of increased volatility in the marketplace, these changes do not remove the capacity of the Commission to buy into intervention. It is not closing the door on further intervention.

It is ridiculous in the extreme to argue that a €650 million overhang in the market, which is what the value of those stocks are at the moment, does not impact on the market of itself.

**Deputy Jackie Cahill:** I object to the Minister saying I am trying to talk down milk prices. As a dairy farmer and a man who represented dairy farmers for years that would never be my objective.

It is incorrect of the Minister to say he has not taken away the floor price. It was written in stone that 109,000 tonnes had to be bought at a fixed price. The Minister has allowed that to be taken away. Let us deal in facts here. Climatic conditions and world supply will dictate the price for 2018. Neither the Minister nor I will have any say in where the milk price sits for 2018, but the fact is that he has given the Commission the weapon to allow it to buy product into intervention at any price it wishes. That was never the case heretofore. The Minister has re-neged on his responsibility to ensure there was a floor price for Irish dairy products. Hopefully, we will not need that floor price in 2018 but unfortunately we needed it in 2016. Skimmed milk powder never rose above the intervention price in 2017. Now we have given the Commission a mechanism to buy product at whatever price it wishes. In 2016 it took in all the product at a fixed price and that was what kept the floor in the market but that floor is not there in 2018. I hope we will not need it but the issue will be outside my control and that of the Minister and it will depend on world supply. The amount of milk that Glanbia buys in January for manufacturing is very small.

**Deputy Michael Creed:** To use a different analogy, if Deputy Cahill was going to Thurles mart with only calf for sale at the mart on that day, that would be fine, but if there are a couple of hundred calves in the pens outside, that will impact on the market price that is available on the day.

If there is an overhang of value worth €650 million in skimmed milk powder on the market, that of itself is an influencer on the market. The response is a prudent one and does not take away the instrument of intervention and there may be further purchases of intervention in 2018. It is a time measured intervention in that it will apply for 2018 only. Anybody who would argue that we should have done nothing and maintained the *status quo* is wilfully ignoring the fact that skimmed milk powder of that volume and value is of itself an influencer on the market.

### **GLAS Payments**

29. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine his strategy to overcome intractable problems faced by thousands of farmers who still have not received GLAS payments; his views on the high level of complaints regarding the operation of GLAS payments; the actions he plans to take to address this; and if he will make a statement on the matter. [7226/18]

**Deputy Willie Penrose:** The Minister is aware of the perennial problem of delays in GLAS payments. Is the Department prepared to chronicle the problems that were identified in relation to the 2017 payments that were the cause of the significant delays and send them out to Teagasc advisers, agri-consultants and planning consultants to ensure that everyone who applies for GLAS payments and is entitled to them is paid in a timely fashion? Is it the case that an overly bureaucratic view or assessment is leading to delays over piddly-widdly things, as they say down the country?

**Deputy Michael Creed:** Let me start by pointing out that, with regard to payments, 2017 was a record year with over €1.6 billion paid by my Department to farmers. On GLAS, given that the first approvals under the scheme run from October 2015 I consider it is a remarkable achievement to have exceeded the rural development programme target of 50,000 GLAS participants within a period of 15 months. Last year we paid out almost €200 million on GLAS and since the new year we have paid a further €22.8 million.

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The overriding factor in the processing of all EU-funded schemes is to ensure that all regulatory requirements are respected in issuing payments. This includes the requirement that payments cannot commence until after 15 October annually.

As of today, there are 49,700 active participants in the GLAS scheme and 93% of those eligible have received their 2017 advance payment since these payments commenced. In addition, GLAS training payments to both participants and approved GLAS trainers have commenced with over €6.3 million issued to date.

Fewer than 6,000 cases continue to be processed of which approximately 2,700 are a matter for the GLAS participants themselves, and there is nothing my Department can do to pay those until they complete the necessary steps themselves. Payments are continuing as we speak and will continue until the remaining payments are cleared. My Department is communicating further with those affected to prevent further delays to payments. I expect the 2017 balance payments to commence by the end of May and appeal to all applicants to ensure that required documentation is submitted to facilitate these payments.

Updates are published weekly on my Department's website and clearly show that progress is being made in reducing outstanding cases. It is important that any such request from my Department to a GLAS participant is responded to as the information requested is essential to finalise all checks.

**Deputy Willie Penrose:** The Minister has not outlined the nature of the checks and the problems identified. Perhaps a lot of people in here do, but I do not hold any torch for the IFA. However, it has set up a service unit that is used by between 55 and 60 farmers a week. It identified between 800 and 900 farmers in the space of a few months. Surely to God a lot of people are in the system and not everybody comes into it new. There should be a freeflow system. I often think there is somebody in the Department trying to identify problems. The Minister said 3,500 people will not get a shilling until May. He said there are approximately 6,000 cases outstanding and 2,700 have to get back to the Department with little bits and pieces in terms of failure to provide nutrient plans, for example. What is the cause of delay for the remaining 3,300? The Minister outlined that there are approximately 49,700 active participants in the GLAS scheme and 43,200 of those have been paid.

Could the Minister indicate whether there is a problem with the famous computer that is in the Department? I have no time for computers. I still write letters in the old fashioned way. That computer is famous. It caused many headaches and much heartache. I am unsure whether the Department ever got it fixed, but I would be grateful to find out whether it is playing a role again.

**Deputy Michael Creed:** I do not accept that there is a significant information technology issue in the Department. The outstanding payments go through a series of regulatory checks. The green low-carbon agri-environment scheme is complicated. Multiple actions have to be compatible with individual plots on farm holdings which, in turn, have to be referenced to the basic payment application of the farmer. There is a degree of checking to ensure eligibility with the basic payment application. Plot actions then come into it for individual plots and so on. The Department is waiting for information from certain people, including information on nutrient management plans, commonage management plans, rare breed actions and low emission slurry spreading. That is primarily what is sought by the Department. We suspect a cohort of applicants have disengaged from the process entirely and are no longer active. We are in the

process of trying to communicate with them directly and through their advisers to see if they are still participating in the scheme or have, in fact, walked away from it. In some cases there has been no action or communication on the application for several years since the scheme was introduced in October 2015. We suspect some of them are in that category.

I do not have the figure for last Friday, although I suspect it is on the Department's website, but on the previous Friday we made in the region of 1,200 or 1,300 payments. We are clearing payments as quickly as we cross-check references. When a farmer submits all of his or her details of low emission slurry spreading or rare actions, we have to cross-check all of them with the plots. We are clearing them as quickly as we can. There is no comparable problem to the problem this time last year with GLAS.

**Deputy Willie Penrose:** The Minister will be aware of the comments of the European Commissioner, Mr. Hogan, who several months ago said one of his aims was to streamline and minimise the level of bureaucracy and regulation which is strangling people. A farmer would want to have a PhD to get through it, given nutrient plans, the need for cross-compliance and everything else. Most of this stuff is absolutely silly. I have a brother at home who is farming. I would not take it up now and I have a master's degree in agriculture. Half of it is nonsense and it is time to cut it out. I have a case in which a farmer has land that is about 15 cm away from where trees should be sowed and the decision in the case is now being appealed. The Minister should cut out the nonsense and tell those responsible to cop themselves on. It makes no sense to put stuff back to within a few centimetres of where it is. That is the problem and the reason for the difficulty. If a case does not fit into the nice seamless system in the Department, the officials are on the back of the unfortunate farmer in the middle of somewhere. A farmer in suckler cow country does not have much income at this time of the year and getting a few shillings under this scheme could be critical.

**Deputy Michael Creed:** It is a complex scheme to administer and I take the point the Deputy is making. One of the objectives the Commissioner has set for himself in the context of the CAP post-2020 is greater simplification. We could all do with revisiting and embracing that objective.

I make the point that the Commission carried out a public consultation process which showed that there was considerable public support for the Common Agricultural Policy and providing an adequate budget for it. However, it was linked with the fact that the Commission wanted farmers to meet greater ambition in respect of sustainability of the environment. That is our flagship scheme in this area. Simplification will be a key objective in the revision of schemes. Payments will have to reflect the outcomes farmers are achieving. I take the point made. We are working flat out, as we receive the necessary information from individual farmers, to pay them as quickly as possible. However, there is a cohort from whom we are awaiting information.

### **Fodder Crisis**

30. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine to set out the number of applications received under the fodder aid transport subsidy scheme; when payments will issue; his plans to reconsider introducing a meal voucher scheme; and if he will make a statement on the matter. [7418/18]

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**Deputy Charlie McConalogue:** Will the Minister for Agriculture, Food and the Marine set out the number of applications received thus far under the fodder aid transport subsidy scheme? When will payments issue? Will the Minister reconsider the approach and introduce a meal voucher scheme rather than the foolhardy approach he has taken? He has arranged for a subsidy for an already scarce fodder resource to transport it throughout the country.

**Deputy Michael Creed:** To provide assistance for those livestock farmers severely affected by ongoing fodder shortages, mainly in parts of the west and the north west, I introduced a targeted fodder transport measure. It operates through the co-operative structure. The aim is to partly offset the cost of transporting fodder between those areas where it is available and those where it is scarce. The measure applies only to fodder purchased in the period from 29 January to 20 April 2018.

In advance of the introduction of a fodder transport scheme I prioritised the payment of farm supports to assist farmers with cashflow. Payments under the basic payment scheme, the areas of natural constraints measure and the agri-environment scheme injected over €1.4 billion into the rural economy by the end of last year. These payments are providing a welcome boost for Irish farm families and will help to finance additional fodder purchase, where necessary.

I have also asked Teagasc, through its farm advisory service, to identify farmers who are most at risk of running out of fodder, provide them with support to carry out fodder budgeting on their farms and explore all feasible options to ensure they will have sufficient feed for the coming winter months. I consider the current scheme to be an appropriate response to the fodder challenge in the west and north west.

As of last Friday, 9 February, no applications had been received under the scheme. It is important to understand the application process. Farmers apply for the contribution towards transport having already secured fodder through their local co-operative. Pre-application in advance of securing fodder is, therefore, not required and early applications are not envisaged. A valid application requires the submission of a completed forage budget form, a completed application form, a completed co-operative declaration of transport and purchase of forage.

I have no plans to introduce a meal voucher scheme. There continues to be adequate fodder available nationally. My Department will continue to monitor the position.

**Deputy Charlie McConalogue:** I am not surprised that the Department has not received any application yet because the applications process is exceptionally obscure. It is altogether unclear to the farming community. It has really been designed as no more than a public relations stunt by the Minister to try to give the impression that he is doing something to address the issue. In fact, the outcome of what he is doing will be an increase in the price of what is an already scarce fodder resource. Farmers who go to meetings or talk to farm advisers about how to deal with the fodder shortage are advised by professionals and Teagasc officials to use grain-based concentrates to try to make the already scarce supply of fodder stretch, yet what does the Minister do? He gives a subsidy to transport wet silage from one end of the country to the other rather than follow the professional advice. He has made the scheme as obscure as possible and it is difficult for farmers to apply. I appeal to him even at this late stage. A small number of areas are affected, but many farmers are facing an acute problem. Will the Minister look at adopting a more sensible approach and introduce a meal voucher scheme instead?

**Deputy Michael Creed:** I encourage farmers to consult and adhere to the advice of their

farm advisers, whether they are Teagasc or private advisers. In many instances, the advice will be to stretch the fodder they have available. It may well be that purchase of meal or beef nuts or whatever else might be the more appropriate route for them to follow rather than purchasing fodder. Under the scheme my Department has announced a subsidy is available towards the cost of transport over a prescribed distance from the applicant. That is appropriate in the context of a solution where that is identified as the necessary response. I do not intend to introduce a meal voucher scheme. The current scheme, as constructed, is an adequate response.

**Deputy Charlie McConalogue:** The Minister is encouraging farmers to listen to their agricultural advisers and primarily use grain-based concentrates. That is the policy advice to deal with the fodder crisis and what farmers should do. They should listen to professional advice, but the Minister has decided to take a different approach. He has decided to bring forward a subsidy to transport silage and hay from the other end of the country, which is not what the professionals are advising. He has decided not to operate that scheme alongside a meal voucher scheme, which is the response advised. Instead, he has decided to do it on a stand-alone basis. If farmers go down the route of availing of the Minister's subsidy, it will lead to increased demand for an already exceptionally scarce fodder resource. It will take farmers away from the professional advice, which is to deal with the fodder crisis through the use of additional grain concentrates. The Minister is not following his own advice. He is telling farmers to do what he says but not what he does. It defies logic. The Minister is also making the process so obscure that it is exceptionally difficult for anyone to engage with it. Despite this, he is somehow able to say he might do something about the problem. If his scheme was to work, it would be counterproductive.

**Deputy Michael Creed:** For the purposes of clarity, my Department is not purchasing meal, silage or hay but providing a transport subsidy. The original case made to the Department was that there was no fodder available, primarily in the west and the north west. While there is a challenge in certain pockets of the country, there is no widespread shortage of fodder in the north west and certainly not nationally. Before coming to the House, I visited one of the widely used online applications for the sale of fodder. When I refined my search by region, I found that more than 163 people in the west and the north west were offering fodder for sale.

**Deputy Charlie McConalogue:** I ask the Minister to reconsider the approach he is taking. The advice is and should be to use grain-based concentrates because increased demand for them does not lead to increased prices as they are bought at a world price and much of the grain has been imported already. When a transport subsidy for grass-based fodder is provided, the cost to the farmer is the purchase price and the cost of transport. The Department's scheme increases demand for grass-based fodder, thereby increasing the price. The Minister will not change his approach, but his response has been much too late, exceptionally ineffective and ignores the advice agriculture professionals are giving farmers on how to address the issue.

**Deputy Michael Creed:** On the contrary, the evidence suggests all the clamour for the State to produce its cheque book and buy fodder led to the withholding of fodder and inflated asking prices. The Department's approach is introducing a degree of realism in the marketplace for fodder locally, as is right and proper. Our intervention acknowledges that there may be instances where there is a requirement to transport fodder over long distances. The evidence available online is only one straw in the wind. If the Deputy picks up any of the weekly farming publications, he will see other offers of fodder for sale in the regions. There is not a national or regional fodder shortage but localised shortages in some areas which can be dealt with by engaging with the advisory service. Where it prescribes that fodder needs to be made available,

my Department will support the transport of fodder under the scheme.

## Other Questions

### Beef Data and Genomics Programme

31. **Deputy Martin Kenny** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the fact that the latest communication to farmers from his Department on the beef data genomics programme listed the star rating of cows but not their eligibility for the programme; and if he will instruct his officials to include eligibility information in such communications. [7157/18]

**Deputy Martin Kenny:** The Department's recent communication on the beef data genomics programme lists the identification numbers and star ratings of cows in the scheme but does not indicate whether they are eligible. The scheme is complicated and involves three and four star designations for cattle and rules that apply to cattle bought into a herd after 2013. Given that the Department has all of the relevant data, it would be simple to include in the communication an additional column indicating that a cow was either eligible or non-eligible, possibly using the abbreviations "E" and "NE". This would simplify the process for farmers who will be required to have a certain number of animals in their herd that are fully eligible or have money clawed back.

**Deputy Michael Creed:** To be eligible as a suckler cow or replacement heifer under the beef data and genomics programme, BDGP, the animal must be rated either four or five star, genotyped, at least 16 months old and born in 2013 or later. In respect of BDGP II, the animal must have been born in 2015 or later. All of this information is already shown on the profiles being sent to programme participants. The farmers are also being given a one-page euro star summary of the females in the herd showing the number of reference animals in the herd for BDGP and the percentage that are four or five star. Participants will be required to have at least 20% of their reference number of animals at four or five star by 2020. All of the data being sent are intended to help farmers with their breeding and replacement decisions in the run-up to 2020.

The genotyping carried out on animals since the inception of the beef data and genomics programme in 2015 and male pedigree calves under the beef genomics scheme 2014 enable the Irish Cattle Breeding Federation, ICBF, to assign a star rating based on a number of traits, including fertility, milk, easy calving and docility. Evaluations of the animals are undertaken by the ICBF three times a year, with a hard copy of the evaluation reports issuing to all BDGP participants once a year. The evaluations indicate which animals will be eligible to meet the replacement requirements of the BDGP. A text message issues to all participants on the other evaluations advising that they are available online.

**Deputy Martin Kenny:** While the Department's communication indicates the star rating of the animals, it does not state whether they are eligible under the scheme. Many farmers, particularly those with large herds, are having difficulty in identifying the category into which their herd falls. The Department has all of the relevant information and only needs to communicate it to farmers.

While the beef data genomics scheme has worked well for some farmers, others are experiencing difficulties with it. We have an opportunity to do more with it. The former suckler cow scheme is often discussed. Would it be possible to improve the BDGP to deliver more value for farmers, for example, by paying them for better husbandry to ensure calves are reared better, rather than focusing solely on breeding? Farmers buying weanlings at marts in my part of the country tell me that they are not as good as they were five, six, seven or ten years ago. The beef data genomics scheme is supposed to be producing better calves, yet many of the farmers at marts state that is not the case. Animal husbandry and the way calves are being reared and weaned are among the reasons for this.

**Deputy Michael Creed:** I was at a mart on Saturday last where I watched sales of weanling cattle. I was struck by the high quality of what was being produced, both from the suckler herd and from calf to beef. This was reflected in the number of interested buyers. I accept the Deputy's comments on buyers with whom he has engaged. The beef data genomics programme is an effort to improve the genetic merit of the herd through better fertility, earlier finishing of cattle and so forth, all of which are important.

The BDGP benefits approximately 25,000 farmers, of whom an estimated 800 are below the 20% requirement for four or five star breeding females that must be reached by 2020. This is not an alarming number. The Department, in conjunction with the Irish Cattle Breeders Federation, will hold a series of public meetings to create greater awareness of the obligations under the scheme well in advance of the deadline. No scheme is perfect and communications can always be improved. I am sure the meetings will assist farmers in that regard.

As a direction of travel, the beef data genomics programme has the potential to do on the beef side what the economic breeding index, EBI, has done on the dairy side for many years. It will be a long process which will require an ongoing commitment from the industry to genetic improvement. The programme makes a start and can achieve much more.

**Deputy Martin Kenny:** I agree that the scheme could achieve much more. The core issue is that it is extremely complex and needs to be simplified for many farmers. Unfortunately, certainly in my part of the country, many farmers find the scheme extremely complex and some are opting out of it for this reason. The Department has an opportunity to engage with farmers to simplify the process. "Simplification" is a buzzword we often hear, even when we visit Brussels, and it would not be hard to simplify the BDGP. All the Department needs to do is indicate to farmers which cows are eligible and not eligible alongside the star ratings. The current system is complex and farmers must try to work it out for themselves. My proposal could be easily implemented.

**Deputy Michael Creed:** I take the Deputy's suggestions in the spirit in which they are offered. The pilot meetings envisaged by the Department and direct engagement with farmers at that level will provide an important opportunity to explain the scheme further to individual participants. As I stated, approximately 800 of almost 25,000 participants do not meet the required targets, but they have considerable time in which to do so. The Department will certainly consider at the forthcoming meetings the issue of providing for better communication.

## Trade Agreements

32. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the status of the latest Mercosur talks at European Union level; and the measures he is taking to protect Irish beef farmers by ensuring that beef does not form part of any final Mercosur deal. [7148/18]

**Deputy Charlie McConalogue:** This is to ask the status of the latest Mercosur talks between the European Union and the four South American countries involved and the measures that the Minister and the Government have taken to protect Irish beef and ensure a final Mercosur deal does not lead to a drop in price and the viability of many farms as a result.

**Deputy Michael Creed:** There has been recent engagement between the European Union and Mercosur negotiators on the finalisation of a trade deal. My understanding is there are a significant number of areas of disagreement, both offensive and defensive, between the parties, including in the agrifood sector with respect to ethanol, sugar, geographical indications, beef and dairy. Ireland's position is well understood with respect of beef and it has been communicated at the highest level. It has been reiterated many times by me at Council of Agriculture Minister meetings and through direct contacts with Commissioners Hogan and Malmström. It has also been set out by other Ministers in the relevant EU trade policy fora and by the Taoiseach at European Council and through his own direct contacts, most recently with European Commission President Jean-Claude Juncker and French President Emmanuel Macron. My colleague, the Minister of State, Deputy Andrew Doyle, also made a very strong intervention on this point at the Council of Agriculture Ministers meeting in Brussels on 29 January.

We have worked hard to build a coalition of member states that share our concerns about further agricultural concessions by the European Union in the negotiations and who consider that their offensive interests have not been adequately addressed. Of course, other member states strongly support the conclusion of a deal on the balance of their broader economic interests. Ireland has argued that full account must be taken of the findings of the Commission's own assessment of the cumulative impact of trade deals on the agrifood sector and that the uncertainty around Brexit has the potential to exacerbate an already delicately balanced EU beef market. We will continue to work with other member states to ensure the interests of European Union agriculture are protected in the negotiations.

**Deputy Charlie McConalogue:** As the Minister knows, there is tremendous concern among the farming community and beef farmers in particular as to the impact of the Mercosur deal on the beef sector, as well as what has been offered already as part of the negotiations. It is quite clear an offer of 70,000 tonnes has been made by the European side to the four South American countries in Mercosur. The EU's impact assessment indicates that to have a significant amount of beef of that nature coming into the EU could lead to up to a 16% drop in the EU beef price. This is particularly if this relates to prime cuts of beef. I am sure the Minister has a read on that. Will the Minister update us on the offer of 70,000 tonnes? Does it relate primarily to prime cuts? The 70,000 tonnes would represent approximately 1% of the overall EU beef market, but if it was 70,000 tonnes of prime cuts, it would represent 10% of the total EU prime cut market. Those are the most expensive and highest value cuts of beef so there would be a significant impact on the profitability of beef farming as a result. Has the Minister any feedback in that respect? What is the Department's assessment of the impact this would have on Irish agriculture if the deal proceeded?

**Deputy Michael Creed:** The offer of 28 September last year contained a quota of 35,000 tonnes of fresh beef, including an unspecified quantity of high quality beef, phased in over six years at an in-quota rate of 7.5%, as well as 35,000 tonnes of frozen beef, again over six years at 7.5%, with an unspecified amount of this to be dedicated to further processing. I share the Deputy's concern. We are not happy with the 70,000 tonnes that has been offered. The Deputy makes the point about Brexit and the Commission's cumulative impact assessment, which are significant indicators of the problem this would create in the European beef market. It is a static, if marginally increasing, market in terms of consumption levels. We have been working assiduously with like-minded member states on this and the French are the most important ally we have in this context.

It is true to say there are very significant other forces across the European Union favouring a deal and which would willingly trade beef access for access to other agricultural or industrial products. It is a real battle. I have been in contact with Commissioners Hogan and Malmström and I have spoken with the French Minister on a number of occasions about the matter. It is a real cause of concern.

**Deputy Charlie McConalogue:** There is no doubt there are significant forces across the European Union that would be quite satisfied to trade beef for concessions in other sectors of the economy. Why would they not? They are not being exposed or taking a financial hit. The reality is the country taking the biggest financial hit will be Ireland because we are such a significant exporter of beef. It behoves us to take a hard line and push against that so we can have an impact and get results. Unfortunately, I have seen that, whereas there is lip service coming from our Government on the concerns, the reality is that at the European level, this is driving on ahead. The offer has gone to 70,000 tonnes and we have every reason to believe it went to 99,000 tonnes at the last negotiation round.

I see from replies to parliamentary questions which I put to the Minister that 70,000 tonnes had been offered in the last round but "our determination is not to have this exceeded". The Government is sort of folding the tent on the 70,000 tonnes offer. Likewise, the Taoiseach has not at any stage clearly said we will object to the 70,000 tonnes offer and we will not have it. The reality is the Government is having it and Europe is plugging on ahead. Unless we see a hard line taken by the Minister and the Taoiseach we will not just be faced with the 70,000 tonnes already agreed but a lot more. Ireland and Irish beef will carry the can for the deal.

**Deputy Michael Creed:** I assure the Deputy and the House that the Government and I remain absolutely steadfast in our opposition to a Mercosur trade deal involving significant volumes of beef. We have indicated clearly we are unhappy with the 70,000 tonnes offer for obvious reasons including, as mentioned, the Brexit scenario and the Commission's cumulative impact assessment. The European Council and its decision making process is made up of many member states with many competing interests. We are one voice but we have built a coalition of like-minded member states on this. We are doing everything we possibly can to ensure the view holds sway. At this stage, the negotiations are at a point where the next move with respect to impediments to a deal will come from the Mercosur negotiators. We remain constantly engaged on the matter with every player involved, including Commissioners Hogan and Malmström. I am in contact with like-minded member states, particularly the French, to ensure we get the best possible deal.

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## Dairy Sector

33. **Deputy Pat Deering** asked the Minister for Agriculture, Food and the Marine the way in which dairy exports performed in 2017; and if he will make a statement on the matter. [7012/18]

**Deputy Pat Deering:** How did dairy exports perform in 2017 in view of the fact that dairy production has increased by over 9% in the past year? In December alone there was a 13.7% increase in dairy production. I recently read an article produced by a man mentioned earlier, Commissioner Hogan, in which he made the point that alarm bells should be ringing with respect to dairy expansion. There is a perfect storm building involving Brexit, oversupply and Food Harvest 2025, with certain targets for increasing dairy production.

**Deputy Michael Creed:** Analysis from Bord Bia and my Department, both based on Central Statistics Office, CSO, data, demonstrates the resilience of the Irish food and drink export sector and the dairy export sector in particular. Whereas full-year CSO data becomes available towards the middle of this month, estimates made by Bord Bia for their annual performance and prospects publication provides a positive assessment of Ireland's performance in 2017, as well as our prospects for 2018 in both the food and drink sector and the dairy sector in particular.

The year 2017 was the eighth consecutive year of export growth for the food and drink sector as a whole, with the dairy sector, which comprises more than a third of the total, having the strongest performers in terms of export growth for the year. Bord Bia analysis indicated that for the year as a whole the value of food and drink exports is estimated to have increased by 13%, or €1.5 billion, to €12.6 billion, representing growth of almost 60% or, €4.7 billion, since 2010. When one adds exports of other primary products, such as hides and skins, animal foodstuffs and forestry products, the final aggregate total for the entire agrifood sector can be expected to be in the region of €13.5 billion in 2017.

Furthermore, driven by increased production and higher dairy market returns, the analysis indicates that Irish dairy exports increased by 19% in 2017 to €4.02 billion, an increase of €655 million.

*5 o'clock*

It should be noted that this figure as used by Bord Bia excludes dairy-based prepared consumer foods, as well as enriched dairy-based powders which, if included, increase the export figure for dairy related products by a further €900 million approximately.

On the prospects for 2018, as a small, open economy, Ireland's relationship with trading partners around the world is a key driver of our success in this global food business. Based on this, we can say the prospects for dairy exports in 2018 look positive. The rates of growth recorded in 2017 for key product areas and the ongoing demand levels in Europe and international markets for powder-based products, butter and cheese bode well, as does the fact that wholesale prices remain very high, reflecting international demand. Ireland exports more than 85% of its milk and dairy produce to markets all around the world. In the context of the Food Wise strategy and as a key part of the Brexit response, Bord Bia, my Department and I will continue efforts to widen our access to third country markets, as well as deepen existing trading relationships, including through inward and outward trade missions.

**Deputy Pat Deering:** There is no doubt that the export of food products has been the good news story for the past few years. One could argue that without the agriculture sector the

economy would be in a far worse place than it is. In view of the fact, for example, that dairy exports to the United Kingdom dropped by approximately 10% in 2016, are we finding alternative markets? The United Kingdom is our nearest market and a key player. What efforts have been made to find alternative markets? The Minister referenced some markets, but what efforts have been made and where exactly are we headed?

**Deputy Michael Creed:** One of the most welcome aspects of the Bord Bia publication in January was that, while the value of our exports to the United Kingdom had increased in financial terms, the volume of exports to the United Kingdom had dropped from almost 40% in 2016 to 35% in 2017. This is a vindication of our strategy to try to find new markets, both within the rest of the European Union and in third countries outside it. Interesting figures include the rate of growth in exports to Asia in 2017 of 6% to €850 million. The level of trade with Africa recovered by almost 20% to a value of over €200 million. Exports to the Middle East were stable, at approximately €290 million, while the value of the North American market grew by 7% to approximately €270 million. It was driven particularly by growth in exports to Mexico and the United States. At more than €650 million, China accounts for approximately 37% of our international dairy trade and 16% of our total dairy exports.

**Deputy Pat Deering:** I thank the Minister for those figures. It is encouraging to see that we are moving further afield. Some of our products are particularly perishable and may not reach these destinations in time. Should we be diversifying some of our products at this stage? For example, at 85%, the British market is our main market for cheddar cheese. How will we replace that market? It is a key concern in the context of Brexit, in particular. If events do not go in a very satisfactory way, that market could be totally wiped out.

**Deputy Michael Creed:** The exposure of the dairy industry to cheddar cheese exports to the United Kingdom is a particular concern in the context of Brexit. As the Deputy mentioned, it will be difficult to find a home for all of the 80,000 tonnes on international markets. I took part in a recent trade mission to Korea and Japan where those involved in the dairy industry saw some prospect of increasing the volume of cheddar exports. If, in the context of a hard Brexit, it was no longer financially viable to export to Britain, we would be faced with a significant challenge. Therefore, in the recent budget we committed to the provision of funding for Teagasc for the development of a food innovation hub at Moorepark. The rationale is that the food industry could leverage the expertise of Teagasc and research at UCC to research new product formulations for dairy products and also to see how it might test and bring to a conclusion research with a view to the substitution of cheddar. That is part of the strategy.

### **Fodder Crisis**

34. **Deputy Niamh Smyth** asked the Minister for Agriculture, Food and the Marine the reason for and his plans to review his Department's decision to leave out farmers in counties Cavan, Monaghan, Longford and Roscommon from the right to avail of the fodder transport subsidy; and if he will make a statement on the matter. [7114/18]

**Deputy Niamh Smyth:** Will the Minister clarify if farmers in counties Cavan and Monaghan are eligible for the fodder transport scheme? Given that there is some confusion about it, will he throw some light on the application process.

**Deputy Michael Creed:** Weather conditions for much of last autumn were challenging for

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farmers in some parts of the west and the north west, in particular. Difficulties in harvesting fodder in some of these areas were compounded by the need to house livestock earlier than usual, resulting in additional pressure on fodder supplies over the course of the winter. To immediately address this issue I prioritised the payment of farm supports to assist farmers with cash flow. The European Commission agreed to this request, informed in part by the poor weather conditions of last autumn, for an advance payment of the 2017 basic payment measure and agri-environmental measures. These payments commenced at the earliest date possible - 15 October 2017 - and balancing payments issued in early December 2017. These payments, together with those issued under the areas of natural constraints measure, injected more than €1.4 billion into the rural economy by the end of last year and are providing a very welcome boost for farm families and will help to finance additional fodder purchase, where necessary.

At this time I also requested Teagasc, through its farm advisory service, to identify farmers who would be most at risk of running out of fodder and provide them with support to carry out fodder budgeting on their farms and explore all viable options to ensure they had sufficient feed for the winter months.

In order to provide additional assistance for those livestock farmers severely affected by ongoing fodder shortages, mainly in parts of the west and north west, I introduced a targeted fodder transport support measure, operated through the co-operative structure, to partly offset the cost of transporting fodder between those areas where it was available and those where it was scarce. This measure applies only to fodder purchased in the period from 29 January to 20 April 2018.

While the areas identified by Teagasc as being the most affected are predominantly located in parts of the west and the north west, the measure is not county specific within the region. Teagasc is also monitoring the fodder situation in adjoining areas and will carry out further assessments, if necessary. Like all measures, certain criteria apply. Farmers in a locality within the region identified by Teagasc as having a significant fodder shortage, having completed a fodder budgeting exercise with their Teagasc adviser, will be eligible to receive a financial contribution towards the cost of transport of fodder sourced through the co-operative system. Only the shortfall in fodder will be eligible to receive support under the measure.

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

Teagasc assessment of whether there are significant forage shortages in specific areas is ongoing. It is important to emphasise that this is a targeted and locally focused measure, centred on areas of fodder scarcity that normal local trading in fodder cannot service. The measure will provide a financial contribution of €8 per standard bale of hay or straw for feeding and €12 per standard bale of silage or haylage towards the additional cost of transporting the fodder from the east and the south of the country to the affected areas of the west and the north west. Farmers will still pay the cost of the fodder in the normal way. To ensure normal local trade in fodder is not disrupted, a minimum transport distance of 100 km will apply.

Financial assistance under the fodder transport support measure is payable in accordance with Commission Regulation (EU) No 1408/2013 on *de minimis* aid in the agricultural production sector. No applications for support under the measure were received up to last Friday, 9 February. Processing and verification of applications for support will be carried out in a timely fashion.

Full details of the operation of the measure, including application forms and Department contact details, are available on my Department's website.

**Deputy Niamh Smyth:** I take it from the Minister's comments that farmers in counties Cavan and Monaghan can apply for the scheme. As he knows, we have suffered a significant amount of rainfall and the problem is getting worse. There has been huge flooding across agricultural lands in counties Cavan and Monaghan where farmers are coming under increasing pressure. They do not have enough fodder to keep their cattle fed, which is placing significant financial pressure and strain on already hard-pressed farmers. While the fodder transport scheme may provide some limited relief, it does not address the problem if introduced as a stand-alone support. In fact, it could exacerbate the fodder crisis. My colleague, Deputy Charlie McConalogue, has been front and centre on the issue and repeatedly called for a meal voucher scheme to be rolled out as a matter of urgency. Considering the huge underspend of €78 million in the Department last year, I do not see why such a scheme could not be introduced.

**Deputy Michael Creed:** I am sure the Deputy is not suggesting I spend someone else's scheme payment on a fodder scheme.

**Deputy Niamh Smyth:** No, just within the agriculture sector.

**Deputy Michael Creed:** In making her suggestion about the underspend she is suggesting just that; therefore, it is necessary to be careful. She was seeking guidance on what a farmer needed to do to avail of the scheme. Farmers need to complete a fodder budgeting form which is available through their Teagasc adviser who will certify that a farmer has insufficient fodder and will need assistance. The farmer will then need to submit a completed application form from the Department of Agriculture, Food and the Marine, as well as a completed co-operative declaration of transport and purchase of forage. They are the three steps. Teagasc will have to certify that there is a fodder shortage to ensure those not deemed to have a need will not piggyback on the system. There are localised pockets where there are needs. This applies in areas in which there is heavy ground, in particular. However, the issue is not widespread regionally. I made the point to Deputy Charlie McConalogue earlier that there were more than 750 people in the region to which Deputy Niamh Smyth alluded who were offering silage for sale in the locality on some of the online platforms available for trade in farming services. The scheme is to assist with the cost of longer hauls where fodder is not available locally. That evidence would suggest there is sufficient fodder in the region at present.

**Deputy Niamh Smyth:** I am not a farmer but I would say even the farming community is extremely confused. It sounds cumbersome. There are a number of steps to take to access what should be a simple scheme. More paperwork and more bureaucracy is not going to help farmers considering the pressure they are under on a daily basis in doing their job. I urge the Minister to take up the straightforward proposal made by my colleague, Deputy McConalogue, for the meal voucher, which gets to the heart of the problem. It would help fund the increased use of cereal-based concentrated feeds on farms in the worse affected areas and allow farmers to reduce significantly their requirement for grass-based fodder, which is also in short supply. I urge the Minister to make it simple and not cumbersome or complicated. Farmers need to get this money as soon as possible.

**Deputy Michael Creed:** As I said to Deputy McConalogue earlier, the scheme I have introduced assistance with the transport of fodder over long distances. It may well be the advice available to a farmer is to supplement existing hay or silage fodder he or she may have with

stretch rations. That may be the best and most appropriate thing for him or her to do. In the scheme I announced, we are not in the business of purchasing fodder, in the form of silage, hay or straw, or meal. The purchase is still the function of the farmer. We are assisting with transport over longer distances.

### **Common Agricultural Policy Negotiations**

35. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine if indications have been given at the EU Council of Agriculture and Fisheries Ministers in relation to funding level for CAP post 2020; and if he will make a statement on the matter. [7113/18]

**Deputy Brendan Smith:** Ireland must send out a clear message that it cannot countenance any reduction in the CAP budget post 2020. We all know CAP is of critical importance to farmers through direct payments. We also know those compensatory payments support our agrifood sector which has 174,000 people employed throughout the country. It is a key driver of economic activity throughout the country.

We need to get the message out that CAP is not just critical for farmers but that it is good for consumers and the environment as well. We want to get away from the lazy narrative that CAP is a transfer of funds to farmers. It is not. It is of huge importance for the environment, for consumers and for the agrifood sector.

**Deputy Michael Creed:** I thank Deputy Smith for his question. The future of CAP is an issue of enormous importance for the European and Irish agrifood sectors. The CAP has demonstrated its capacity to evolve effectively in response to changing market, consumer and environmental demands in recent years, to the point where it now plays a central role in delivering the smart, sustainable and inclusive growth sought under the Europe 2020 strategy.

The European Commission published its communication on the future of food and farming on 29 November 2017. It proposes a simpler CAP, with significantly more flexibility for member states, and a sharper focus on objectives and results, particularly in the environmental area. The communication covers many of the key issues and challenges for CAP post 2020.

However, the communication does not pre-empt the outcome of the multi-annual financial framework for the period 2020 to 2027. Initial proposals on this are expected to be published in May 2018. While no figures have been published at this point, the budget Commissioner, Mr. Oettinger, has indicated he sees future budgetary requirements being funded by a combination of additional contributions from member states and cuts in existing areas, including CAP. I recognise there will be pressure on the CAP budget post 2020, both as a result of the impact of Brexit and because of emerging funding priorities in areas such as security and migration. Nonetheless, I will continue to argue that a strong CAP budget is more important than ever against the background of Brexit and having regard to increasing global population and demand for food.

Of course ultimately the CAP is funded by taxpayers across EU member states. It is critically important against that background to reinforce the legitimacy and importance of the CAP, and its role in achieving European priorities and objectives in areas such as employment creation and retention, food security, food safety and quality, the protection and enhancement of the environment, the development of the rural economy and the prevention of land abandon-

ment and rural depopulation.

I assure the Deputy that Ireland will continue to do that, and to work with other member states and the Commission to ensure that the CAP continues to be funded appropriately from 2020 onwards.

**Deputy Brendan Smith:** Will the Minister outline what work is under way in maintaining and growing the strong alliances with like-minded member states that were there over the years and decades in protecting CAP and its budget. The Minister referred to the budget Commissioner's comments in respect of the multi-annual financial framework. Some detail will be available in May of this year. He also referred to the fact that at least 30% of the overall EU budget would be for CAP.

If that was realised, it would be of very serious concern to us. The budget from 2014 to 2020 is between 38% and 40% of the overall EU budget. In 2016, I think it was 38% of the total budget and by 2020 it is expected to be at 34%. For the budget Commissioner to state, even at this early stage, that it could be down to 30% has to be a source of concern to all of us who are interested in seeing CAP being protected and who realise the importance of CAP for the agrifood sector throughout Europe and for the rural economies as well.

**Deputy Michael Creed:** I thank Deputy Smith for his insights and analysis. We can have all of the ambition we want in respect of generational renewal and greater sustainability but if we do not have the budget, to which the Deputy referred, that is all wishful thinking. I see securing an adequate budget as the fundamental prerequisite to any of the rest. Commissioner Oettinger's commentary on CAP and the beady eyes of other Commissioners around the table looking at the other challenges the EU faces are a cause of concern. However, the Government would say Europe faces other challenges and security and migration come to mind. They could well learn from our experience that common problems could well do with a common approach. However, that is not a reason to raise the budget of the Common Agricultural Policy which has been spectacularly successful. The public consultation showed there is continuing public support for a Common Agricultural Policy provided we embrace the bigger challenges now around sustainability. We are working hard with member states for that reason.

France has always been an ally in CAP negotiations and recent soundings from President Macron are a bit more reassuring in respect of France's commitment to an adequately funded CAP. Recent soundings coming from the Germans have also been positive. We work closely with what might be described loosely as the older member states of the European Union in the context of these matters and we will continue to work closely with them to ensure that is resolved satisfactorily.

**Deputy Brendan Smith:** I would re-echo what the Minister has stated. There are new demands in the areas of defence and migration. Extra funding has to be raised to provide for those endeavours. CAP is of critical importance for a secure supply of safe food for the citizens of Europe. It has been spectacularly successful but it has been reduced. Unfortunately, the last reform of CAP was the first time the budget was reduced as a percentage of the EU budget. We cannot allow that to happen again. There are particular challenges. However, the European economy is improving and there is no reason additional funds cannot be raised across Europe for the overall EU budget. Some of the countries that joined the European Union most recently would have huge interests in agriculture as well. However, they also have a concern about defence issues. We have to bear that in mind. The Minister will have to work even harder to build

stronger alliances with the traditional countries that have always been on the same wavelength as ourselves in regard to CAP.

**Deputy Michael Creed:** Those states Deputy Smith mentioned would equally be adamant that now is their time for a greater or, as they would see it, a fairer share of the CAP budget. There are a lot of moving parts in this. We are certainly vigilant in the area of ensuring there is an adequate budget. The direction of travel is interesting. If we go back to the Treaty of Rome and the early 1970s, the level of the budget for the Common Agricultural Policy was in the region of 70% and above. It is down now to under 40%. I share Deputy Smith's concern and much of his analysis as well. The most critical objective we have to meet is sustainability. I refer to not just environmental sustainability but to social and economic sustainability for the agriculture sector. An adequate budget is critical for that. We are committed to making sure that, before we start talking about all the things we would like to do, we are sure we have the money in the bag to do it.

### **Suckler Welfare Scheme Payments**

36. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine to outline his views on a €200 annual payment for suckler cows under the RDP scheme to ensure the sustainability of the national herd. [7151/18]

**Deputy Charlie McConalogue:** What are the Minister's views in respect of the necessity for an annual €200 payment per cow for our suckler cow herd? It is under tremendous pressure, with numbers are dropping by the day. We also see the potential impact of the Mercosur agreement, to which it looks like the Government is going to have to acquiesce in regard to the 70,000 tonnes. Another factor is Brexit and the fact that 50% of our beef goes to the UK. As the Minister responsible, I am interested in hearing his proposals and thoughts on trying to provide supports to ensure that this important sector is maintained.

**Deputy Michael Creed:** I am aware of the importance of the suckler sector to Ireland's rural economy and the wider agrifood industry. My Department provides a range of income and investment supports to suckler farmers, including direct payments and grant schemes such as the basic payment scheme, the areas of natural conservation, ANC, scheme, GLAS and TAMS, as well as the beef data and genomics programme, BDGP. Analysis of Teagasc national farm survey data shows that existing direct payments to suckler farmers provide support equivalent to approximately €500 per suckler cow.

The BDGP is the main support specifically targeted for the suckler sector, which provides beef farmers with some €300 million in funding over the current rural development programme, RDP, period. So far, approximately €125 million has been paid out to farmers, and I will continue to support that through the lifetime of the RDP. In addition to improving the environmental footprint of the national suckler herd, the programme will, through increasing the genetic merit of the herd, make a positive contribution to productivity and efficiency at farm level.

Ireland has been a strong supporter of the greater market orientation of the Common Agricultural Policy, CAP, over recent reforms, including by decoupling payments from production, because allowing farmers freedom to respond to market signals is vital for the sustainable development of the sector, as set out in the Food Wise 2025 strategy. As the Deputy is aware, any proposal for a coupled payment for suckler cows under Pillar 1 of CAP would require a linear

cut across the basic payment scheme for all farmers. In terms of providing additional supports under Pillar 2, which provides for Ireland's RDP, there is no surplus funding above and beyond the funding already allocated to the RDP, which has been committed to existing schemes within the programme.

In the context of CAP post 2020, we must examine the most effective way of supporting the sector while being aware of the future direction of CAP in terms of public good and environmental benefits. We need to examine further ways in which we can improve economic and environmental efficiency while responding to the constraints of WTO and state aid rules in terms of farm supports.

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

The future CAP will play a key role in the sustainable development of the sector, and I urge people to participate in the public consultation meetings on the post-2020 CAP that are taking place around the country.

**Deputy Charlie McConalogue:** I wish to be brief, as Deputy Gallagher has tabled an important question on penalty points for fishermen that we would like to have answered within time as well.

The Minister is coming up with every reason as to why support cannot be forthcoming and is not considering the matter from the point of view of ensuring that the supports required to sustain our suckler herd are put in place.

Regarding Mercosur, the Minister has indicated in response to parliamentary questions that the figure on the table is 70,000 tonnes and that his focus is on ensuring that it does not increase further. It will have an impact on our beef trade. In return for that, surely the Minister, when engaging with his European counterparts, should be determining what additional supports can be acquired so that our suckler and beef herds are protected and sustained. Something must be done. The Minister for Agriculture, Food and the Marine is overseeing a situation in which people are getting out of suckler beef farming and suckler cows are being sold. It behoves him to turn his attention to what types of support can be put in place to sustain the herd and to keep people in family farming.

**Deputy Michael Creed:** I am also anxious to facilitate Deputy Gallagher, so I will be brief. It is important that we deal with facts. There is no exodus from suckler herd farming. Indeed, it was expected that with the lifting of dairy quotas, there would be a significantly greater exodus. The current figures show a reduction of in or around 6% in the suckler cow herd from just under 1 million to approximately 960,000. Most of that reduction has not happened along the western seaboard but in Kilkenny, Carlow, Waterford, which has the highest number, and Cork. That is mostly because activity is being displaced into dairy production. There is no mass exodus and it is important that we not talk ourselves into a crisis.

The Deputy has not addressed an interesting issue, namely, that I am constrained by funding. If we want to provide funding under Pillar 1, there will be a cut of just under 20% in every farmer's basic payment. I do not propose to do that, but it is unclear whether Fianna Fáil proposes to do that. Perhaps the Deputy will enlighten us.

## Fishing Vessel Licences

37. **Deputy Pat The Cope Gallagher** asked the Minister for Agriculture, Food and the Marine to outline the position regarding the penalty points statutory instrument as previously drafted in view of the fact that a written Supreme Court judgment has found the draft instrument to be flawed and invalid; if a new attempt to draft a statutory instrument will make provision for the Supreme Court judgement particularly to comply with the fair procedures aspect in the judgement; the timeframe for its introduction; if he has engaged with the fishing sector since the Supreme Court judgement issued; and if he will make a statement on the matter. [6757/18]

**Deputy Pat The Cope Gallagher:** I thank Deputy McConalogue, the Minister and the Ceann Comhairle for facilitating me. This question relates to the penalty points system and the Supreme Court's decision on the statutory instrument, and asks the Minister for his position now that the Supreme Court has deemed the statutory instrument to be invalid due to a lack of fairness and the right to appeal for the fishermen affected.

**Deputy Michael Creed:** I thank Deputy Gallagher for his question. As he will be aware, the Supreme Court judgments on the European Union (Common Fisheries Policy) (Point System) Regulations 2014 - SI 3 of 2014 - were delivered on 12 December. This statutory instrument established a points system to apply to the licence-holder of a sea-fishing boat when a serious infringement of the rules of the Common Fisheries Policy was detected. My Department is examining the implications of the judgments on an urgent basis. I expect this process to be completed shortly, and thereafter I intend to sign a new statutory instrument to revoke the European Union (Common Fisheries Policy) (Point System) Regulations 2016, SI 125 of 2016.

Regarding stakeholder consultation, on 20 October I discussed with industry representatives at the sea-fisheries liaison group meeting my plans to introduce a new statutory instrument and explained some key amendments that I was planning and the justification for same. I informed the meeting that pilot infringement proceedings by the European Commission for non-implementation of the EU points system had been taken against Ireland. It remains an option for the Commission to proceed to formal infringement proceedings in respect of the licence-holders system.

I also indicated at the meeting that there were serious implications for the release of funding under the European maritime and fisheries fund, EMFF. The early enactment of legislation for the points system is essential to ensure the continued contribution by the EU to the costs of investment by the control authorities under Ireland's EMFF programme in infrastructure, equipment and skills to enhance the efficiency and effectiveness of measures to enforce the provisions of the Common Fisheries Policy. The Commission is at this time poised to suspend EMFF payments to Ireland relating to control and enforcement because of delays in enacting legislation for the points system. This legislation is a condition of the EMFF regulation and EU funding is tied to compliance with this condition.

I assure the Deputy that the contents of the new instrument will, to the extent possible, take on board issues of concern relating to procedures and processes highlighted in the Supreme Court judgments and provide for appropriate procedures to ensure fairness in any relevant provision. Having an effective, proportionate and dissuasive system of points for all fishing vessels, Irish and non-Irish, operating in our 200 mile zone is beneficial to maintaining the sustainability of fish stocks on which our seafood sector is dependent. The points system is equally applicable to foreign and Irish vessels fishing in our 200 mile zone. This system will ensure that

the majority of our law-abiding fishermen are able to compete effectively and look forward to a sustainable future in the industry.

**Deputy Pat The Cope Gallagher:** I must highlight the Minister's statement that he had consulted with the industry on 20 October. We did not have the Supreme Court judgments until December, though. If the Minister discussed the matter with the industry in October, then it is vital that he enter into consultation with it post the judgments of December. Consultation is essential.

Furthermore, I presume that, while preparing the statutory instrument, the Minister will take into consideration affording fishermen a full right of appeal. It will not be sufficient to say that they may appeal on legal grounds. They must have a full right of appeal. Unless that right is inserted into the new statutory instrument, the Government will not be compliant with the Supreme Court judgments. The burden of proof must be removed from the accused and placed on the State when a charge is applied, which is in keeping with common law, the legal system found in Ireland and Malta.

I appreciate that pressure is being exerted on the Minister by the Commission in light of the EMFF, but the Commission must recognise the jurisdiction of this country and the decisions of the Supreme Court. The prospect of withdrawing funds is nothing short of blackmail. I am confident that the Minister will fight the Commission.

We will await the Minister's draft and I will reserve our party's judgment on signing it until we see it.

**Deputy Michael Creed:** I appreciate the Deputy's long-standing interest in this matter. I assure him that there has been a long and extensive consultation with the industry on it. Most recently, I engaged with the industry in October. The industry was a party to the Supreme Court ruling, which was issued in December. The findings of the Supreme Court were published during the December Council meeting in Brussels. The new statutory instrument will reflect entirely the findings of the Supreme Court. It would be remiss of us and illegal not to act within the framework of the judgment and we will take on board all the findings. That is why it is the subject of detailed legal examination. I intend to move on this issue at the earliest possible date after that adjudication process is completed. The industry would be the first to acknowledge there has been widespread, longstanding and protracted engagement on this issue, particularly with my predecessor. We are now at the last chapter of this. We need a statutory instrument to ensure compliance and access to EMFF funding. Infringement proceedings have also been initiated at EU level. I am very anxious to make progress on this issue at the earliest possible date.

**Deputy Pat The Cope Gallagher:** It can be brought to a conclusion. It is in the Minister's hands to bring it to a conclusion provided he ensures that the statutory instrument reflects the Supreme Court judgment and that there will be a full right of appeal and that furthermore penalty points would not be attached to licences until such time as the appeal is heard. If the Minister does that, he will have no great difficulty but in the interim he should have a meeting with industry and consult before he takes a final decision. We, in our party, will then take our decision.

**Deputy Michael Creed:** The statutory instrument will fully reflect the Supreme Court ruling.

*Written Answers are published on the Oireachtas website.*

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## Topical Issue Debate

### Bus Éireann Services

**Deputy Michael McGrath:** I am glad the Minister is here to take this Topical Issue matter personally and I thank him for being here. I am raising issues with the 220, 220x and the 223 services on behalf of constituents. The 220 is the service from Carrigaline through Cork city and on to Ovens. The 220x is the same service with the addition of a service to Crosshaven. The 223 is the Ringaskiddy to Cork city service and some of those buses go on to CIT. The reason I am raising the issue is that I and others have been inundated with complaints about the quality of the bus service. In particular, we have received complaints about the reliability of the service and ongoing capacity issues as well. It appears that these routes are seriously under-resourced. They are popular, successful and profitable routes and there are people who want to use public transport. The types of issues that occur consistently unfortunately relate to buses running very late, buses being full or in some cases buses not turning up at all. We are talking about people who rely on a bus service to go to college, school, work, a hospital appointment or to go about their day-to-day lives. It is just not good enough. I have tried to take this issue through the regular channels. I have raised these concerns with Bus Éireann directly. It talks about traffic congestion, the need for greater investment in bus lanes and it says it is looking at increasing capacity on these routes. I do not see any improvements happening at the moment and that is why I feel the need to raise these issues here today.

The problems are both inbound and outbound and both the 220 and 223 serve communities that are rapidly expanding. Towns like Carrigaline and Passage West are expanding very rapidly and they need a quality bus service. I am not blaming the bus drivers, some of whom have provided really useful feedback on the nature of the timetable. It may well be that the timetable needs to change to reflect the reality of traffic congestion which is not getting lighter. It is not just in Dublin that there is traffic congestion; it is certainly in Cork as well. More resources are undoubtedly needed. There is no real-time information available. If one is at a bus stop in Dublin or waiting for the Luas, the sign will say when the next Luas or bus will be along, for example, in two minutes or three minutes. We do not have that service on these routes. People stand there not knowing whether or not the bus will turn up. That is the reality of the service that people are facing.

I welcome the extension of the city zone fares which both of these routes avail of. The 220 and 223 are now deemed to be within the city zone. That is a very beneficial reduction in fares, which is to be welcomed. The message from people is that it is all very good and they welcome it but it is not much good if we do not have a service we can rely on.

There is also a need to change routes and introduce new routes. The town of Carrigaline should be connected with Passage West because there is a new primary care centre in Carrigaline, which the people of Passage West need to get to. About 5,000 people work in the lower harbour area of Ringaskiddy and many of them live in Carrigaline. There is no bus connection for them to get to work or to Little Island.

There are a lot of issues. In some cases overtime is not available and is not being paid, which may explain why in some cases, buses have an out-of-service sign and are rushing back to the depot. In other cases, private buses are being brought in, which means people cannot

use the Leap card and so there is a loss of revenue to Bus Éireann. The Minister is in charge. People are looking for answers and I look forward to hearing what the Minister has to say.

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I thank the Deputy for raising this interesting issue. I am not one who thinks it is a bad idea to bring up certain bus routes in Cork or anywhere in Ireland in the Dáil. I do not think any problem is too small for us to address because it may be a microcosm of what is happening elsewhere. I am grateful to Deputy McGrath for bringing it up, although I may indeed wash my hands of some of the responsibility for it because of the structures the State has for dealing with these situations. If this is a reflection of what is happening elsewhere, it is a good thing the Deputy brought it up today. I hope I will give the Deputy a reasonably positive response. I appreciate the fact the Deputy has raised the issue.

As Minister for Transport, Tourism and Sport, I have responsibility for policy and overall funding of public transport. I am not involved in the day-to-day operations of public transport. Deputies will understand that the operation of Bus Éireann services is a matter for the company with oversight by the National Transport Authority, NTA. The NTA has entered into a contract with Bus Éireann for the provision of bus services in the State. In accordance with the terms of that contract, the day-to-day operation of those services is managed by Bus Éireann. The company is required to meet performance obligations on service delivery such as punctuality, services operated, vehicles in service and customer information. The NTA has invested in a significant improvement to subsidised bus services in Cork city. This has included the provision of cross-city services, increased frequency on existing services and new services linking residential areas to places of employment and education. Further investment has been made in the city bus fleet which is 100% fully accessible and an increase in capacity through the purchase and deployment of double decker buses. Passenger numbers have grown by 19.4% since 2013 to 12.6 million in 2017. However, the 2017 numbers were lower than forecast due to the period of industrial action at Bus Éireann. Further expansion of the Cork city network is planned in 2018. For example, there are improved services planned on the Ballincollig-Carrigaline corridor, including routes 216, 220, 220x and 223 and frequency improvements on routes 202, 207a, and 208. In addition, route 206 is planned to link with route 221 providing improved frequency to Glanmire via Cork Kent Station with the service also being extended to Cork Airport.

I am aware Bus Éireann has been experiencing some operational issues in the Cork area recently and that there have been some complaints regarding the non-arrival and late arrival of some services. This apparent degradation of services for the customer is not acceptable and it is a matter for the company to resolve the issues promptly. I take note of what the Deputy has said and presume the company will do the same.

I am advised the NTA is currently liaising with Bus Éireann regarding a number of complaints from Bus Éireann customers regarding problems with services in Cork that it has received recently and no doubt some of them are from Deputy McGrath. I understand the NTA wrote to Bus Éireann last week asking that the company revert to the authority as a matter of urgency with the steps being taken by it to resolve the underlying issues and mitigate the effects of them in the short term until permanent solutions are put in place. I assure the Deputy the NTA is continuing to monitor developments closely and has reminded Bus Éireann of its performance obligations under its contract. I look forward to this issue being resolved as soon as possible.

**Deputy Michael McGrath:** I thank the Minister for his reply. People locally hold me accountable politically and I have to hold the Minister accountable politically as the one in charge

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of this issue. I ask him not to wash his hands of any aspect of it and make sure the fact that it has had to be raised on the floor of Dáil Éireann will work its way through the system and result in a better quality of service for the people I represent. He can be sure these issues are not unique to the area I represent, but it is a matter for other Deputies to raise them on behalf of their constituents. I would like the Minister to follow up on these problems with the NTA and Bus Éireann. It is welcome that there are plans to expand services, including the 220, 220X and 223, but will the resources be provided to back up the intention to expand these services because lack of capacity is a problem? Lack of resources is, undoubtedly, a problem.

People want to know whether the position is going to change. I invite the Minister to read the community noticeboards on Facebook. Local newspapers such as *The Carrigdhoun* also provide a Facebook platform. They have been inundated with complaints and people are utterly frustrated about buses running so late and, in some cases, not even turning up and being full that it is having a detrimental impact on their daily lives. The fact that I have had to raise the issue in the House is born out of frustration and I am demanding action. I respect the fact that the Minister takes the matter seriously and it is welcome that the NTA has engaged with Bus Éireann and is aware of the operational problems which I agree are not acceptable. If the NTA measures the performance obligations, service delivery, punctuality, services and so on, it will find, unfortunately, that on these routes the quality of service has not been up to standard. Will the Minister follow through on this issue and please engage with the NTA in order that it will engage with Bus Éireann and put pressure on in in order that these services can be improved? There are people who want to avail of public transport which the Minister wants to encourage, but let us make it possible for them to do so by being able to rely on the provision of a decent service.

**Deputy Shane Ross:** What the Deputy raises is fair and I have no doubt that what he says is true. The NTA acknowledges there has been an increase in the number of complaints about Bus Éireann services in Cork, particularly since implementation of what it calls the optimisation scheme in early December 2017. It continues to implement measures to further improve service levels and in recent days there have only been a few cancellations. I will not wash my hands of this issue. It is useful to hear the complaints on the floor of the House, particularly if there is an avalanche coming the Deputy's way. Whereas the NTA has operational responsibility for everything that happens, the buck stops here and it is good that the Minister is made aware of such problems which, if they were to recur throughout the country, would become far more serious. I acknowledge what is happening in Cork. I will be in touch with the NTA on the Deputy's behalf and thank him for raising the subject.

### **Aviation Industry Regulations**

**Deputy Clare Daly:** Unlike the previous small local issue in which the Minister said he had limited direct involvement, this is a major issue for which he has sole responsibility. To say his decision to appoint Fingal County Council as the competent authority under EU Regulation 598/2014 has caused consternation is probably an understatement. There is uproar in the community. People certainly did not see this one coming because of the very obvious conflict of interest.

The regulation was intended to be the mechanism for the independent regulation of aviation noise designed to protect communities from that intrusion. In order to transpose it, a compe-

tent authority had to be established to monitor such levels. It is important because the Dublin Airport Authority, DAA, has made it abundantly clear that once the body is established, it will use it in order to try to overturn the two restrictions in place on the new runway and night time flights. This is of vital importance to the surrounding community which does not resist construction of the runway *per se* but is asking that the terms and conditions on which permission was granted all those years ago when we were not as knowledgeable as we are now about the damage caused by aviation noise to the health and well-being of surrounding residents be upheld. Even then, almost ten years ago, these conditions were imposed and the DAA has made no secret of the fact that it wants the restrictions to be lifted. The local community thinks the idea of appointing Fingal County Council which gave the DAA the original permission without restrictions is absurd. Not only that but 20% of the rates income of Fingal County Council comes from the DAA. The council is renowned for its deferential relationship with the DAA, given the enormous value of the DAA to the surrounding community. The idea of the council being able to be impartial against that backdrop seems crazy to residents.

It is ironic that the original choice, the Irish Aviation Authority, IAA, was broadly accepted by the community. It has an international reputation for excellence and is highly technical in its assessment of this issue. While it manages air traffic at Irish airports, there is no profit in it for it. Its money comes from overflights, not use of the runway. There is much less of a conflict of interest with the IAA which has the required experience.

I think I speak for the representatives from all of the parties who attended the briefing the Minister organised last week on this decision when I say we could not get our heads around the justification given by the Department, that the Minister was looking for an organisation that had expertise in making environmental impact assessments and dealing with noise and aviation issues. With no disrespect to anybody in Fingal County Council, at a stretch, we might grant it the first one, but there is certainly no basis for the idea that it has expertise in dealing with noise and aviation issues, yet it has a clear conflict of interest. The Minister needs to revisit this issue, go back to the drawing board and reconsider the IAA as the competent authority under the regulation.

**Deputy Shane Ross:** I thank the Deputy for raising this question and I am glad that it is being raised in the House, particularly after the briefing given to all of the spokespersons last week. I know that the Deputy will understand it has been a very difficult journey dogged by legal problems for nearly two years which has led us to this conclusion, with which I am happy. It was not easy because there will be people who, no matter who is appointed as the competent authority, will say this is the wrong one and that we should have appointed a different one, not least the lawyers, certainly Deputies and others. That is understandable, which is why this is a useful debate. I am happy now, having listened to the Attorney General, the IAA and others, that this is the correct appointment.

I have made several contributions in the House on this matter over the course of the past 12 months or so, particularly in response to questions posed by Deputies Clare Daly and Robert Troy. As the Deputy knows, the EU noise regulation, Regulation 598/2014, establishes a set of common rules and procedures to deal with noise issues at major airports within all EU member states. We do not have any option but to appoint a competent authority because of the EU regulation. As the Deputy mentioned, it was previously proposed that the IAA would be designated noise regulator for the purposes of Regulation 598/2014. However, as I explained in the Dáil before Christmas, when this approach was subject to final legal review, it was found to be impracticable in the light of emerging EU case law. It was as much a surprise for us as it was

for the Deputy. Specifically, the advices were that the IAA would be conflicted, given its direct commercial interests in traffic growth at Dublin Airport. Offsetting these conflicts would have required the establishment of a noise regulation unit within the IAA that would have had to be wholly separate from the parent organisation in terms of resourcing, recruitment, performance management and human resources management. This was considered wholly unworkable and clearly against corporate governance best practice. Having re-examined the matter as to how best to implement the EU Regulation fully, Fingal County Council, with An Bord Pleanála as an independent appeals body, was considered the best way forward. Fingal already has responsibilities under an EU noise directive, which covers non-airport noise, and it has experience and expertise in environmental impact assessments and in managing extensive public consultations. There are quite a lot of synergies already and so it makes sense to give it responsibility for airport noise regulation.

Unquestionably, Fingal will have to build some additional expert capacity and so the draft legislation will provide for additional funding to provide for this. The Government has endorsed this proposed course of action and I now intend to get on with implementing it. There are challenges. This regulation has already proven quite a complex provision to transfer and align with existing Irish planning and development arrangements. Indeed, on my instruction, as the Deputy has already alluded to, departmental officials met the Deputy and a number of other Members of this House last week to hear their views, concerns and also to talk over the complexities and challenges. It is so important that the runway goes ahead, that we have a competent authority and that we involve anybody in this House and others outside in the decision-making process. As I understand it, that engagement was constructive and it has been agreed to have follow-up engagement with the Members. I hope the Deputy will attend those follow-up engagements. My Department and I are sensitive to concerns raised and are willing to find an agreed way through these if at all possible. It is my intention to publish a draft Bill as soon as possible. Doing so is a priority. It will set out precisely how the new regulator will operate in accordance with Regulation 598/2014. There will be plenty of opportunity for examination of the proposals as the Bill comes through the House. I welcome them starting with pre-legislative scrutiny at the Oireachtas Committee on Transport, Tourism and Sport, which will be attended by many Members and which can also be attended by others, including the Deputy.

**Deputy Clare Daly:** I acknowledge that it has been a difficult journey, not least for the Minister because he is in a very difficult position. The reality is that a previous Attorney General gave a diametrically opposed view on this issue to the one we currently have. Previously, we were told that the Irish Aviation Authority, IAA, was the best organisation for the job and that a statutory instrument was sufficient to bring it into law. Now we hear that there is a conflict of interest in the IAA and we need primary legislation. We welcome the fact that there will be primary legislation but one of the purposes of this discussion is to tell the Minister in no uncertain terms that he will never sell Fingal County Council as an independent competent authority on these issues and it is best that we address those issues now rather than wasting even more time in dealing with this in the future. Fingal Organised Residents United Movement, a community organisation that has been very vocal on this issue, has said that it wants to see Dublin Airport prosper and increased connectivity and has no wish to stop the development of the northern runway but it believes there needs to be a totally independent body. The problem with the Minister's response is that it does not stack up to analysis because an independent body within the IAA is not wholly unworkable. It already exists in terms of other areas like safety. There are two independent bodies operating under the umbrella of the IAA. It is entirely possible to set this up. The IAA does not benefit financially from planes landing at the airport. It mainly

makes its profits from overflights so the conflict of interest is far less than it would be for Fingal County Council, which gets 20% of its rates from the DAA which has a disproportionate influence on development in that county and to which the council gave the go-ahead years ago without the conditions on night-time restricted flights, the retention of which is so important for the local community so that the airport can be a good neighbour.

**Deputy Shane Ross:** I think it is unfair, or most unusual, of the Deputy to suggest that a local authority is conflicted in its role with regard to its statutory environmental protection and enforcement responsibilities and wider economic and physical development roles. As the Deputy knows, local authorities already have a wide range of statutorily based regulatory and enforcement functions relating to environmental quality, planning enforcement and other areas which necessarily sit alongside their rateable income and property tax collection functions. This is how local authorities operate. Assigning Fingal County Council as the airport noise regulator is wholly aligned with that very long-established multifunctional role played by all local authorities. Importantly, it will also be subject to independent appeal. We must not forget that it will not be acting completely on its own. An Bord Pleanála will be sitting there to hear appeals in all cases of noise regulation and it cannot be considered to have a conflict of interest. I understand the Deputy's point of view. I know that whoever we appoint will come under scrutiny, particularly from the lawyers. Obviously, the IAA came across legal problems. I know that this one will rightly come under scrutiny from Deputies and other Members. This is why we have involved and will involve Deputies in as wide an engagement as possible on this and why we will do everything to ensure that their wishes are listened to and indeed adhered to and consented to by the Government so that we get the best possible result.

### **Defence Forces Representative Organisations**

**Deputy Mick Barry:** First, I record congratulations to PDFORRA and EUROMIL on winning their case against the State in the European Committee of Social Rights. The committee ruled by 11 votes to two that Defence Forces personnel were having their right to organise breached and that the Government should recognise their right to affiliate to the Irish Congress of Trade Unions. The committee also ruled unanimously - by 13 votes to zero - that the right of Defence Forces personnel to bargain collectively was being breached and that they should be able to participate in pay negotiations, so congratulations and hats off to PDFORRA and EUROMIL. I also want to record here the historic role of the wives and partners of members of the Defence Forces whose protest movement in the 1980s paved the way for the creation of PDFORRA and whose recent work has helped raise general awareness of the dire working conditions endured by Defence Forces personnel and the consequences for their families in terms of living standards. I have no doubt that this has been a source of pressure on this Government.

Is the Minister of State prepared to give a commitment in the House tonight that he will now arrange to meet Ms Patricia King of the Irish Congress of Trade Unions to discuss putting in place the necessary arrangements in the wake of this important judgement? I also ask him to give a commitment not to go down the road of obstruction, denial of rights and foot dragging, which this Government has attempted to do in recent years. From the moment the Garda organisations won their equivalent case at the European Committee of Social Rights in the autumn of 2016, we put the argument to the Minister of State's office that the Government should short-circuit the EUROMIL case rather than force a rehash of the same arguments in Brussels. The fact the Government persevered and contested this case all the way to the bitter end is shameful.

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Even since the ruling in favour of the Garda organisations, there has been more foot dragging with a promise of a Bill to give effect to the Garda ruling only listed for this Dáil session a full year and a half after the ruling. A Bill of mine entitled the Industrial Relations (Defence Forces) Amendment Bill 2017, which grants trade union rights to the Defence Forces in anticipation of yesterday's ruling, passed First Stage last year. The Government could easily progress this Bill to Committee Stage in this term. The Minister of State might comment.

The denial of union rights to the ranks of the Defence Forces has facilitated many abuses in terms of pay and working conditions.

*6 o'clock*

The number of Defence Forces personnel on family income supplement alone is testament to this as is the exodus of technically skilled personnel in recent weeks and months. There are issues still outstanding in respect of the Organisation of Working Time Act and the loss of annual leave, Lariam, hazardous working conditions in the Air Corps paint shop in Baldonnel and so on. These issues have been argued out *ad nauseam* behind the closed doors of the conciliation and arbitration scheme run by the Department of Defence. This is a sham process.

The Taoiseach holds the portfolio of Minister for Defence. Some class of statement from him today regardless of this Topical Issue debate was warranted. I call on him now to make a statement on this ruling and to commit to bring forward legislation immediately to give effect to it in this session. I look forward to the Minister of State's reply with interest.

**Minister of State at the Department of Defence(Deputy Paul Kehoe):** The European Committee of Social Rights has considered a complaint submitted by EUROMIL, a European umbrella body for military associations, on behalf of PDFORRA, concerning the lack of certain rights for military representative associations in Ireland.

In a non-binding ruling, the committee has concluded that prohibiting military personnel from the right to strike was not in breach of the European Social Charter, but that the charter was breached by prohibiting the representative associations from affiliating with a national employee organisation, such as ICTU, and in respect of the right to bargain collectively.

The Government welcomes the conclusion of the European Committee of Social Rights that the prohibition on the right to strike for members of the Defence Forces is not a violation of the European Social Charter.

It should be noted that the complaint predates a number of significant Government initiatives. Regarding collective bargaining, the Government established an independent Public Service Pay Commission in 2016 to provide objective analysis and advice on the most appropriate pay levels for the public service, including the Defence Forces. The Permanent Defence Force representative associations took the opportunity afforded to them to make submissions to the commission. Following the publication of the report of the public service pay commission, the Government initiated negotiations on an extension to the Lansdowne Road agreement.

The Permanent Defence Force representative associations were subsequently invited to the negotiations on the agreement, which were held under the auspices of the Workplace Relations Commission. They were afforded equal standing with other public sector trade unions and representative associations during the negotiations.

I am happy to acknowledge once again that in mid-December, both PDFORRA and RACO accepted the terms of the Public Service Stability Agreement 2018-2020. This provides for increases in pay ranging from 6.2% to 7.4% over the lifetime of the agreement, with the focus on the lower paid.

Members of the Defence Forces have a range of parallel complaint and adjudication mechanisms in law to compensate for the limitations on their access to the normal industrial relations machinery which applies in wider society. This includes a redress of wrongs, a Defence Forces Ombudsman and a conciliation and arbitration scheme for members of the Permanent Defence Force.

The conciliation and arbitration scheme, since its inception in the early 1990s, has provided the framework to progress many successful negotiated agreements between Defence Forces management and the PDF representative associations. However, there have been many changes in the industrial relations landscape in the intervening period. In this regard I have initiated a fundamental review of the scheme to ensure that it remains efficient and effective for all parties. I have appointed Mr. Gerard Barry to conduct the review. While the focus of the review will be primarily on the operation of the Permanent Defence Force conciliation and arbitration scheme, on my instruction the terms of reference of the review require that the findings of the European Committee of Social Rights are considered as part of that process.

It is critical that the Defence Forces are fully operational at all times. The taking of any form of industrial action is irreconcilable with military service. The right to affiliate with ICTU poses complex questions for the Defence Forces from a legal, operational and management perspective.

In accordance with the Defence Acts 1954 to 2015, military personnel are subject to military law at all times. By association with a trade union or similar body, such as the Irish Congress of Trade Unions, members of the Defence Forces would have to comply with certain obligations and rules of that body. This could have implications having regard to the roles assigned to the Defence Forces.

The Defence Forces have in the past and may again in the future, be called on by the Government to contribute to maintaining vital services. Serious difficulties and conflict of interest for Defence Forces personnel would arise if the Government were to direct the Defence Forces to undertake a task to ensure the maintenance of essential services in an area where the trade union umbrella organisation has authorised any form of industrial action.

It would be unfortunate for any question to arise over the authority of the Government to require military personnel to serve in such circumstances and to observe the commands given by their military superiors.

The findings of the Report of the European Committee of Social Rights are receiving consideration. There are a number of stakeholders involved who will also have input to the review of the PDF conciliation and arbitration scheme. It would not be appropriate at this stage to pre-empt any conclusions arising from the review.

**Deputy Mick Barry:** I asked if the Minister of State would give a commitment to make arrangements to meet Ms Patricia King of the ICTU to put in place arrangements in the wake of this judgment. The reply the Minister of State gave me is that the recommendation from the European committee is receiving consideration. I note that reply. I express disappointment at

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it. I also take the opportunity to ask the Minister of State how long this consideration will take. Is it consideration that will play out over days, weeks, months or years? It will not be acceptable to the men and women of the Defence Forces and will not be acceptable to those who sit in these benches here and, I hope, others in this House, if the Minister of State attempts to kick to touch and do with the soldiers what the Government has done with gardaí, which is to drag its feet for a long period of time.

The one area where the European committee ruled unfavourably was in the area of the right to strike. Basically its ruling leaves it to member states to uphold a ban and the point was made by the EUROMIL representative that the right to strike exists in the Austrian and Swedish armed forces. The Minister of State said it was irreconcilable, but it exists in Austria and Sweden.

I want to put on record my support for the right to strike for members of the Defence Forces notwithstanding the fact that this right is not being actively sought by PDFORRA. The arguments against the right to strike are quite ridiculous. No worker or group of workers embarks on a strike in a light-minded way. Besides the financial hardship that comes with industrial action, public service workers weigh up the impact of their action on the service they provide to the public. The best that the Government and others in the establishment can come up with is the laughable notion that the Defence Forces might take action in the midst of an invasion or attack. Whether it is our Bill or the Bill that the Government must produce eventually, we will introduce Committee Stage amendments upholding the right to strike.

**Deputy Paul Kehoe:** Deputy Barry would love everyone to strike; all he wants is anarchy in here and outside here. He would have a smile on his face every day if that was to happen.

As I said, the conclusions arising from the report of the European Committee of Social Rights raise complex questions for the Defence Forces from a legal, operational and management perspective. While the findings of the report are non-binding, the Government is fully aware of the context to take action to address some of the concerns of the Permanent Defence Force representative associations.

As I advised in my earlier reply, the Permanent Defence Force representative associations were afforded equal standing with other public service trade unions and representative associations at the 2017 public service stability negotiations. I have also stated that I have commissioned a full review of the conciliation and arbitration scheme. I am on the record of this House as saying that I want a full report back within six months. I expect this to be back by no later than the end of June or early July. I note in his first contribution that Deputy Barry talked about the high number of Defence Forces members who receive family income supplement. Maybe the Deputy does not want to hear the truth and maybe he just does not listen, but there are 175 persons in receipt of family income supplement as of today. If the Deputy wants to check that out, that is a reply I received directly from the Department of Employment Affairs and Social Protection. I know that I repeat that figure every time the Deputy raises that issue in this House but maybe he just does not want to remember it. I will repeat it for him again in case he did not hear it. Some 175 members of the Irish Defence Forces are in receipt of family income supplement.

## **Drugs Payment Scheme Coverage**

**Deputy Billy Kelleher:** I thank the Ceann Comhairle for giving us the opportunity to raise this. There comes a time when official replies do not always tally with what is happening in broader community and society. This is an occasion where we have to address an underlying problem, the fact that the withdrawal of the Versatis patch has left many people with pain thresholds they can no longer tolerate, anxiety and concerns. There is no doubt that there has been a huge escalation in the prescribing of the patch and in the demands on the budget. At the same time, we have to accept that many people claim that this has had a major impact on their lives with regard to their ability to deal with pain. Some of the longest waiting lists in the country include very long waits in the area of neurological illnesses and diseases and waiting for outpatient and inpatient appointments with neurological consultants and neurosurgeons. That was only alluded to last week in the context of parliamentary replies in this Chamber last Thursday. Huge numbers of people need this patch to function on a daily basis because they are waiting for a long time to see consultants or to get treatment for a neurological condition. At the same time, we now have a situation where there is withdrawal of reimbursement and a change of what it can be prescribed for. When a huge cohort of people are saying things, highlighting them on “Liveline” and in many other fora, and are contacting our offices, it reminds me of the time of the medical card debacle of 2014 when officialdom told us that there was no change of policy but at the same time it was evident that the change was having a profound impact on people’s lives. Those decisions had to be reversed subsequently because they were wrong in the first instance.

**Deputy Gino Kenny:** The withdrawal of Versatis patches from the drugs payment scheme and the medical card has been a debacle. Somebody should put his or her hand up and say that he or she has got it very wrong. Those who benefit from the patches, numbering tens of thousands, are being denied this medication that gives them relief. I know the HSE has said it is based on clinical grounds but most people listening in or who have been on radio or television think it is a monetary decision. A number of people contacted our office about this, and to say they are distraught is an understatement. They are going through life with a condition that has chosen them. They have not chosen the condition of chronic pain or neuropathic pain. The patches give them some sort of relief. The decision by the HSE has put those people outside of the reach of these patches. The HSE might save money in the short term but it will cost the HSE much more money in the long term and hardship, particularly for the people benefitting. I know the Minister remarked this morning that a radio station should not make decisions. I think that is a flippant remark and I do not know if the Minister meant anything by it. I know clinicians make these decisions but I ask for the HSE to repeal this decision.

**Minister for Health (Deputy Simon Harris):** I thank the Deputies for raising this issue, which I recognise is causing significant concern for a number of people. I welcome the opportunity to put some facts on the record of the House and to try to provide some guidance and information into how best patients might be able to proceed with regard to this important issue. I am conscious of the impact of changes on individual patients and I would like to use this opportunity to set out the background to the decisions made by the HSE’s medicines management programme and the process by which patients can apply for continued access to the patches. I am concerned that I have heard many patients worried and upset about this and it is important that they hear how they can have their case reviewed. Lidocaine 5% medicated plasters are licensed to treat neuropathic pain from previous shingles infection, or post-herpetic neuralgia, PHN, in adults. They have been reimbursed in the community drugs schemes since 2010.

When the patch was first introduced, its projected budget impact was low because of the very specific licensed indication. It was clearly a clinical cause of concern when the reimbursement cost increased from €9.4 million in 2012 to over €30 million in 2016, mostly from unlicensed use of the patch. When one has clinicians in a medicines management programme seeing that a patch which was expected to be used for a small cohort of patients is now being used for a large cohort, and in many cases for indications for which it was never meant to be used, it is important and appropriate for clinicians in the HSE to review it.

In 2016, the HSE's medicines management programme reviewed the use of this product. The National Centre for Pharmacoeconomics estimated that only 5% to 10% of prescribing of the patch has been for the condition it was licensed for. In light of this clinical review, the HSE introduced a new reimbursement system for lidocaine patches from 1 September 2017, as has been done for other medication, including Entresto, a heart failure drug. This process supports its appropriate use and ensures that post-shingles patients continue to receive this treatment. I heard accusations in this House earlier which led to my response about this being a Government decision. It is not a Government decision. This was a clinical decision made within the HSE. Under this protocol, all patients who were receiving antiviral drugs for shingles were automatically registered on the HSE's primary care reimbursement service, PCRS, system. These patients continue to receive this treatment under the community schemes. However, since 1 December 2017, non-shingles patients no longer automatically - which is the important word - receive this item. The HSE advised GPs and pharmacies in August 2017 of these changes and of treatment alternatives for non-shingles patients.

I stress that it is possible for non-shingles patients to be approved for the patch through the community schemes. The patient's GP should apply to the medicines management programme through the online system. That medicines programme will review the application and inform the GP of its decision. I am not talking about some abstract thing. I am informed that, as of today, over 450 such applications from GPs have been approved. That represents 450 people whose GPs have applied, saying that their patients do not have post-shingles but have a condition and need this patch. Where a GP's application is rejected, it can be appealed. I am informed that, as of today, over 220 appeals have been granted, which represents over 61% of appeals being accepted on clinical grounds. Nearly 700 patients are receiving these patches despite that it is beyond the shingles indication. While this is a clinical decision for the HSE and its medical experts, a process is in place for appeals. I want to see that process applying the maximum compassion, which I have conveyed in the clearest possible terms to the HSE. This needs to be done in a compassionate way where, if a GP highlights to the HSE's medicines management programme that a person needs these patches, that application and appeal would be looked upon compassionately. I am encouraged to see the successful rate of appeals increasing from 50% in recent days to 61% today.

**Deputy Billy Kelleher:** We had discretionary medical cards in previous times and the word "compassion" was invoked on numerous occasions. It was not a compassionate programme in the sense that it became very bureaucratic and inflexible and discretionary medical cards were effectively withdrawn in their thousands even though the Government and HSE at the time were saying that was not the case. I am concerned that we have a situation again where people depend on these patches for pain relief and will now be in a position where they simply cannot access them. It is creating huge anxiety. "Liveline" is only a sounding board but it has been a very loud sounding board over the past week. The programme has received numerous calls from people who are very agitated, anxious and concerned. The Minister said that a compas-

sionate programme is in place, but he will have to be more specific on how people can access the lidocaine patch for pain relief in the first instance. We need more specifics so that GPs will be able to prescribe and people will be able to get it.

**Deputy Gino Kenny:** The system is overly bureaucratic and compassion gets lost in bureaucracy. I acknowledge that there is an appeals mechanism and that appeals are dealt with on a case-by-case basis, but surely this is putting people through unnecessary suffering and bureaucracy. One in eight people suffer from chronic pain and a huge volume of opiates would be required to treat those patients. Versatis patches are less harmful to such patients in the short and long term. I listened to “Liveline” last Friday and I heard one caller say that they were real people with real evidence and real pain. That says it all. The HSE should listen to people rather than make bureaucratic decisions that will have a huge impact on them.

**Deputy Simon Harris:** It is important that the process is not bureaucratic and that is the reason the appeals process is online and done by a general practitioner. Applications are turned around very quickly. Hundreds of people are now accessing this patch above and beyond the post-shingles indication as a result of the appeals process. Deputy Kenny is right that the process needs to be compassionate and I want to see that happen. I am encouraged by the fact that the number of successful appeals has increased from 50% in recent days to over 60% today. People can try if they wish for political reasons to liken this to previous issues in the health service but is not at all comparable. This is a clinical decision. This is about medication that, if used incorrectly or long-term, can have adverse consequences. It is important that the medical experts in the HSE have a role in this area. They are doctors too.

I hope that the answer I gave here earlier did not give anyone the wrong impression. I am very concerned about the worry and upset I have heard from patients. I want them to know that I am listening and I want them to receive the compassion and treatment they need. The point I was making is that there is an application and appeals process in place that doctors can use to gain access to these patches for patients. Almost 700 patients in this country have gained access to these patches as a result of that process. I did not mean to be dismissive of people feeling that they had no option but to call a radio programme that is rightly highlighting an issue that is concerning people, but I have always been clear that when it comes to our citizens accessing medication, I want them to be able to do that through engaging with their doctors and in this case their doctor engaging with the medicines management programme.

I am listening. I believe those patients who need these patches can and must continue to receive them through the process that has been put in place. Doctors can make a case to the medical experts on behalf of their patients. These applications are being turned around quickly and, as I said, the success rate for these applications is increasing significantly because of the compassionate approach being taken. I want to see the HSE continue to take that compassionate approach so that anyone who needs these patches on the advice of their GP should be able to receive them.

### **Third Interim Report from the Commission of Investigation into Mother and Baby Homes: Statements**

**An Ceann Comhairle:** I welcome the Minister for Children and Youth Affairs, Deputy Zappone, to the House.

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**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I welcome the opportunity to update the House on the Commission of Investigation into Mother and Baby Homes. In particular, I would like to update Deputies on the commission's third interim report and the measures I am progressing with Government colleagues to respond to the issues which have emerged so far from its work. I welcome the people in the Visitors Gallery who participated in influencing measures in this direction.

As Deputies will be aware, I published the third interim report from the commission in December last. In its report, the commission requested a one-year extension to the timeframe to submit its three final reports. The commission is of the opinion that all three reports, the confidential committee report, the investigative report and the social history module, are interlinked and should be presented together. Following careful consideration, the Government decided to grant this extension. The commission is now due to deliver all three reports by 17 February 2019. I know that many former residents have been eagerly awaiting the completion of the commission's work. I understand that many who contributed to the process and shared their information were disappointed and frustrated by this development. However, it is important that we do not underestimate the scale and complexity of the task that the commission has been set.

The commission is seeking to establish facts and make findings and recommendations. In outlining its reasoning for requesting an extension, the commission's third interim report states that the confidential committee has met a considerable number of former residents and others with connections to the institutions under investigation who wished to share their experiences. The commission asked for more time to allow those who had applied, and were still waiting to share their experiences with it, to be heard. Hearing these stories pays tribute to the memory of those who spent time in these places. The commission also stated that its wide terms of reference have necessitated the collection and analysis of a vast range of documentary material relating to the institutions under investigation. The analysis of all relevant records will not be completed until mid-2018. All of the information uncovered during the course of this investigation plays its part in painting as full a picture as possible of the events and experiences of the time.

I recognise the absolute importance of the commission's work and I support it as it continues to investigate the matters within its terms of reference. It is a comprehensive task and it needs time to complete its work. The commission concluded at the time of publishing the interim report that extending the terms of reference into any further matters was not in the public interest, and I agree with this approach. In recent days the commission has advertised nationally seeking to hear from anyone who has any personal knowledge, documentation or any other information concerning the burial arrangements of children who died in Bessborough mother and baby home in Cork. I would strongly encourage any person with relevant information to contact the commission directly to divulge what they know to aid the investigation.

Over the course of 2017, I held two facilitated meetings with former residents and their families, one in Dublin and one in Cork. More than 130 former residents of mother and baby homes and their advocates were in attendance. I thank all who attended these meetings and acknowledge the generosity, willingness and courage of all participants in contributing to the dialogue. One cannot but be moved by their stories. The key theme that emerged from these facilitated consultations was "nothing about us without us", the idea being that former residents want direct input into the decisions made on their behalf. I have adopted this as my mantra. The establishment of a collaborative forum is a progressive response to this idea. Participants will create and drive forward a process that they can support and trust and actively participate in, recommending actions and solutions to address their concerns.

I am pleased to announce that Mr. Gerry Kearney has accepted my invitation to chair the collaborative forum. Over the course of his career, Mr. Kearney has demonstrated a strong commitment to public service as former secretary general of the Department of Community, Rural and Gaeltacht Affairs. He was appointed chairman of the Moore Street consultative group established to consider views on the best way forward for Moore Street, a monumental task in diplomacy I think Deputies will agree. I strongly believe that gives him the expertise and management experience required to work with the forum. His experience will be of considerable benefit to the forum in developing proposals and framing its recommendations. I know that Mr. Kearney is looking forward to beginning what we hope is an extremely engaging and fruitful endeavour.

I have published a charter for the forum that will facilitate its work and that gives the blueprint for its methodology and demonstrates my commitment to innovative approaches to facilitate and empower former residents to contribute actively to decisions on matters that affect their lives. The forum will consist of 20 members. I am moving forward in identifying members for the selection panel that will establish the collaborative forum. Selection of the correct people is critical to the success of the project. The selection panel will include representation from the areas of human rights, former residents' advocate groups and academics with experience in this field. I have made contact with these organisations and individuals and I am now awaiting confirmation of their agreement to participate. I hope to announce the members of the panel shortly. I hope they will have held their first meeting by the end of February.

I will then be advertising for members of the public and interested parties to express an interest formally in participating in the forum. The selection panel will select the members of the forum from these expressions of interest at its second meeting, which should take place in early March. I anticipate that the collaborative forum will meet on a monthly basis for a period of at least a year. If it reaches consensus on any issues before then, however, I will of course be happy to hear from it.

The forum will establish three sub-committees, which will cover a large range of issues of concern to former residents, such as terminology, identity and representation for former residents; health and well-being supports; memorialisation; and the recording of personal narratives. I thank the Government for its support in establishing the collaborative forum. I look forward to the beginning of its work.

I have previously relayed my commitment to the House to inviting the UN special rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Mr. Pablo de Greiff, to come to Ireland. I believe he can assist us in our endeavours to establish the truth and advise us on how best to move forward and deal with this part of our history. Arrangements are at an advanced stage and I expect an invitation to be issued to Mr. de Greiff in the coming days.

As we approach the anniversary of the tragic findings in Tuam in March 2017, I wish to update the House on the progress being made in responding to the discovery of the burial chambers. Deputies will know I commissioned a team of international experts to produce a technical report. It advises of five options, which are now available to us. The team was appointed to ensure that any action taken on the site is in line with international best practice. The report is a detailed technical document. It outlines the unique nature of the site and the vast technical challenges involved. The options range from memorialisation with no further excavations in option one to exhumation, forensic examination and further investigation of the wider site in options

two to five. All options can include memorialisation and appropriate internment at the site.

Having visited the Tuam site several times, I am extremely conscious that this is a very sensitive and difficult matter for many former residents, their families and those living in the vicinity of the site. I want to ensure that everyone who wishes to contribute to the discussion on the future of the site has the opportunity to do so. I have asked Galway County Council to facilitate an independent consultation process on the five options as presented in the expert technical group's report. The contributions from these consultations will be used to produce a report that will inform the interdepartmental committee, which in turn will make proposals to me on these sensitive matters. I will bring these proposals to the Government for its final recommendation.

Galway County Council has asked interested parties to complete a questionnaire-type document to generate data to use as part of the consultation process. A number of families and representatives have contacted me to express their concerns about the approach and methodology used to gather information. It appears that some have likened it to a simplistic popular voting process. The process is far more comprehensive than that. I have raised these concerns with Galway County Council. I would like to assure the House that there is no intention to trivialise the memories or feelings of those wishing to partake in this process by using such a document. The key part of this process is to offer those with an interest to express their opinion and collate this information.

The consultation process has been designed to facilitate various parties while ensuring there is certainty in regard to the preferred course of action of each respondent. I expect Deputies will be asking me some questions or making comments on that. I look forward to coming back to this in my concluding remarks.

**Deputy Anne Rabbitte:** I thank the Minister for her submission. Fianna Fáil welcomed the Mother and Baby Homes Commission of Investigation when it was established. We recognise the vital importance of the commission in delivering justice and accountability for all those affected by mother and baby homes in Ireland.

The third interim report of the Mother and Baby Homes Commission of Investigation made a request to extend the deadline for its reports on its findings on the institutions being investigated. This would change the deadline to February 2019. It should be noted that this represents the third extension of the deadlines for these reports. While we appreciate that the commission is undertaking a complex and somewhat unpredictable task, Fianna Fáil is of the view that the commission must complete its work as quickly as possible as it is an important mode of investigation and recognition for the experiences of Irish women and their children in these homes. All three reports should be issued together.

We have always supported this commission as a means to bring justice to the victims of the homes and we remain supportive of it. Fianna Fáil welcomes the publication of the third interim report. While I would like us to be at the final stage now, we will stick with the process because we want to see it through. It is 12 months since I stood before the Minister on this matter and I believed we would be coming to the end of the process today. We will try, however, to reach the end as quickly as possible.

Given the UN comments about the current terms of reference being too narrow and feedback from survivor groups, we are supportive of these terms being expanded, as the Minister has outlined. Furthermore, Fianna Fáil supports the establishment of a forum for survivors to

share their experiences and viewpoints in an open and safe environment.

The treatment of mother and children in these institutions is a dark chapter in our country's history and it is a complex issue. Questions still abound about the nature of justice and retribution for survivors and we must be thorough in our search for the best possible model of justice for survivors.

Now, as always in this process, we believe it must remain survivor focused. While I cannot critique the Minister's speech, I believe it is survivor focused.

I welcome the formation of the forum. I welcome the panel and the fact that survivors of the homes can engage in the process and have representation. I welcome the fact the forum will have human rights people.

The Minister referred in her speech to Galway. As spokesperson for children and youth affairs and coming from the constituency of Galway East, which includes Tuam, it would be very remiss of me not to focus a little on the experiences on the ground in Tuam. I spoke earlier this evening to Tommy, about whom I spoke this time last year, to receive an update on how he feels the process is progressing. He urged me yet again to stay with the process. He thanked the Minister for the work taking place. He had a number of concerns over Galway County Council, which the Minister has adequately addressed. While I do not mean to be critical, I wish to ask some questions that need to be teased out a little more.

There is a lack of clarity at present on the role of Galway County Council in respect of some voting that was taking place. The Minister explained it may have to do with the panels or selection criteria but those with whom I have been communicating do not know the exact role the council will play in the future. Will it spearhead the process or will an independent person do so for it, drill down deep and engage? That is one of the issues Tommy wanted addressed. I can understand that. Would the Minister believe people started to fill in the questionnaires only on Sunday night? It is in light of the fact that we are here on a Tuesday evening that the engagement was at that level.

The interim report states there is one institution for which records are probably not available and one whose records may be available but which are difficult to extract from a larger collection. Does the Minister know exactly the mother and baby homes on which there are missing data and whose records are hard to find? It is clear there is extensive information available about certain aspects of the institution under investigation and that it will take some time to analyse it. Will the Minister indicate whether we have enough staff working on that and will they meet the deadline within the next 12 months? From what I can gather there is an awful lot of material to be scanned and examined. Are the staff adequately resourced to complete the work?

There is no doubt that this is a very human and live issue. People watching this debate wish to bring closure to this sensitive issue which is probably very raw for many people. The opportunity to come forward, engage and talk to people about their experience is in itself part of the healing process and that is something to be welcomed. The Minister also announced it last year. The kernel of the process that people can tell their experiences and share their stories. It is important that experts are available to sit down and engage with the people who come forward and that their voices are listened to and they feel their contribution is a valuable one, because that is the case. They are the people who will open the curtains on what was a very dark part

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of our past. We owe it to those people to afford them the opportunity to speak. Time is not on their side. If necessary, we must recruit more staff or provide more supports to ensure that in 12 months' time we will be able to provide a conclusion for them or that we will have reached the stage of having the three reports ready to be viewed.

A commitment was made to the survivors of the mother and baby home in Tuam that they would be notified prior to any press release on the home being issued by Galway County Council. It is important that they be made aware of what is going on so that they do not read about it first in the *Tuam Herald* or *The Connacht Tribune*. It is important that such courtesy be shown to the survivors so that they are made aware in advance of what is being printed. If nothing else, it is a sign of respect for the survivors. I accept the Department has been working very closely with the survivors but it is also incumbent on Galway County Council to engage with those people.

In terms of the ongoing technical engagement, people welcome all the hard work that has been done. The issue is very sensitive and there are varying viewpoints but it is important that we have complete engagement from the residents of the mother and baby homes, those who worked there or those who lived in the area. I plead with people who have anything to contribute to providing a fuller picture to come forward and engage with the process the Minister has initiated. I wish the group well for the next 12 months and hope we will have a final report this time next year.

**Deputy Denise Mitchell:** I welcome the opportunity to speak on this issue. First, I express my solidarity and pledge my party's ongoing support to the survivors, relatives and campaigners who are continuing their quest for truth and justice for those who died and those who were so cruelly mistreated in the institutions. What went on in mother and baby homes is a shameful part of the history of this State and one which was rooted in an appalling attitude to women.

I understand there have been many views on the reason for the delay in the production of the final report. Many people are very upset. The commission explained how the time-consuming work of digitising files and unearthing documents has been a major factor in the delay. Unfortunately, time is not on our side. Many fear they will not get the truth and justice they deserve. As we all know, justice delayed is justice denied, so I urge the Government to do all it can to ensure the commission has whatever resources it needs to complete its work in a timely fashion.

I want the Minister to outline her plan for redress for survivors of the Bethany Home and other homes who were wrongly excluded from the redress scheme in 2002. The second interim report was very clear in its recommendations on this issue. That report was a signpost to the findings of the final report and work is required to address the issue. It is not acceptable for the Government to tell the survivors that they will have to wait until after the publication of the final report before redress is even considered. The Bethany survivors group has described the delay as placing a "death sentence on justice and truth". I urge the Minister to begin working on a redress scheme immediately.

Part of the interim report notes the serious lack of information available when it comes to the burial sites of those who died at the homes. I understand the former Bessborough mother and baby home and large parts of the Shan Ross Abbey mother and baby home have been put up for sale by the nuns who ran them. We need to be absolutely sure there are no further burial sites on the grounds that are earmarked for development.

I welcome the announcement of the collaborative forum. That is something the previous Government should have done when it set up the commission of investigation in the first place. I also hope that when it comes to memorials that the survivors and relatives of those who died in the institutions will be widely consulted on the most appropriate way to go about it.

I commend the work being done by the commission, but I express my concerns at the delay. If the commission needs more resources to allow it to complete its work in a timely and efficient manner they should be provided. The last thing we want is to be back in this Chamber in 12 months' time to be told the report will be delayed yet again.

**Deputy Donnchadh Ó Laoghaire:** Great disappointment has been expressed to us at the delay in the publication of the current report. It is worth stating the process started in 2015 and arguably before that and almost four years will have elapsed by the time the commission completes its work. Many of the survivors of the institutions who had wrongs inflicted on them are reaching an advanced age and they may not be around when the commission concludes its work. That is a cause of concern for many. Some survivors have not had an opportunity to avail of any previous schemes relating to institutional abuse of any kind. I refer for example to residents of the Bethany Home, among others. Much concern is evident in that regard.

Much of the media commentary more so than debate in this House has focused on the mother and baby home in Tuam - with good reason - but it is vitally important that we examine all the sites. In my constituency, I am very conscious of the mother and baby home at Bessborough. It is vitally important that we ensure all sites where question marks remain are properly investigated.

The Minister made a point about the request for information. I heard such an advertisement yesterday. I welcome that initiative. I do not have any information or evidence, but if we compare the numbers of children who died in that institution during the years, it was open with the official burial site, it is difficult to credit that all those dead children could be located on the site. That is simply an observation and I do not have any specific information on it. It is vital that all those sites be properly investigated.

There has been some discussion around the consultative forum. I wish to reflect on an observation made to me on many of the hearings. The consultative forum is a valuable initiative. It is essential in any discussions around any of these things that counsellors are on hand. The discussions may be traumatic and potentially difficult for those who were affected. That issue needs to be incorporated.

We had a debate on a proposal for a truth commission. The Minister did not necessarily agree on all the issues. One of the reasons I put forward the case for that commission was because there are connections between the mother and baby homes, county homes, industrial schools and so on. I took the view that it was important to explore these connections. I note the comments relating to Mr. de Greiff, but the details were announced some time ago and I am disappointed that there has been no further progress. I look forward to hearing more on the matter.

**Deputy Caoimhghín Ó Caoláin:** The first words that I wish to say are “thank you” to the 346 former residents and others who have thus far come forward to provide what must have been difficult testimony to the commission. It is to be hoped the final report, when published, will shine an eternal light on one of the darkest and most disturbing and horrifying chapters of our troubled social history.

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I record my disappointment and, I have no doubt, the utter disappointment of the former residents of these homes at the delay in completing and issuing the final report. The final report will not present until February next year instead of this month.

Having read the third interim report, I consider it of the utmost importance that immediate extra resources are provided to the investigation to ensure no further delays. It is clear from the report that the reason for the delay is the sheer volume of material that needs to be examined and, furthermore, the need to carry out further examinations of the religious orders and the health authorities to ensure all relevant material is uncovered and investigated. That will add to the workload.

Like other colleagues in the Chamber, my primary concern will always be the survivors. I welcome the collaborative forum to be set up following the publication of this interim report. I note that the forum will be comprised of interested persons. I recommend to the Minister that the majority of these interested persons should be former residents.

I deem it an absolute priority that the remaining 200 persons who have applied to have their testimony heard need that to happen. This is a further reason I call for more resources to be made available. There can be no more delays in moving towards the completion of this process and the publication of the final report. Further injustice is being heaped on the survivors by delay after delay. Many of these survivors are elderly and some are quite ill at this point in their lives. Many, I am sad to say, have passed away.

Those of us in Sinn Féin believe an interim redress scheme should be put in place in advance of the publishing of the final report to provide some immediate comfort and dignity for survivors. They have suffered so much. Such a scheme would ensure we do not see a situation where so many have passed away without even some gesture from the State. I urge the Minister to take that recommendation on board.

**Deputy Joan Burton:** I will start by mentioning the name of Christine Buckley who may not be known to all those in the Chamber. She was one of the most important people in bringing out the story of what happened to people who were in institutions, including mother and baby homes. In Dublin there is a private small charity group called the Aislínn Education and Support Centre. The centre was established by Christine Buckley, among others. It caters for people who have been in institutions and want a place to meet. The centre caters in particular for people who were in mother and baby homes as children and who went on to bigger institutions as they grew older. Often, they were shown the door on their 16th or 18th birthday. If they had the money, many of them took the boat to England straightaway.

The Aislínn centre exists on a shoestring. It is provided with a small amount of HSE funding. All the fine talk in the Chamber is as nothing if there is insufficient funding for the older people who go to the centre. In the centre they can sit down, have a cup of tea and take part in art and drama classes. Basically, it is about helping them to feel empowered as people and pick up on parts of education that they did not get previously.

One of the things about children from orphanages who went to mainstream primary schools is that they were always at the back of the class. Many people who spent a good deal of their life in homes have serious problems with literacy, even at this stage. They never got opportunities for educational development.

I know that the Minister is concerned about this issue. I appeal to her to pick up the tele-

phone or get her officials to pick up the telephone and call the Aislinn centre. She should ask the people there to tell her or her officials the current position of the centre. I know the Minister is going to tell me that it is not her responsibility and that it is not under her budget. It is really important that the centre continues its work for many of the people who are now growing older. I have had the privilege to be at the centre.

Some people joke that I am a graduate of Temple Hill, as are people like Sally Mulready. I spent the early part of my life there and in foster care. To be honest, what I care about most of all is the dignity of the people and of all the good lives that the people from there have made and led. Up to 20 or 30 years ago, it was not easy to be a child who was adopted in Ireland. Let us be frank about it, there was a lot of social distinction. It was not easy to be a birth mother either. I have met so many birth mothers who are carrying incredible grief in their hearts. They are now very much older and have no way of making contact. The Minister and I have spoken privately about this. She has been very decent in arranging to meet people who have approached her to tell her their story. We need to think about how we address this.

There is a situation in Tuam and in many other places, including Bessborough, that involves a set of family stories. What was a secret was in fact privately held knowledge among extended families. I am referring to when a girl went away. I use the word “girl” because that was the language of those days. The girl went away, had a baby and came back. Sometimes she came back to the family home and sometimes she went to England. Often the men held strong views and perhaps the mothers also. Reconciliation never happened. In fact, people got married and had children themselves and never told anyone about their experiences. Anyone who has had the privilege of meeting these people will know what I am talking about.

Aside from the Aislinn centre, there are other places in the country that try to look out for people and offer a helping hand. I do not mean any kind of charity but a real helping hand to people. I believe the Aislinn centre could do with more Government support and more funding to allow it to do its work. Costs are rising exponentially in Dublin city centre. Although there are some already, there is probably need for similar centres at different points around Ireland where people could make contact.

*7 o'clock*

I am not happy about Caranua. While I acknowledge that apologies were made, the comments made were incredibly demeaning of people who were in mother and baby homes. If the Minister has any influence over the Department of Education and Skills, she should use it in respect of the substantial fund operated by the Department to provide redress. Funding may be provided for individuals only, not for organisations. The Minister should speak to people who use Caranua’s services. Some organisations and individuals have a good relationship with it, while others have a difficult and strained relationship with it. The current model needs to be overhauled. I acknowledge, however, that Caranua does not come within the remit of her Department.

On the issue of records and fostering, when I was Tánaiste and Minister for Social Protection, I saw through the House a Bill to give people the right to trace, almost to its final Stages. As we heard, many of the individuals in question are getting older. Tracing is a lottery. Some people are successful because the organisation that arranged their adoption is still in operation and has a structure in place for dealing with tracing, while others are unable to trace their family. Increasingly, adopted persons want to trace their birth parents to find out about their medical

history. Worldwide, more women than men trace their birth parents. However, after they have children, particularly in cases where medical issues arise, men often want to trace their birth parents to obtain their medical records. The Minister spoke about bringing forward a human rights commissioner, which is great, but she must implement legislation on tracing. I am not aware of any progress that has been made with the Bill I introduced. As Deputy Anne Rabbitte stated, this is a complicated issue involving different parties whose rights and interests must be respected. However, postponing the introduction of tracing legislation until the commission of inquiry has completed its investigation, as I believe the Government may have decided to do, would be wrong, given the age of many of the individuals in question.

Large numbers of adopted persons are repeatedly told by adoption organisations that they were an only child. This is patently not true because many of the people who gave up children for adoption were in long-term relationships. For one reason or another, including the prevailing mores at the time, they were unable to have an open relationship. Local busy bodies often pressed for their children to be placed in homes and made the necessary arrangements to do so, causing intense grief. Many people have siblings that they have not been able to trace and this issue must be addressed. It is possible to facilitate meetings and achieve some level of reconciliation among extended families. I have sat in many kitchens with elderly women who survived the mother and baby homes. They often ask why Ireland did this to them and why it was as it was. The reason is we had an incredibly powerful and autocratic Catholic Church which knew what was right.

The Minister faces a serious challenge in her brief on the commission of investigation, namely, to try to right a number of wrongs. The Catholic Church should come out and apologise, as should the Church of Ireland and other churches that operated homes on a smaller scale. Parish priests should ask their parishioners from the pulpit at Sunday mass to help people who come to the district seeking to trace relatives. I am not aware of any parish priest who has done this, yet in all my years of tracing I have met many priests who told me I was extremely lucky to have been adopted. I know that I was lucky and there is no doubt that the alternative of living permanently in an institution was the worst case scenario. I was also fantastically lucky in the family who adopted me. However, others were not so lucky and they want to know their story and obtain their papers.

The Minister can take certain initiatives and address some of the issues I have raised without waiting for the final report of the commission of investigation. She should not postpone taking action until the commission has concluded its work. It is important that the commission do its work properly and fully; I am not in favour of a quick report. Given that the commission is reporting in stages, will the Minister indicate whether she has addressed all of the recommendations made in the second interim report? I do not believe the Department has done so and will leave that to the record. I plead with the Minister to reach out to try to bring more humanity into this area.

**Deputy Ruth Coppinger:** The third interim report was met with acute dissatisfaction by survivors and their families and supporters, people who had been failed by the State, the religious denominations and the entire establishment. For the lone parents, unmarried mothers and poor parents involved - in many cases, the only crime of those placed in county homes was being homeless or living in poverty - this is not an historic event but a lived reality. Mothers and children were institutionalised and families split up. The mother and baby homes were the product of a misogynist conservative establishment that ran the State for decades.

The extension of time by one year to allow the commission of investigation to make its final report is particularly difficult for survivors, most of whom are elderly and seeking answers to many questions. I am not dismissing or diminishing the problems and complexities the commission and its staff face. The commission has yet to meet many of the large number of people who have been contacting it to give their testimonies. The confidential committee has met hundreds of former residents here and in Britain. Attitudes have changed and more and more women believe they can come forward and speak about their treatment in the institutions. Many of them have still not met the commission.

The second reason given is that records are old, that many are paper files and that the location or existence of some is uncertain. The interim report outlines the major administrative task involved in processing and manually examining these records.

The third issue is that extensive information remains to be provided by the religious congregations and Departments which have been served with discovery orders. What level of non-co-operation has the commission of inquiry encountered from some religious institutions? This question must be answered because it would be disgraceful if a failure to co-operate was causing further delay in the process.

While I acknowledge these problems and issues facing the commission of inquiry, the position is still unsatisfactory for survivors, but steps can be taken in the interim. Survivors need to be given a comprehensive, well researched and definitive report at the end of the process. They must also receive an apology from the State and the religious denominations and this does not have to wait until the commission of inquiry has completed its work.

Many survivors have been wondering on social media and elsewhere why the State is paying for a visit by the Pope at a time when they have not received redress from the religious organisations that abused them or an apology from the church. This is a major issue which many people are raising. It is estimated that €20 million will be spent by the State on the visit. That is according to the Archbishop of Dublin and I do not know if the church is coughing up for any of it. That amount is three times the budget reported for this commission, which is €7 million. It is legitimate to ask whether we can beef up the budget and take on more staff. I am sure there are students, historians and researchers of all kinds who would love to work on this project and give closure to many of the people in this position. Over the next year we must ensure the commission has further interim and progress reports, and if there are areas on which it can make conclusions, it should do so. I absolutely agree that a redress scheme could be set up for elderly people in particular to avail of. We do not want to be in a position next year, when the report is published, of seeing a delay in setting up a redress scheme. Moves can be made to do it now. Having made the point that societal attitudes are driving the correct call by survivors for redress and how women feel freer to speak, those who have been adopted should also feel free to speak about their experience and how the institutions have impacted on them.

Last week in this Chamber we spoke on the 100th anniversary of the right of women to vote being marked by the State. At the same time women were being granted the right to vote, they were having their rights taken away from them in other areas. There was a counter-revolution taking place against women's rights when the State was established. We saw women getting the right to vote but being taken off juries. We saw women getting the right to vote but being denied contraception until the 1970s. The right to a divorce was removed in this country and it was only won back in the 1990s. In the past 25 years, there has been a transformation in attitudes and the role of women in Irish society, much of it driven by the increased number of

women in the workforce.

At the time when some of these mother and baby homes were still open, such as in 1973, only 15% of married women worked. Today that figure has increased significantly. The participation in the workplace by women has risen to 63%, and 34% of women have a third level qualification versus 28% of men. However, the pay gap has remained for women. The key point is that while we get redress for people in the mother and baby homes, the time is up for the oppression of women in this country in general. Mother and baby homes were sustained by a hostile attitude to women's sexuality and value in society, with the church and State colluding to have institutions as the sanction that would be taken against women who did not conform to the role models of the time and having children only within wedlock. Women were to be the providers of free domestic labour at this time, and we can see that in the institutions where their work was unpaid.

We are approaching a referendum that will primarily deal with the rights of women over their bodies. Parties and individuals should be consistent. There is a link. For example, we should end the shaming of women's sexuality and recognise that women with crisis pregnancies should be allowed to make their own decisions, which they were not at this time. It relates to the referendum that is about to take place on abortion. In 2013, for example, it is quite amazing that the Pharmaceutical Society of Ireland was given the power to sign off on regulations where the personal moral standards of a pharmacist could result in a women being denied emergency contraception. This case was highlighted only last week. In the past four years a 14-year jail sentence was introduced as a sanction for use of the abortion pill or having an abortion. Just last year the Government saw fit to turn over the ownership of the National Maternity Hospital to one of the religious institutions facing accusations and which is responsible for institutional abuse. That decision was only reversed because of a major public backlash and we still have politicians extremely far behind on these matters.

Today we have a transformed attitude to women and one in four families is now a one-parent family. It is absolutely time for this redress to be given to all those who are victims of this repressive attitude of the church and State towards women. Everything should be done in terms of resources to ensure the process is done by next year. If there is any delay, it will cause outcry and be a huge kick in the teeth to people already victimised by the State.

**Deputy Clare Daly:** I am really getting weary with the delay and, in some ways, the excuses. If I feel like that, God only knows what the survivors and those for whom this is a lived experience are feeling. We must ask ourselves why were these delays not anticipated and what are we doing to put the resources in place to ensure there are no further delays. Over the past period there have been many nice statements, announcements and speak of consultation, but are we really hearing what people are saying? Are we really addressing the basic needs on which some people have sought redress, such as access to basic housing, health issues and access to records? It has not been there for many people.

One of the critical matters we must register today is the genuine fear with respect to the age of some of the survivors and how they cannot take a further delay beyond next year. We need an assurance that it will not happen. We must also be cognisant of the very sharp criticism of the Ombudsman recently on the State's application in the Magdalen redress scheme. He was extremely critical of the way in which women's real experiences were not listened to, an over-reliance on documentation, not hearing people out and overly complicating processes. I wonder if that is what we are doing. Some of records element is complicated but other parts are less so.

We must have a starting point in saying that much of the information is not new. I do not mean this in a disrespectful way but it is more than five years ago that an internal Health Service Executive document in 2012 revealed what it called a wholly epidemic level of child death in Bessborough, with 472 children recorded as dying between 1934 and 1953. We know from the excellent work of Mr. Conall Ó Fátharta at the *Irish Examiner* that the HSE was given files in 2011 containing the names of 800 children who died in Bessborough and Sean Ross Abbey. Incidentally, both of those sites are for sale currently. We know from the campaigning work of people like Mr. Derek Leinster the figures and names of children who died in the Bethany Home. These facts were established before Ms Catherine Corless did her Trojan work in Tuam but nothing was done. There was no investigation until Tuam took the headlines. In some ways we are playing catch-up but we must very clearly say that this is not about one site and there are multiple sites. There is an experience of people that cannot be divorced from the treatment of women in society.

I received an email from one of the babies - he is not a baby any more - who was born in one of these institutions. He describes the mother and baby homes as generally a cross between a maternity hospital with no doctors and nurses and a low to medium security prison. That is what they were and society knew about that. We have major responsibilities to address these outstanding matters. We have very limited time but the lack of sensitivity in some ways of dealing with these cases beggars belief. Galway County Council approached consultation with the survivors and their families by giving out a tick-box form; it brings a whole new meaning to a tick-box exercise. As it concerned dead babies, it was horrifically insensitive and at the very least, survivors need to be spoken to directly. I am concerned by the possibility raised by the commission that it may not get to meet everybody. I would like to hear that this could be addressed by extra resources or whatever it takes. I would like to know what the level of co-operation is. There is the point about the order for discovery and the giving of some information. Was other information left out? Are we satisfied with the amount of documents made available? Critically, we need to factor in, if one likes, the lived and oral testimonies. We cannot lose sight of the fact that no one has been held to account for what happened to the children, many of whom died through neglect, while others were illegally adopted. That the issue of illegal adoptions is not included is regrettable. People who are getting older are looking for the truth and the identities of their loved ones, as well as justice and compensation, which cannot come too quickly. Will the Minister provide an assurance that they will receive whatever they need to get the job done without further delay?

**Deputy Catherine Connolly:** As I have five minutes only, I will direct and make my comments in a focused manner.

As the Minister can imagine, trust is essential. As has been acknowledged, she received a letter on 16 January about basic issues, one of which is access to records. An individual has been to the High Court eight times to gain access to records on his sister. Another issue is the provision of a dedicated counselling service. There are also issues about care, the provision of medical cards and housing. If these basic needs cannot be met in a speedy and efficient manner, talking about the United Nations, human rights and a consultative forum is absolute nonsense. I do not wish to be unduly critical, but, as someone who comes from Galway, I have both personal and professional experience of the home and read every document on it.

Let me put this issue in perspective. In 2012, during the course of the work of the interdepartmental working group, issues in relation to mother and baby homes, in particular those in Bessborough and Tuam, were highlighted in an internal memorandum. I raised the issue with

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the Minister months ago. It stated there were serious concerns about patient safety, medical care, accounting irregularities and possible interference with birth and death certificates, etc. There were two briefing documents on a scandal that will dwarf all others. There was also correspondence from major figures in the Catholic Church looking for babies to be sent to America. Notwithstanding the good men who signed their names and said there must be action, the memorandum was ignored and not acted on. There was no follow-up action. Then we had the good work of the journalist Conall Ó Fátharta and a local historian, Catherine Corless, who between 2011 and 2013, after that work, highlighted 796 names. She paid €4 for each death certificate. She outlined that there had been newborn babies and children up to nine years of age and that one child had died every fortnight. Not only was there silence there was also outright denial. On behalf of the Bons Secours Sisters, Ms Terry Prone responded to a documentary maker by saying:

If you come here, you'll find no mass grave, no evidence that children were ever so buried and a local police force casting their eyes to heaven and saying "Yeah, a few bones were found - but this was an area where Famine victims were buried. So?"

That was the official response given through a communications firm.

The commission was set up in February 2015 and the Government was shamed into setting it up. It had a number of targets that were not met and we hear today that it wants a further extension. Serious questions must be asked. Why were sufficient resources not provided? Why was there not a scoping exercise of sufficient strength and scope to allow this detailed and necessary work to be done within the time allocated? It will now enter its fourth year.

In terms of trust, each and every report has been delayed, with the exception of the first interim report which simply asked for an extension of time. The second was received by the Minister in September 2016 and published in April 2017. The commission felt the necessity to publish a report to highlight the fact that the manner in which unaccompanied children in mother and baby homes had been excluded from the redress system or an alternative redress system defied logic. There was no answer from the Government. The commission was simply ignored.

The technical report was on the Minister's desk in June 2017. Certainly, the options were on her desk. The full report was on it in September 2017 and published on 5 December 2017. Again, there was a significant delay. There is a four page document - a note - that does absolutely nothing in the report to set the context at that stage, more than two years after it had been set up. It is a descriptive note that places nothing in context and makes no provisional conclusions.

The discovery by the commission in March of 20 chambers, partially examined, of human remains caused international headlines. What is important for us, survivors and the families is what happened in the excavation. Where is it at? What about the role of the coroner? Under law the coroner has a serious statutory role to play. Where is the report on his role? What inquests have been carried out? When were they carried out? If none was carried out, why not?

There was talk tonight of consultation and collaboration which was welcomed by Deputies. That is their business and they may well see the need for it, but I see the need for honesty, open communication with survivors and their families and respect and dignity that are absolutely lacking. I am not speaking about the Minister in a personal capacity; I am talking about the delays. When I examine page 56 of the technical report and the five options to which I will come back if the Acting Chairman will allow me-----

**Acting Chairman (Deputy Bernard J. Durkan):** The Acting Chairman might not allow it.

**Deputy Catherine Connolly:** What concerns me in the summary is the line, “The potential to identify individuals interred in Tuam is one that poses many challenges”. I can understand that. It then goes on to state one of the challenges is the “potential damage to relations between the public, the Church and the Government”. What kind of challenge is that? Why should it be identified? That tells us something about where we are going. On the five options, it is a decision for the Government and this House to make in the best informed manner they can. However, the Minister has given it over to a county council which does not have enough staff to repair the roads and which at 9 p.m. will be looking at the deficiencies. It is engaging in a box-ticking exercise. It is asking residents and neighbours to tick boxes. That should be done in this House after meaningful consultation.

While I understand the Minister has a difficult role, at the very least I expect reports, with the dates on them, to be published immediately.

**Deputy Mattie McGrath:** I will be sharing a few minutes of my time with Deputy Michael Healy-Rae if he arrives.

**Acting Chairman (Deputy Bernard J. Durkan):** Is that agreed? Agreed.

**Deputy Mattie McGrath:** I am happy to speak briefly about this issue. When the Minister, Deputy Katherine Zappone, published the third interim report of the commission of investigation into the mother and baby homes in December last year, she made it quite clear that the Government had agreed to a request from the commission for an extension of one year to allow it to complete its fact-finding and information gathering process. The additional time will ensure the investigation can comprehensively address the wide range of public concerns referred to it. The Minister also announced that she would establish a collaborative forum to support former residents to develop solutions to issues of concern to them. That is also welcome. I must admit, however, that I was surprised to hear the Minister had felt it necessary to invite the UN special rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence to visit Ireland to assist with the project. By any yardstick, I do not share her high regard for the United Nations’ so-called human rights institutions. In my experience, these institutions are riddled with moral hypocrisy and have a skewed view of what constitute human rights, as well as a history of gross interference with the sovereign rights of nations to control their own laws; nor do I see why the investigation cannot be overseen by the statutory authorities of the State. While it is an argument for another day, will the Minister explain why it is so important to involve the United Nations?

To return to the interim report, I note that it is proving difficult to find the records of some health authorities. It is not clear if they have been lost or destroyed, or if it is simply the case that no one knows where they are. The report indicates that this may be due to the change in structures during the years of local authorities, boards of guardians, boards of public assistance to the health boards and then the HSE and, in some cases, the Child and Family Agency. The commission is continuing its efforts to find the material. I wish it well in that regard. We all need the clearest picture possible, including the families.

I am disturbed to read that while there are detailed death records available, there are significant gaps in the information on the burials of babies who died in a number of the institutions under investigation. The commission notes that while it is continuing to make inquiries about

burials and burial records, it appears that it is an area in which it will be difficult to establish the full facts. That is something that must be continually borne in mind as we move forward as it will help us to avoid any summary rush to judgment in the clear absence of the facts.

This is also an opportune time to discuss some of the current failures in child protection. This will help us to realise that while the mother and baby homes issue is historical, the failure of the State to protect children is ongoing and very real. We can come into the House and pontificate and lash out about what happened in the dark days of the past, but we have very real failures occurring this very minute and hour all over the land. I want the Minister to acknowledge this and try to deal with the issue. Last year she gave me a breakdown of the number of children under the age of one year who had been in State care from 31 December 2011 to 2015. In 2011 the number was 136; in 2012, 148; in 2013, 136; in 2014, 139; and in 2015, 121. The numbers are truly astonishing. They show that we still have a desperate situation in the treatment of mothers and babies in the State. That is to say nothing of the number of children who died in State care in recent years, a matter I have raised previously with the Minister. However, it bears repeating that there were also 56,000 reports of child abuse in the past three years across all categories of neglect and abuse, which is a shocking figure. Will the Minister also be calling in the UN special rapporteur on truth to investigate these matters and, if not, why not? The figures provided for me by her Department show that there were 19,407 reports of physical, sexual and emotional abuse, as well as neglect, received in 2013 alone, again a shocking figure in just one year. In 2014 the number of cases reported in the same categories was 18,676. In 2015, the number was 18,235. In total, in 2015 there were 43,596 referrals to Tusla under the Minister's Department, a staggering figure.

I refer to recent history and history in the making which is not good. It does not make good reading and it is not good for the memory in the context of future investigations and tribunals. The statistics point to an alarming undercurrent of violence and neglect that is still being perpetrated on innocent children in our society. Will Minister show the same diligence in dealing with this matter that she is showing in dealing with the mother and baby scandals? We can write and talk about what happened in the dark days of the past and can blame the Catholic Church and everybody else. However, this is happening under our watch with all of the education that is now supposed to be available, with all of the equality legislation that is supposed to be in place and with all of the powers of investigation that Tusla and the HSE continue to have. I ask why is this happening. I hope the media will focus on it also because if we learn nothing from the past, we are capable of repeating the same problems and we are, in spite of all the millions being pumped into dealing with them. We had a debate on child care two weeks ago. It is both shocking and staggering. I know of cases, about which I have been on to the Minister. The minute a person is onto Tusla, it is totally taboo and not possible to inquire. Tusla has a lot of questions to answer. I had it in my county and otherwise about the way it did and did not get involved, but we should have seen the mistakes.

However, what did we do? We set up Tusla and hived off a huge number of staff. There is interference from the side and I am being distracted. The staff were just moved into other positions. There are bound to be teething problems, but in this instance, they were more than teething problems. They are continuing and serious. I meet gardaí every weekend in my constituency, as others do in their constituencies, if they were to be honest. They receive calls at 3.20 p.m. and 4.20 p.m. on a Friday evening. I am referring to calls about problem in families with children. Gardaí are told they are in charge and can deal with the problem over the weekend. That is not good enough. It is not fair to members of An Garda Síochána. They are busy

and have to police a lot of areas, but this happens continually. Calls are landed on their desks shortly after lunch on a Friday because there are not enough social workers on duty. I am not knocking all social workers and all that they do, but there are lots of problems and I referred to the figures earlier. That is no way to treat a problem by handing it over to members of An Garda Síochána who much of the time are ill equipped and untrained to deal with it. To where will they bring children in question and their families? Will they bring them into the Garda station and try to find a foster home for them? I salute the foster carers that make their houses and homes available. However, there are lots of problems under the Minister's watch. It is important that we also bring in the United Nations special rapporteur to deal with this issue. I can tell the Minister that there will be investigations into what happened in 2011, 2012, 2013, 2014, 2015, 2016, 2017 and 2018 under our watch, for which we will have to be accountable and come up with ideas. We cannot blame all religious institutions and whoever else we feel like blaming for what happened in bygone days when we were always told we were backward and this and that. We have all of the education we need and are still letting the same thing to happen right under our noses on an hourly basis.

**Deputy Anne Rabbitte:** Come on; this is about mother and baby homes.

**Deputy Mattie McGrath:** Excuse me. May I have freedom to address the Chair without interruption, please?

**Acting Chairman (Deputy Bernard J. Durkan):** Is the Deputy almost finished?

**Deputy Mattie McGrath:** I am, but there were mutterings in between also. Perhaps Deputy Anne Rabbitte is on another journey from somewhere else.

**Deputy Seán Canney:** I welcome the opportunity to speak about mother and baby homes. I compliment the Minister on her endeavours in dealing with this sensitive issue. Earlier we listened to how Galway County Council was dealing with the issue in Tuam. I come from Tuam and was educated there. I have met a lot of people, some of whom are in the Visitors Gallery, who have been affected in one way or another. I refer to survivors or family members of people who passed away. It is a sensitive issue and we have to make sure we deal with it in a way that we will satisfaction for those who have been affected by this terrible tragedy.

One of the things I find in speaking to survivors is that they find themselves in a position where they are beginning to talk about their experiences. They are talking to one another about them. They are talking in groups and beginning to find some consolation in the fact that they are meeting others who have had the same experiences. Over a long period of time, from the time they were babies until they started to talk about it, they were holding it as a dark a secret as if there was something wrong with them. At this stage what we have to do as a state is to make sure we find the truth for them and make reparation. As Deputy Mattie McGrath mentioned, we must be as vigilant as possible to ensure it will never happen again in this country or elsewhere.

I met the group in Tuam before Christmas. We went to the site, said some prayers, read some poems and sang some hymns. There was reverence. It must also be taken into account that the lives of those who live in close proximity to the site have been affected. Even though they are innocent and had no part to play in anything that happened, there has been an intrusion in their area and lives. We must respect them as well and ensure they get the support they need in terms of counselling, advice and information on what is happening.

Questions arise as to how to go about this work and ensure everyone is treated fairly. At the

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end of the day, decisions will have to be made. The Minister is in the consultation process. It is important that everyone get a fair crack at stating his or her case. However, time is an issue. Personally, I do not mind delays if we find the truth, but some people will be frustrated by how the timeframe keeps lengthening and by the delays in the process. We must be sensitive to this issue and spare no effort in doing everything that we can as humanly and as quickly as possible. I have great confidence that the Minister will do so. She will treat this situation with the compassion it deserves. We are not proud of it as a society, but we must deal with it.

It is not widely known that counselling services are available to the victims. Barnardos is running a service whereby it takes appointments and sees people in the new primary care centre in Tuam. More information on this service needs to get out in order that people know about it.

I wish to make another point. It is a comment rather than a complaint. When people telephone for advice, there might not be someone on the other end of the line, meaning that they have to telephone time and again. Someone might not revert to them for a number of days. We must ensure that, when people telephone, someone responds to them. Otherwise, people will become even more frustrated.

We will have to make tough decisions on what to do, not only in Tuam, but at other sites. Whatever we do, we must ensure we get to the truth and that those who have been affected receive reparation. In modern society, we must be vigilant against anything like this happening again.

**Deputy Niamh Smyth:** We in Fianna Fáil welcomed the commission of investigation into mother and baby homes when it was established. We recognised the importance of the commission in delivering justice and accountability for all those affected by mother and baby homes.

The commission's third interim report makes a request to extend the deadline for its reports on its findings on the institutions being investigated. This will add a further year to the timeframe. It should be noted that this represents the third extension of the deadlines for these reports. While we appreciate that the commission is undertaking a complex and somewhat unpredictable task, Fianna Fáil is of the view that the commission must complete its work as quickly as possible, as it is an important mode of investigation and recognition of the experiences of Irish women and their children in these homes.

Given the United Nations' comments on the terms of reference being too narrow and feedback from survivor groups, we are supportive of the terms being expanded. Furthermore, we will be engaging with survivor groups to discuss and consider how their input can best be integrated into this report.

The treatment of mothers and children in these institutions is a dark chapter in our country's history and a complex issue. Questions still abound about the nature of justice and retribution for survivors. We must be thorough in our search for the best possible model of justice for them. Our hope is that this investigation, under the direction of Judge Yvonne Murphy, can contribute in a meaningful way to that process. We welcome the publication of this report as an important step towards the final report and as an important milestone for survivors. Many survivors of mother and baby homes are reaching their later years. For this reason, it is imperative that justice and recognition be delivered to them as quickly as possible.

We have always supported the commission as a means of bringing justice to the victims of these homes and we remain supportive of the process of the commission. Furthermore, in

recognition of the immense and widespread suffering that survivors experienced in the institutions excluded from the current terms, and given the United Nations' assessment of the terms of reference being too narrow, Fianna Fáil fully supports the broadening of the terms of reference. We also support the establishment of a forum for survivors to share their experiences and viewpoints in an open and safe environment. It is crucial that we record as much information and as many experiences as we can at this juncture. Given how difficult it is for many survivors to discuss their experiences, however, it would be easier and more appropriate for them to do so in a setting that is non-legalistic and does not imply guilt or blame on their part.

These changes must be concurrent with broader discussions of justice for survivors of mother and baby homes. We must examine international best practice and other examples to find the best possible process for justice to be delivered to the survivors. Now, and as always in this process, we believe that it must remain survivor focused. To that end, we welcome the Minister's decision to seek public consultation on further action and to investigate the possibility of expanding the scope of the inquiry.

**Deputy Louise O'Reilly:** I wish to share time with Deputy Martin Kenny.

**Acting Chairman (Deputy Bernard J. Durkan):** Is that agreed? Agreed.

**Deputy Louise O'Reilly:** While the announcement of a delay to the commission of investigation's report is disappointing, the reasons for the delay - the sheer amount of documentary evidence - cannot, and should not, be disputed. I would have preferred it if additional resources had been requested when the scale of the documentary evidence became apparent in order for the report to be published on time. I accept the Minister's bona fides on this issue. It concerns her greatly and she does not want to add her name to the list of people in power who have let the women in question, their families and the survivors down. It is regrettable that we are not here to discuss the report in full. The survivors of mother and baby homes have waited so long. Some of them are no longer with us and, unfortunately, others may not see another year. Extending the report's finalisation date by a year should have been a last resort. Nevertheless, the preference of almost all of the survivors is that there be an acknowledgement of the horror of the mother and baby homes, an official apology to the survivor community and an interim redress payment to the elderly and dying survivor community. We do not need a report to instruct the Government that this should be done.

It is important that the report reflects the horror that the victims suffered and the role of successive Governments in facilitating these homes to operate their abuse. We should not shy away from this. Therefore, if there is a request for a further year, it is important that it be made in order to study documents and relay the truth and not be part of some whitewashing or dilution of the true horror that these survivors experienced.

I welcome the Minister's announcement, including on the establishment of a collaborative forum to support former residents in developing solutions to the issues of concern to them. Unlike one of the previous speakers, I welcome the decision to invite the UN special rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence to Ireland.

I must finish by saying the survivors from institutions included in the commission of investigation deserve justice as soon as possible. They do not deserve further delay.

**Deputy Martin Kenny:** Many of the people involved are getting older and facing ill-health. About a month ago I spoke to a woman who had been in the home in Tuam where she had gone

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through a very difficult time. The extension of time really concerns her. Where will it end? People need to be given an absolute assurance that we will come to a conclusion of this process very soon. It has altered their lives and those of their families and everyone around them.

It is almost six months since we debated this issue. A couple of weeks after the last debate I met a man who told me that his brother had worked in one of the homes in the 1950s and later emigrated. The reason he had emigrated was that he had worked there for about four or five months and had been shocked by the attitude the people who ran the place had towards whom he described as the inmates. It had been like a prison. It had brought the person concerned to a situation where he felt he could no longer stay in Ireland and had to leave. It was not for financial reasons, the reason most people emigrated, but because of what he had experienced and the type of country he thought it was.

We need to recognise that our past is something we cannot change. We have to be careful about how we talk about it and what we do about it. None of us in this House is responsible for what happened in the past, but we are responsible for how we deal with it. That is what this is about. It is about how we deal with the consequences of the wrongs done in the past. We really need to focus on this issue. How we deal with this will be a reflection on us and the part we played for future generations. The Minister is genuine and the Government wants to try to do the right thing. However, a lot of people are fearful that it is playing for time. It needs to be acknowledged that it is not playing for time and that we are trying to find a solution. There is a need for a solution that is wholesome for the people involved and society in order that everyone will feel he or she has a stake in this process. What happened in the mother and baby homes is a poor reflection on our past. We now have an opportunity to change it.

**Deputy Bríd Smith:** I am sure the Minister read the article by Fintan O'Toole at the time the Tuam babies scandal broke last year in which he said:

The abusive relationship between church, State and society may, like the dead babies that have haunted us in recent weeks, be buried beneath the surface of our postmodern globalised reality. But its consequences still lurk in our bloodstream and until we understand them, the past will be our present and our future too.

I agree to the extent that I see the mother and baby homes not as a legacy of the dark past but as part of the uncontested control of the church. That marriage between church and State continues to pervade the education system, health services, the running of hospitals and schools and the debate on the reproductive health care of women. The interim report contains a number of striking things. I accept the Minister's bona fides. I also accept that the investigation has expanded and that more time is needed to complete the report. I accept that the widening of its remit and scope means that the commissioners need more time. We have to question the length of time required. It will be another year before conclusions are made. Survivor groups and advocates have pointed out that many of those directly affected, including the survivors, children and siblings of mothers who were incarcerated, are now elderly. There are many who have or will pass before the operation has been completed. We need a sense of urgency which I do not feel in the House. We need the sense of outrage and urgency that we felt last year when the story first broke. With it we need a strategy that will deal with this process much more quickly. Does the Minister believe she has sufficient resources to deal with it completely and properly and with a sense of urgency that allocates a sense of decency to the survivors who are left? Will she try to address that question? It is not really a concern about the delay in finding out the very intricate details of what bones were found, the dates or the evidence we can obtain from wit-

nesses and beyond. It is also about retribution and the redress afforded to the victims. I do not understand why that cannot even partially be run in tandem. There should be a parallel operation in which the evidence is found at the same time as we look after the victims of such abuse.

There is a wider issue about the legacy of the past. The church ethos and rulings still affect the education curriculum in schools. The ethos and rules still affect a wider question about how we run schools and hospitals. There are cases of parents whose children's futures are uncertain because, for example, the Edmund Rice Schools Trust which owns lands on which schools are located is not willing to give long-term leases but has instead given leases to schools that will expire in a few years' time. Parents and entire families are fretting about the future of the education of the children. The State continues to contract out key services in health, education and housing to religious charities and religious groups when we have such a dreadful legacy.

Since the Woods deal in 2002, 16 years ago, there has been the possibility of having a shared retribution scheme to meet the cost of compensating the survivors. The church, in all its aspects, has completely fallen down in its duty to the State and the survivors. The figures mean that it would be paying back more than €750 million to the State in redress costs when, in fact, it has paid around €400 million. The Woods deal, done by the then Fianna Fáil Minister for Health, allowed the church to get away without indemnifying the legacy it had left. When I see the Edmund Rice Schools Trust taking legal action against the parents and the board of the Educate Together school in Clonkeen College or the uncertainty faced in my area because of the lack of a proper lease from the Edmund Rice Schools Trust, I see the legacy of the mother and baby homes in Tuam and elsewhere. I see the gross interference of the church in the education system which for it is all about profit, money and what it can extract most for itself. There is a lot of unfinished business. The survivors will never be truly compensated until we actually have a genuine separation of church and State and run schools and hospitals on a secular basis.

Does the Minister believe she has enough resources to deal with this process? Is there a way that, in tandem with the criminal investigation, we can compensate the victims who are still alive?

**Acting Chairman (Deputy Bernard J. Durkan):** We have limited time available. I call Deputy Maureen O'Sullivan who can start her statement and continue it tomorrow.

**Deputy Maureen O'Sullivan:** The issue of institutions, whether it be mother and baby homes, industrial schools or Magdalen laundries, is harrowing and very sad when we think of the lives lost and destroyed, not to mention the physical conditions and brutality experienced by so many. Few survivors have spoken about the care they received in the institutions. It is very difficult to comprehend how adults in the so-called caring professions could have been so callous, repressive, cruel and judgmental. In many cases, they were like that with children. The families of survivors also have to share the blame because they, in many cases, were the ones who put their own members into the institutions.

*8 o'clock*

### **Roads Maintenance: Motion [Private Members]**

**Deputy Robert Troy:** I move:

“That Dáil Éireann:

notes:

— that Ireland’s network of regional and local roads is almost 91,000 kilometres in length, accounts for 94 per cent of Ireland’s road network and carries about 54 per cent of all road traffic;

— that the local and regional road network serves as the main connection between homes and businesses in much of Ireland, including Dublin and other urban areas, and plays a vital role in balanced regional economic development;

— that according to the latest National Oversight and Audit Commission, almost 70 per cent of regional roads have structural or surface defects and that ten per cent or more of local primary roads were structurally distressed in 12 local authorities;

— that well-maintained and good quality local and regional roads facilitate strong links between and among communities;

— that the Department of Transport, Tourism and Sport has, on average over the past five years, provided local councils with less than half the amount of funding that is deemed necessary to maintain roads in a steady state condition;

— that repeated incidences of flooding and other extreme weather events have caused considerable damage to many local and regional roads;

— that many local authorities have too few outdoor council staff and have not been granted sufficient resources to hire additional staff;

— the importance of the speedy delivery of the planned upgrading of our national road network, for both the economy and a more balanced spatial distribution; and

— the considerable safety concerns arising from roads with structural or surface defects and that the presence of such defects increases the frequency of road collisions;

recognises that:

— the Programme for a Partnership Government commits to increasing the capital budget for regional and local roads by approximately 50 per cent, which has yet to be delivered; and

— the Department of Transport, Tourism and Sport has estimated, in its Strategic Framework for Investment in Land Transport, that an annual investment of €580 million is required to maintain the current regional and local road network, €163 million more than has been allocated this year; and

calls on the Government to:

— significantly increase the regional and local roads budget in the context of the Capital Investment Plan 2016-2021;

— publish a full response to the findings of the National Oversight and Audit Commission, with a detailed plan to address the issues and defects identified in this report,

within three months;

— review the management of funds at local authority levels to ensure that funds are being used in the most efficient and effective manner possible and provide additional administrative supports where they are needed; and

— provide biannual reports to the Houses of the Oireachtas on the implementation progress of this plan, with the first update provided no later than six months following the passing of this motion.”

Given the importance of this motion and its relevance to every constituency the length and breadth of this country I wish to share time with many of my colleagues.

Local and regional roads account for 94% of our road network, carrying 54% of traffic throughout the country. A recent report by the National Oversight and Audit Commission confirmed what many of us know from travelling the roads, namely, that 70% of our regional and local roads have serious structural and surface defects. The Programme for A Partnership Government, which the Minister for Transport, Tourism and Sport is a co-author of, committed to increasing the capital budget by 50% but he has failed to do that in the first two budgets he has signed off on. Last year, during a debate on a Private Members’ motion similar to this one, tabled by the Rural Independent Group, he confirmed his commitment to increasing road funding by 50%. I acknowledge that there has been an increase in funding this year but that does not match the 50% the Minister signed up for in the programme for Government.

That increase came at a time when Transport Infrastructure Ireland, TII, sent a letter to every chief executive in the country, before Christmas. It stated:

At this point it is envisaged that the 2018 Ordinary Maintenance allocations to local authorities will be reduced by approx. 30% from 2017 levels. This reduction will, however, be mitigated somewhat by the availability of additional funds which can be drawn down via the Geo App, but will, nevertheless be significant at approx. 17% overall.

While there is an increase from the Department of Transport, Tourism and Sport there has been a significant decrease in the funding provided to local authorities by TII.

The increase this year comes against a backdrop of years of significant underfunding. When the Minister got his ministerial briefing in 2016 the Department said that the clear risk in the continued underfunding of transport investment over the next three years is that it becomes a significant impediment to economic growth. Only last February the Secretary General of the Department when he appeared before the Committee of Public Accounts, PAC, said that the shortfall between the funding the Department believes should be provided to maintain the network and what is provided is very significant.

This is impeding economic growth across the regions. Anecdotal evidence from colleagues on both sides of the House is that there has been a sharp increase in the number of public liability claims made against local authorities because of road defects. Only last week, Westmeath County Council, which scored very high in the national audit report with, I think, the second best roads in the country, levied a young couple €5,000 for the pleasure of building their own home. This is not because the construction traffic has broken down the road. They have not even got their permission but because the road is so substandard the council is using a young couple, both working and paying tax, to make up a deficit to bring up the standard of the local

road. I am sure many of my colleagues will list roads that need improvement, and some on the other side of the House, if they come in to support the Minister. The councils in Westmeath and Longford do not even fill the potholes in culs-de-sac. I spoke to Councillor Flaherty today who told me that Longford County Council made a submission for €895,000 to carry out low cost safety improvement measures but it got €175,000 from the Minister.

I am calling on all Members of this House to support our motion. I understand the Minister is going to accept it, just as he accepted the motion last year. The difference between this year's and last year's motion is that the Minister is signing up to report every six months on the progress to make sure he is achieving the targets he set in the Programme for A Partnership Government.

**Deputy Shane Cassells:** Yesterday I made my way to my clinic in Oldcastle and passed over the mountain that acts as the gateway to the heart of the capital of north Meath. Snow covered the area, it was a scenic wonderland but it was clear that the roads were crumbling. As I left the town and drove to Ballinacree the theme was the same, crumbling roads. These are not some kind of rural backwaters just because they are further away than the Minister's base in south Dublin. They represent the industrial heartland of north Meath where major exporting companies, such as Kelletts and Briody Bedding, employ hundreds of people. The Luas cross-city system that the Minister mentions means damn all to them.

The Minister recently conducted a photo shoot with the Minister of State with responsibility for European affairs, Deputy McEntee, the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, and the county manager for Meath in his office, where he listened to their concerns about roads in Meath. It is a pity he did not invite some of the three non-Government Deputies to get their perspective on how things work, or better still, honour his solemn pledge, made to me in this Chamber twice in November 2016 to see how we do things in Meath. He would see the horrendous roads. Thank God the Minister is smiling because that kind of arrogance will be his undoing. Then he might come and meet us on issues such as the Navan rail line which would reduce the pressure on the tens of thousands of people commuting into the capital each day.

While I have mentioned Meath, in my capacity as local government spokesperson for Fianna Fáil I have to say this is a nationwide issue because the entire local government system is starved of funding. There needs to be a simple engagement between the Minister, members of the AILG, councillors and local government officials, and by that I mean engineers, not the county managers who will tell the Minister what he wants to hear but the engineers who tell councillors they cannot do this or that road because they have not got enough money from central government.

In the report by PAC, of which I am a member, the chief executive officer of TII, Michael Nolan, spoke about underfunding of €100 million per annum. The Minister might face up to that because buses, rail and roads do not seem to be his problem. It is his responsibility. Well he may laugh but he should face up to his responsibility and do his job for the little time he has left to do it.

**Deputy Barry Cowen:** In the brief time available to me, I want to reaffirm what has been said by my colleagues and what will be said by others about the Minister's responsibility to deal with this issue and the lack of accountability to date regarding how he has handled the matter. The gravest issues facing us today as representatives are housing, health, broadband and roads.

Roads throughout the country are in absolute rag order. The Minister has made a dog's dinner of a few things in recent weeks that have come to the public's realisation. Having met me and local councillors in my constituency in Edenderry towards the end of last year, the Minister is well aware that the representations made by those members and that local authority are based on fact-based analysis. They are based on the fact that 40% of their roads are built on peat foundations, the fact that Edenderry needs an inner relief road for it to survive and because of the funding for the link road that was put in place and provided for six or seven years ago with regard to the N6 and Tullamore. The Minister took all those on board and gave the impression that there would be success but it did not happen. The Minister might think a 10% increase is something to be proud of, despite the neglect over the previous six or seven years. It is not like Stepside where the Minister can walk into a Cabinet meeting and get what he wants. It is not like the appointment of judges where the Minister can get what he wants. It is not about the capital of a region that might be based on the representations of a certain Minister. We like to deal in fact-based analysis and real criteria that can stand up. The Minister needs to exert his muscles the way he likes to give the impression he can by making an intervention at this stage to make up for the failings over the past six or seven years by those who lead the Government. It is incumbent on him to do so. As Deputy Troy said, he gave a commitment to a 50% increase initially as part of the programme for Government and he now thinks that 10% over two years will solve the problem. It will not solve the problem. If the Minister really wants balanced and sustainable regional development and the regions beyond the east to compete on a level playing pitch, he should at least allow them to have the infrastructure to allow them to compete at the level at which they want to compete. I implore the Minister to use his good offices to such an effect and call the Government to account on this issue and insist that there be a once-off investment in regional, county and local roads in order that those areas will have the opportunity to compete on a level playing pitch. We saw the investment in the national primary network ten or 12 years ago and the success it brought the regions. They are now crying out for similar help to allow them to become connected to those specific roads that will allow them to compete on a level playing pitch.

**Deputy Anne Rabbitte:** I compliment Deputy Troy on bringing this motion before us this evening. In the one minute available to me, I will give the Minister a synopsis of my life as a rural Deputy in east Galway. Yesterday afternoon, I went out to visit people in a place called Drim, Ballinakill, Kylebrack, Loughrea, County Galway. There are 130 houses on a stretch of road between the R351 and the R353. When I came off the Gort road to meet them in the local national school, I had to drive on the wrong side of the road - I am telling the Minister not one word of a lie - because of the unbelievable depth of the potholes on the left-hand side of the road arising from the run off from the Slieve Aughty Mountains. The Minister might not believe me but when I arrived at the local national school, 53 families were there to meet me. It was one of the biggest crowds I have met on a Monday afternoon at 3 p.m. Those families were protesting about the lack of investment in the roads. I ask the Minister to listen to the wishes of Deputy Troy and all my colleagues because emergency funding is urgently needed not just for Drim and Kylebrack but for all of east Galway.

**Deputy John Brassil:** I will cut straight to the chase. There are exactly 5,000 km of secondary, tertiary and regional roads in my constituency of Kerry. While this represents approximately 6% of the overall national network, its funding falls far short of most constituencies. In the Listowel electoral area alone, which I used to represent as a councillor, there are 4,000 km of rural road. In 2018, €1.29 million was received but it will be necessary to quadruple that over a five-year period to get the roads back to where they were in 2008. I joined the council

in 1999 and from 1999 to 2008, due to substantial investment by the Fianna Fáil-led Governments of the time, we brought the road network up to an acceptable state. That is the type of commitment that is needed. If the Minister does not give it, what is left of the road network will disintegrate and fall apart in the coming years. I ask the Minister to look at a €20 million rolling programme for the north Kerry area alone over five years. I ask him to pay specific attention to one road, the R551, which is known as the Dale Road, which links Tralee to Ballybunion. During the summer, that road brings bus loads of tourists, particularly US tourists, to the golf course in Ballybunion but driving on it is a danger to their health. Rather than going up to Sligo next Friday for his all-dancing, all-singing, bell-ringing announcement relating to the national planning framework, I ask the Minister to announce something practical that will bring real change, namely, an investment in the rural roads of Kerry. Instead of giving us €1.8 million, he should give us €4 million per year over the next five years.

**Deputy Jackie Cahill:** The road situation has reached a critical point in my county. Whether they be from Lorrha to Carrick-on-Suir or from Ballingarry to Solohead, the roads are in a dreadful state. Public meetings are being called in all areas across the county where people are venting their frustration at us as politicians for our failure to deliver a reasonable road structure. The Minister does not realise the anger and frustration in rural Ireland at the state of roads. There are 5,493 km of road in my native county and €17 million is provided to maintain them. I have been reliably informed by engineers that it will take 40 years to carry out maintenance on those roads on a rotational basis. In respect of those roads that have been done in the past year or two, can the Minister imagine having to wait another 35 years before they will be maintained? It is further proof of the failure of the Government's policy on roads over the past seven years.

I put it to the Minister that the evidence is clear. We cannot continue on this current path. The Minister must work with Fianna Fáil and accept our motion. More importantly, I urge the Taoiseach to accept and understand the reality of this Dáil. He will not be allowed to plough on as though there is no major crisis with our roads. We do not intend to accept that the people in rural Ireland must accept the state of the roads on which they must travel. We will not accept it, we will force the Government to take action and we will force proper investment in the roads of rural Ireland.

**Deputy Niamh Smyth:** I compliment Deputy Troy on bringing forward this important motion. It is very important in my own constituency for one main reason, which is that we have no motorways in counties Cavan or Monaghan. The motorway stops on the Meath border. We are the forgotten counties when it comes to motorways. The N2, which is a death trap and has had numerous fatalities, needs to be upgraded to motorway status. We have no rail lines. When all this is laid out, the Minister can understand why we are completely dependent on our regional and rural road network. Our local authorities are put to the pin of their collar because of the degree to which the roads are falling apart. They are fire fighting. It is a case of sticking-plaster jobs just to keep us going until the next heavy rainfall when we are completely flooded and the road surface is gone completely. I am not exaggerating when I say that roads in the constituency of Cavan-Monaghan are deplorable. I will give the Minister a snapshot. In my office in Bailieborough in the first five working days in January I received 52 complaints about roads and potholes. In one case a woman came into my constituency office. Her child is going to the Holy Family school which is the only one in the constituency for children with disabilities and special needs. That child took a seizure on the road to school and that parent put it down specifically to the potholes in the road and the disturbance the children face as they try to get to

school every day.

I urge the Minister to accept the motion and give our local authorities the funding they need to provide the basics of proper roads in our constituencies.

**Deputy Éamon Ó Cuív:** Tá ollfhadhb ann maidir leis na bóithre i láthair na huairé. Ocht mbliana ó shin is beag poll a bhí sna bóithre ach tá na bóithre ag titim óna chéile i láthair na huairé. We have a major problem because the roads are literally falling apart. In some sections of the road there is just pothole after pothole. Without an urgent input of money now, the roads will be impassable soon. I have never seen as rapid a deterioration in roads as I have seen this winter.

We also need to stop filling the roads with tar and chips. Where a section of road is disintegrating, macadam over the lot will last, but tar and chips only last a week or two.

The Minister needs to provide money to take the water off the roads. It is a major problem. Water lying on the roads combined with frosty and wet weather is doing total destruction. The Minister was in Galway recently. The local authorities will tell him they do not have the money to pay the staff to keep the water off the roads. The Minister knows the saying: a stitch in time saves nine.

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I thank the Deputies for raising what is a very serious and very important topic. I know it is very important to people outside Dublin. I want to address it in a very serious manner. The first indication of that is we have accepted the Fianna Fáil motion tonight. We are not opposing it because we recognise the difficulties. We recognise that we are accountable for what is happening. We are very willing to be accountable on a frequent basis to the report referred to. We will do that. We will comply with what the Deputies want and we will report on a regular basis. We will respond to that report in the timing they would like and which we would like to do. We have no problem with that and we recognise it. That is absolutely clear evidence of our recognition of that.

Deputies opposite might recognise the seriousness with which this Government and I personally have treated this problem. The Deputies spoke with sincerity this evening. When I listened to them, I suddenly recognised that I have personally addressed - either by receiving people or by visiting - the particular problems in their constituencies they are raising tonight. Deputy Troy will be the first to acknowledge that I have been in his constituency on many occasions, many times looking at the roads. The Deputy has been helpful to me in doing that, as have other people in his constituency. I met Deputy Cowen in his constituency looking at roads there. Deputy Rabbitte knows I have been to her constituency. I have been to Galway West and Galway East on several occasions. Roads have been top of the agenda on every occasion. Deputy Brassil is aware that I spent two days in Kerry; I met him there. Part of that time was spent looking at the roads. He cannot tell me I am not aware of the difficulties there; I acknowledge them. Nobody can tell me I have not paid attention to that.

Deputy Smyth knows I was in Cavan-Monaghan, her constituency. Indeed, I let her know when I was coming. I looked at the roads there as well. Deputy Ó Cuív mentioned that I met him last week. I have been to Galway looking at the roads there on many occasions.

I apologise to Deputy Cassells that he was not invited to the delegation to talk to me about the roads in his constituency, but I was not in charge of those invitations.

**Deputy Shane Cassells:** That is okay.

**Deputy Shane Ross:** The delegation asked to see me about the roads in Meath and I was delighted-----

**Deputy Shane Cassells:** That is fine, but the Minister and I have a plan.

**Acting Chairman (Deputy Bernard J. Durkan):** One speaker, please.

**Deputy Shane Ross:** I was delighted to receive that delegation. I have not been to-----

**Deputy Shane Cassells:** Meath.

**Deputy Shane Ross:** -----his constituency yet - he is the only one. However, I have received delegations from there and I will go.

**Deputy Shane Cassells:** I thank the Minister.

**Deputy Shane Ross:** However, it is difficult for Ministers to make time to go. If one takes a cross section, I have been to every one of the constituencies of those who are complaining today and I have received a delegation from Deputy Cassells's constituency. Nobody can tell me-----

*(Interruptions).*

**Acting Chairman (Deputy Bernard J. Durkan):** One speaker.

**Deputy John Brassil:** We are not interested in visits, but in money.

**Acting Chairman (Deputy Bernard J. Durkan):** Let the Minister reply.

**Deputy John Brassil:** He is lecturing me.

**Deputy Shane Ross:** They cannot tell me I am not taking it seriously. The money is difficult, as the Deputies know.

**Deputy John Brassil:** That is the solution.

**Deputy Shane Ross:** They know what has happened in recent weeks. Everyone here today knows the importance of the road network in supporting the economic and social fabric of the country. The challenge for Government in recent years was how to address the very real concerns about the condition of the network while operating within severe fiscal constraints and dealing with the many competing demands for limited resources.

Deputies will argue that the financial crisis is well in the past but I must emphasise once again the major impact on the maintenance and improvement of our national, regional and local road network of the funding cutbacks after 2008, associated with the recession. Overall funding dropped from €2.3 billion in 2008 to €753 million in 2015. It will take a long time to recover from this.

As the motion notes, analysis undertaken by my Department for the Strategic Framework for Investment in Land Transport, published in 2015, estimated on a conservative basis that expenditure of €580 million per annum is needed to keep the regional and local road network in a steady-state condition. In order to avoid deterioration in the condition of the regional and local road network, each year 5% of the network needs to be strengthened and 5% needs to be

sealed by way of surface-dressing works.

The reality is that expenditure is still falling short of that. For the national road network the steady-state analysis includes the cost of pavement works, signs and lines, safety works, bridge works, routine maintenance, small works, and costs associated with programme support and network management. In addition to these network costs, there are also capital budget commitments requiring provision to be made for schemes at closeout and construction, and also for ongoing commitments in respect of PPP projects. The analysis conducted determined that, on average, the gross steady-state requirement for national roads is approximately €580 million per annum, using 2015 as the basis.

Against the backdrop of funding constraints, Transport Infrastructure Ireland and my Department have been focused on maintaining the network in as serviceable a condition as possible. In the case of regional and local roads this has meant concentrating resources on the maintenance and renewal of the public road network rather than new projects. The main grant programmes operated by the Department have been targeted at specific policy objectives - pavement sealing to protect the road surface from water damage and road strengthening based on pavement condition rating to lengthen the life of road pavements, and a discretionary grant which allows for a range of activities including pothole repairs, edge strengthening, renewal of signs and lines, and winter maintenance. These three grant programmes account for most of the grant funding and are allocated based on the length of the road network in a particular local authority area.

Local authorities can also apply each year for bridge rehabilitation grants based on condition ratings and for safety improvement schemes to address particular hazards.

As State grants are intended to supplement local authority funding, my Department continues to emphasise to local authorities the importance of prioritising roads maintenance when allocating their own resources. Since the revision of the arrangements for the retention of local property tax in 2015, the Dublin councils no longer receive any grant assistance from my Department under the main grant categories. In this context while the motion correctly refers to the fact that €580 million is required each year to maintain the regional and local network in a steady-state condition, it states that there is a funding shortfall of €163 million given my Department's total allocation of €417 million this year. However, the shortfall is less when account is taken of funding from the resources of councils. Having acknowledged the very real pressures on the road network, it is also important to look at the progress that is being made. With regard to current funding levels, the Building on Recovery capital plan for 2016 to 2021 marked a significant step forward in restoring funding to the levels needed to maintain the road network in a steady-state condition and allowing for some investment in road improvement schemes. In this context, the capital plan provided for a gradual build up in capital funding from a relatively low base in 2016 towards the levels needed to support maintenance and improvement works. This plan recognised that it was going to take time to restore funding to the level required to maintain and renew the network adequately.

As Minister, I put forward a strong case for additional investment in transport infrastructure during the capital plan review process and I have secured a significantly enhanced road investment programme for the period 2018 to 2021. Overall, an additional €486 million was secured for roads, bringing total roads investment for that four-year period to €4.26 billion. With this increase, I will be able to support a package of extra measures including minor improvement works, drainage works and community involvement programmes together with the assessment

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of potential future projects. Last month, I announced a 29% increase in grant funding for regional and local roads. One would think that nobody here had ever heard of that. The grant allocations include an 18% increase for the key road strengthening programme. I have also taken important initiatives in the area of community involvement schemes and drainage. While local authorities were able to use general grants for such schemes in recent years, ring-fenced funding is being provided this year. These are two areas where I am very glad to be able to take action this year. I fully recognise that there needs to be an increased focus on measures to improve the resilience of the road network in the face of climate change and I envisage that a separate drainage grant will continue in future years.

The size of the road network, at around 99,000 km, twice the European average *per capita*, will always generate funding pressures for both the Exchequer and local authorities. This means there needs to be a focus on managing resources as effectively as possible. In this context, I wish to clarify the position regarding the basis for the figures published in the National Oversight and Audit Commission performance reports mentioned in the motion. My Department has been supporting the development of a road asset management system for regional and local roads over the last number of years. The Road Management Office, RMO, has been established as a shared service between 31 local authorities. The RMO and the Department have been working with local authorities to ensure that the MapRoad pavement management system includes an up-to-date road schedule of public roads, a record of all pavement-related works, information on road surface types and road pavement conditions.

**An Leas-Cheann Comhairle:** I am sorry, but the Minister will deprive other Members of time.

**Deputy Shane Ross:** That is fine. It will be in the record.

**An Leas-Cheann Comhairle:** The Minister will have another opportunity to speak if he wishes.

**Deputy Imelda Munster:** I move amendment No. 1:

To insert the following after “calls on the Government to”:

“— reinstate the Specific Improvement Grants to local authorities this year;

— prioritise, with their partners in the confidence and supply agreement, the funding of local and regional roads in Budget 2019, to ensure that the commitment made under the Programme for a Partnership Government to increase funding to local and regional roads by 50 per cent is honoured.”

I never cease to be amazed at the games that Fianna Fáil plays. It never ceases to amaze me and I have been here for just under two years. When I refer to games, I refer to the game of pretending to be an Opposition party. One could be forgiven for thinking that Fianna Fáil has not spent almost two years in a confidence and supply arrangement with Fine Gael or that it has not allowed two budgets to pass, and here we are this evening, crying about it.

**Deputy Shane Cassells:** There is much to be amazed about in Sinn Féin, that is for sure.

**Deputy Imelda Munster:** In 2016, I said that the Government’s policy would weaken our regional and local road network.

**Deputy Shane Cassells:** Hypocrisy knows no bounds.

**Deputy Imelda Munster:** That was when the Minister, Deputy Ross, announced a measly €25 million in additional funding for maintenance and repair. I told the House that the Minister's allocation would ensure that our roads continued to deteriorate after almost a decade of neglect. I said this was another example of the Minister's lack of interest in the maintenance and provision of infrastructure outside of his own domain, Dublin city, and that this bias was indeed very worrying for all road users, given the dramatic deterioration of our road safety record in recent times. Considering all of that, did that stop Fianna Fáil from supporting the Government? Did it impress on Fianna Fáil the need to ensure that it used its confidence and supply arrangement with the Government to protect our regional and local roads? Of course it did not. Here we are, almost two years later and we are in a worse position than we ever were before.

The 2018 budget for the maintenance of our roads is approximately €100 million less than what is required. Councils were informed a couple of months ago that the budget to maintain 5,000 km of national and secondary roads was going to be cut. Transport Infrastructure Ireland has stated it is obliged to honour existing funding commitments to motorway and bridge maintenance. That means that the bulk of cuts will come from the roads maintenance budget. That is expected to be an approximately 30% drop in funding for maintenance of our roads. Louth County Council was told that its maintenance grant was going to be cut by 30% and that that would result in an 18% reduction in road works. That is disgraceful, considering the amount of road works, particularly road safety improvement works, that need to be carried out in Louth. The Minister has claimed that road allocations have increased for 2018. However, this cut is further evidence that the budget is totally insufficient. The road maintenance budget, as we know, has been dramatically reduced in the past decade. The Minister, Deputy Ross, has been aware of the issues and underfunding since he took office. He continued to ignore the funding issues in this sector. The Committee of Public Accounts recently heard that road maintenance is underfunded to the tune of between €90 million and €100 million per annum, and with only 130 km of the necessary 400 km of annual maintenance being carried out, that is a disgraceful record. The road network will deteriorate by €1 billion per annum without investment. That is shocking.

Given the Minister's current attitude, we are leaving ourselves open to significant issues with our roads and potentially major road safety issues unless these matters are addressed and serious effort and commitment given to address them. On top of that, I have been told the Minister is lowering the level of lighting on motorways, at motorway junctions and on regional roads. He is doing that to cut costs but at what cost to safety? That is a direct result of the €6 million cut to the roads budget this year. Serious road safety concerns arise when one starts to reduce lighting on the public road network to cut costs. On top of that, there has been the failure to reinstate specific improvement grants. It is incredible that no moneys have been allocated, given that we are continuously told that we are in a recovery. The Minister had announced a range of projects funded by this grant but these were either projects that were previously committed to or which had started and were signed off on. I know this because I have spoken to officials in Louth County Council. That is why Sinn Féin tabled the amendment for the reinstatement of the specific improvement grant. It was a grant which started at around €50,000 and went up to €200,000. It covered serious road safety issues, particularly at junctions and sight lines where roads need to be aligned because of serious road safety concerns. Instead, we have the safety improvement grant, which only covers minor works costing between €2,000 and €40,000. That is a pittance of a roads budget.

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I have moved the amendment and hope that it is accepted and that specific improvement grants are reinstated. I also want to talk about the poor quality. There is not a town or village in this State that could not speak to the desperately poor quality of resurfacing materials. I know somebody else touched on it earlier. One waits years for roads to be resurfaced but then such inferior quality products are used that within six months, the roads are back to the state of disrepair they were in prior to being worked on. It is like the old saying, buy cheap, pay twice. This is what we have seen. Road maintenance is under-funded to the tune of €100 million per annum, which is very serious. The Minister knows this and I do not think he cares as long as the problem is outside Dublin city. I question whether he does care. The fight he put up for his roads budget was obviously meek given the allocation he received.

There is nothing wrong with the content of this motion. The only problem I have with it is that is signed by the great pretenders, Fianna Fáil. It has been propping up and endorsing the roads budget for the past two years and it is now calling for the funding which it did not push for only a couple of months ago. Fianna Fáil members are here now whining about it. If Fianna Fáil did not support the transport budget for all the reasons outlined in this motion, it should not have backed it. There is no point in Fianna Fáil tabling a Private Members' motion that it knows has no legal standing.

**Deputy Shane Cassells:** Sinn Féin votes against all the county council budgets in the country.

**Deputy Imelda Munster:** I had hoped we were long past this type of sleeveen politics. Fianna Fáil is fooling nobody.

**Deputy Shane Cassells:** Sinn Féin are the pretenders.

**An Leas-Cheann Comhairle:** Deputy Cassells, allow Deputy Munster to continue.

**Deputy Imelda Munster:** Fianna Fáil had the opportunity at budget time to voice its concern about roads crumbling, road safety and so on. Despite all its whining and crying, it endorsed the Government's policies. While there is nothing wrong with the content of this motion, I do have a problem with the cynical politics-----

**Deputy Robert Troy:** The Deputy should vote against it then.

**Deputy Shane Cassells:** Vote against it.

**Deputy Imelda Munster:** Deputies Troy and Cassells are annoyed.

**Deputy Shane Cassells:** No, I am not annoyed. I am in great form.

**Deputy Imelda Munster:** Deputy Cassells looks annoyed.

**An Leas-Cheann Comhairle:** Time is of the essence.

**Deputy Imelda Munster:** The Deputies are trying to shout me down. They should relax and take it easy. If they were that annoyed, they would not have rubber-stamped the very budget they are complaining has resulted in damage to our regional and local roads.

**An Leas-Cheann Comhairle:** There are only four minutes remaining to be shared between three Deputies.

**Deputy Caoimhghín Ó Caoláin:** The state and neglect of our local and regional road network is disgraceful. The impact that the disrepair of our roads has on small towns and rural business, education and social lives is horrendous. We need more investment in the building, improvement, maintenance and repair of our road system. This is essential if we are to improve the standards and conditions of living in rural Ireland, including in its urban centres. This investment is needed if we are to arrest the decline in the population of so many rural communities.

As stated in the motion, the Department of Transport, Tourism and Sport has, on average over the past five years, provided local councils with less than half the amount of funding that is deemed necessary to maintain roads. I believe there is a further problem in addition to funding. The abolition of town councils by Fine Gael's former Minister Phil Hogan has left a deep democratic deficit. It was at this level of our then democratic system that many of these roads or small town streets were maintained over the years.

The motion also states that an annual investment of €580 million is required to maintain the current regional and local road network, €163 million more than has been allocated this year. It also calls on the Government to significantly increase the regional and local roads budget in the context of the Capital Investment Plan 2016-2021. In 2017, just over €319 million was spent on regional and local roads, of which 2.8%, or €9 million, was spent on the roads in County Cavan which is one half of my constituency. Only 2.4%, or €7.6 million, was spent on the roads in County Monaghan, which is the other half of my constituency and my home county. There was no money provided in specific improvement grant payments or strategic regional or local road payments in 2017 in the constituency of Cavan-Monaghan. It is clear to me that Cavan-Monaghan is way down the pecking order when it comes to the provision of funding. This will have to end and the situation needs to be addressed. I hope that this will be signalled and that the impending national planning framework will be the first assurance in that regard.

**Deputy Brian Stanley:** A basic for rural Ireland should be a proper transport infrastructure but instead people travel daily on substandard and often dangerous roads. We need an effective public transport network. Without public transport, people must travel on roads that, owing, in part, to the collapse in the economy but also years of cutbacks to grant payments, have not been maintained in a proper state of repair. Roads in County Laois are among the worst in the country. I have seen at first hand the appalling state of the roads in Ballacolla, Roskelton, Rathdowney, Clonaslee, Luggacurren, Wolfhill, Vicarstown and Attanagh. The road from Attanagh to Abbeyleix has not been tarred in over 40 years. I have been trying for some time to have it included in the roads programme. The roads in the Mountrath and Mountmellick areas are similarly appalling.

As a result of the recent bad weather and the heavy rain this winter, combined with a great deal of frost, many holes have opened up in the roads. Despite this, the Government has slashed funding. County Laois has the third worst regional roads in the State. According to the National Oversight and Audit Commission, 11% of roads are showing severe structural distress. Funding for regional and local roads in Laois has been cut by €1.092 million. Funding for national and secondary roads was cut by €423,000, including funding for ordinary maintenance and resurfacing work. Recent announcements of funding are welcome and I particularly welcome the announcement of €3.1 million in funding for completion of the Portlaoise orbital route.

Two weeks ago we heard that the procurement process for the national broadband plan is in disarray, causing more uncertainty for rural Ireland in terms of high speed broadband provision.

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We are now speaking about the dreadful state of our regional and local roads. Under this Government, the gap between rural and urban Ireland is widening such that counties such as Laois can forget about ever having basic modern communications or transport.

**An Leas-Cheann Comhairle:** Deputy Stanley, your time has expired.

**Deputy Brian Stanley:** The Government needs to start taking the needs of rural Ireland seriously.

**An Leas-Cheann Comhairle:** I have to be fair. Deputy Louise O'Reilly was left without a speaking slot.

**Deputy Brian Stanley:** Given the bad state of the roads in County Laois following the recent bad weather, I ask that the Minister consider a further allocation for the county.

**An Leas-Cheann Comhairle:** Deputy Stanley, show some respect for the Chair. There were 13 minutes in the Sinn Féin slot and I did not deprive anybody.

**Deputy Michael Fitzmaurice:** I welcome this motion, which I support. The roads budget is a major problem. We know that from 2008 up to now, most counties received only 55% of what they received in 2008. We are wasting a lot of money. The day of the 804 and tar and chip on top of it is over because, unfortunately the 804 is disintegrating underneath it. We need to go down the road of DPM macadam. It currently costs approximately €9.50 per metre to tar and chip. The cost of filling potholes on our roads every five to seven years, because these roads are falling apart over those years, is approximately €13 per metre. There are two options. On small roads, we could put three inches of macadam on top of the chip and then put tar on top of that, which is a 15 to 18 year road guarantee, or we could do a better job at a cost of €20 per metre which would bring us to a 25 year cycle. We need to front load the budget for the next ten years. Previously, we had a programme of one in ten years in relation to the repair of roads but it is now one in 20 years.

The Minister needs to double the budget for the next ten years. If he does that, we will not have to spend nearly as much money on roads because they will be in a 25 year cycle and in good condition. The Department of Transport, Tourism and Sport is not listening to what Deputies are saying about roads and how they are disintegrating. All we are doing is putting on a patch where we need a tube.

**Deputy Brendan Ryan:** I am sharing time with Deputy Louise O'Reilly. The Labour Party supports this Fianna Fáil motion but we take issue with some of what is called for in it. I will deal with those at the end.

In the past two decades, the motorway network has come on in leaps and bounds, drastically cutting journey times between Dublin and major towns and cities. That has to be acknowledged. More needs to be done to connect other cities with one another but it can be said that great progress has been made on our motorway network. In many ways, we can be proud of this today.

Unfortunately, however, the focus on our large motorway system has been to the detriment of our local and rural road networks. Local and rural roads are the roads used by local people undertaking ordinary, everyday tasks, such as going to work, going to the shops, attending church, dropping the kids to school and socialising. These roads are deteriorating year on year.

Councils remain under-resourced in tackling these problems, and people living in the regions and rural communities feel further isolated and left behind as they see resources going towards the capital and being devoted to connectivity to the major cities.

My constituency in Dublin, Fingal, is a microcosm of the disparity between major transport infrastructure and the roads in many rural areas, which are neglected. We have one motorway, the M1. We have the DART and suburban rail. I hope that, in the not-too-distant future, we will see work on metro north begin. These are all big pieces of transport infrastructure. They are vital and, in the case of metro north, essential. There are rural areas in Fingal, however. They include Moonlone Lane, Killalane, Tobergregan, Pluckhimin and Magillstown. These are rural areas that one might see in rural counties such as Cork and Donegal and elsewhere in the country - areas where the road network is neglected, suffering from under-investment and left behind. The road safety concerns relating to these defects-ridden roads cannot be underestimated, nor can damage to motor vehicles. In most of the affected areas, there is no public transport.

As with all Deputies who represent rural areas, I am contacted regularly by residents regarding potholes and poor road surfaces. The council may be able to fill in and patch up potholes but any wet or icy weather can undo that work. People see it as the council throwing good money after bad, and this can go on for many years before the council is in a financial position to carry out proper remedial works. These essential, longer-term road-surfacing works always seem too far down the priority list in the affected communities. This is why we need increased funding.

People whose families have been living for generations in the rural areas in question expect and deserve a fair crack of the whip. There is scope for expanding the local improvement scheme, a very welcome scheme introduced by the Minister for Rural and Community Development, Deputy Michael Ring, in the past year. There is scope to expand it particularly in the area of flood relief. The financial benefit for the taxpayer would be very good. We believe the scheme is worthy of further investment and development. I realise it is under the remit of the Department of Transport, Tourism and Sport.

With regard to the motion, we recognise the importance of the speedy delivery of the planned upgrade of our national road network for the economy and more balanced spatial distribution. The N24 links ports at Foynes, Waterford, Cork and Limerick. This is crucial national road infrastructure that needs to be upgraded and developed. The Government needs to take a strategic approach to this investment. We have not seen this approach yet.

While we support the call to increase the regional and local roads budget in the context of the capital investment plan, we question the call to review the management of funds at local authority level. This, according to the motion, is to “ensure that funds are being used in the most efficient and effective manner possible and provide additional administrative supports where they are needed”. In our experience, local authorities are the best authorities and have the best administrative resources for road repair and maintenance. We should trust local authorities in this regard. The Government looking over their shoulders regarding their area of expertise would be a waste of its resources. It should just fund the local authorities to do the work. They were always able to do it once the resources were provided. Reporting mechanisms within local authority democratic structures are sufficient to allow us to know where the money is being spent. I have yet to see a local area committee within a local authority let any under-expenditure on roads maintenance get past it. I trust my council, Fingal County Council, to improve the network without the micro-management envisaged in this motion.

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The Department, in its strategic framework for investment in land transport, has estimated that an annual investment of €580 million is required each year to do the job in question. If it has fallen short in the order of €163 million this year, it will require €580 million plus €163 million next year. Each year it falls behind, we will fall further behind. Therefore, we need to put a stop to the shortfall, catch up quickly and increase the expenditure.

We support the motion. I have not read the Sinn Féin amendment but I am sure we will look favourably on that also.

**Deputy Louise O'Reilly:** I thank Deputy Brendan Ryan for sharing some time with me.

This issue is of great concern for many of the people present. I welcome the Fianna Fáil motion but I am as puzzled as my colleague Deputy Munster over the manner in which that party rubber-stamped the budget on a Monday and then came in on a Tuesday and gave out about it. That is its own business and it will answer to the electorate for it when the time comes.

The Minister spoke earlier about the need to discuss roads outside Dublin. When it comes to the road network, however, he should also consider those rural roads in Dublin, including those in north County Dublin, where Deputy Brendan Ryan and I represent constituents. There are serious issues with regard to connectivity and safety in such areas. If the Minister goes to Naul tomorrow morning, he will see parents out on the road on a bad bend by the school trying to mind their children and ensure they can get safely to that school. It is an extremely busy road. We live in and represent the constituency with one of the youngest populations in the State. It has a rapidly growing population. People want the opportunity to live in rural areas of north County Dublin but the road network and the attitude of the Government, supported by its very best friends in Fianna Fáil, really lead them to believe the Government does not want them to live there but instead wants them to crowd into the cities, which Fine Gael and Fianna Fáil have come together to ensure are practically unaffordable for most people.

My constituency is only up the road from here but it might as well be Timbuktu for all the attention it receives. The projected development in Fingal is far higher than in almost all other local authority areas but the lack of tangible investment in the road network is hampering our capacity to develop and grow sustainably. Smaller communities in Fingal, such as Ballyboughal, Garristown, Oldtown and Naul, find themselves left behind. They find that the road network is deteriorating. There is ever-increasing traffic heading for the M1, which, as the Minister knows, is like a carpark most mornings and causing motorists extreme difficulty. We want to live in a county, County Dublin, that is sustainable and well served and where families can grow and thrive. To achieve this, we need a serious plan for transport, the road network and infrastructure. I urge the Minister to take seriously the transport needs of north County Dublin because we have a rapidly expanding population. This is good and Fingal is a fantastic place to live but people cannot move around unless there is investment in the road network.

**Deputy James Lawless:** I wish to share my time with Deputies Eamon Scanlon and Kevin O'Keeffe. I thank Solidarity-People Before Profit for allowing us time from its slot.

I wish to talk about transport in so far as it pertains to my constituency, Kildare North, and the wider commuter belt. The motion is on local and regional roads. There are many such roads that need attention in Kildare but they would not need so much today if the commuter system were working and if the public transport corridors and public transport system in which we were supposed to be investing over many years were able to cope with the demand.

Kildare North spans the M4 and N7 motorways, both of which are operating at maximum capacity.

*9 o'clock*

Train carriages are full coming through stations and the car parks at those stations are also full. Irish Rail figures recently confirmed to me that the Sallins station car park is at 165% occupancy on a daily basis. This means that two thirds more cars are squeezing into the car park than are permitted under health and safety regulations. When I asked the Minister a parliamentary question about investment in the rail network and carriages, he confirmed that no rolling stock has been purchased by him in the three years since he took office. He has spent absolutely nothing on rolling stock. When I asked about the industrial disputes relating to Bus Éireann and services through Kildare, Meath and elsewhere, which also affect rail services, the Minister told me they were operational issues. When I asked him about issues such as the ten-minute DART service, which is a programme to fast-track the delivery of DART and Arrow services across the commuter belt and the Phoenix Park tunnel, and is a pivotal piece of the greater Dublin area infrastructure, he again told me they were operational issues of which he could not possibly be expected to have any awareness. I find it staggering that a Minister for transport would not know about the jewels in the crown of transport infrastructure in the greater Dublin area.

**Deputy Shane Cassells:** Hear, hear.

**Deputy James Lawless:** These are the flagship projects and initiatives. The capital plan is to be announced. The interconnector is at risk. I refer to the circle line, which is the missing link in all the rail connections.

Deputy Cassells spoke about photo opportunities in Meath recently. There was a very famous photo opportunity in north Dublin when the Minister, the Minister for Finance, Deputy Donohoe, and the Taoiseach stood smiling side by side as they welcomed the new shiny toy that is the cross-city Luas. When we open our newspapers, we see the disarray that is being caused on College Green every day. Chaos has ensued due to the lack of planning provision and joined-up thinking. We now hear talk of banning buses, the workhorses of the public transport fleet, from the central plaza. Bicycles will be next to go and then pedestrians and soon we will have nothing left except a shiny Luas going up and down. Is that the best the Minister can offer? It is not too late for him to change his script. I hope he gets real about the problems and gets real about the investment that is required in rural and urban areas and that he does so very soon.

**Deputy Eamon Scanlon:** The allocation of spending on roads in each county from 2013 to 2016 was, on average, 48% less than what was needed to keep roads in good condition. That is according to the steady-state estimates from the Department of Transport, Tourism and Sport. In its strategic framework for investment in land transport, the Department estimates that an annual investment of €580 million is required to maintain the current regional and local road network. This year's funding allocation is €163 million, or approximately one third, below the level required to repair the network to an acceptable standard. If current levels of funding are not increased, the deterioration in the condition and capital value of the road network will increase. If routine maintenance is not adequately funded, roads and other assets will deteriorate more quickly and will have to be replaced earlier than otherwise would have been the case.

The weather this winter has caused havoc, particularly with regional and secondary roads in

more rural parts of the country. The roads in my constituency are a case in point. Potholes are back with a vengeance. The National Oversight and Audit Commission has said many regional and local roads have “large and deep potholes” and show signs of “disintegration of road surface” and “extensive loss of pavement” with “cracking” across more than half the road surface. Our motion calls on the Government to publish a full response to the findings of the National Oversight and Audit Commission, with a detailed plan to address the issues and defects identified in this report within three months.

I have frequently called on the Taoiseach for significant investment and for the upgrading of the N4 and the N17 in the capital programme. On occasion, I speak to IDA Ireland and it has made it very clear that companies have no interest in investing in an area that does not even have a proper road network. Not everybody wants to live in Dublin but the short-sighted policies being implemented by the Government and that which preceded it are seriously limiting the options for people who want to live in the north west. Residents along class 2 and class 3 roads are being treated like third-class citizens because repairs on those tertiary roads have been neglected for years. Regardless of whether they are in Dublin or elsewhere, people who reside along those roads pay motor tax, tractor tax and property tax the same as everybody else. Restoration improvement and restoration maintenance allocations need to be doubled or tripled over a five or six-year period to return some networks in my constituency to a satisfactory condition.

The local improvement scheme was an important source of funds for isolated, neglected roads and lanes not taken in charge by local authorities. The scheme provided funding for private roads and laneways, the maintenance and improvement of which is often essential as they provide access routes for the public in rural areas. Since the previous Government abolished the local improvement scheme, there has been a serious deterioration in the quality of those routes. Many people are being forced to travel on substandard roads in order to get to and from their homes.

**Deputy Kevin O’Keeffe:** According to the National Oversight and Audit Commission, almost 70% of regional roads have structural or surface defects. The Minister has become God’s gift to the automobile industry and, in particular, to motor factor and auto spares providers. One could ask why that is so. It is because the more the roads deteriorate, the more damage is being done to motor vehicles. What is even more important is that vehicles which may have been damaged could be considered a health and safety risk for drivers. As a result of the cost involved, motorists cannot be expected to have their own private NCTs done on a regular basis. The Minister has left the Chamber. Many of his reports and deliberations on the causes of road accidents appear to play down vehicle roadworthiness as a factor.

I commend my local authority on the surface work repairs it undertakes on rural roads. Too often, however, local authorities work with scarce resources. Extra spend and manpower is required. Loss of life is occurring on rural roads due to bad surfaces among other reasons but the Minister seems to play that down. Even Transport Infrastructure Ireland is negligent in the maintenance of national primary roads in rural areas. I will provide two simple examples. The first is the N72 between Fermoy and Mallow. At Kilcanway, there are ruts on the road as big as potholes and I know that from experience. Another example is the N73 between Mitchelstown and Mallow on which there have been potholes at Skahanagh in recent months.

Every time Transport Infrastructure Ireland comes to my county with funding, it must be welcomed. However, that should not be at the expense of rural roads or, for that matter, rural

communities. If one takes the N25 in east Cork, which is a busy primary road from Cork to Waterford and Rosslare, the result of prolonged and delayed works at Killeagh have resulted in minor roads in the area becoming rat runs. In turn, they have been left in such a poor condition that they are now like muddy passages. I urge the Minister to please not let the same happen with Castlemartyr, which is currently being streetscaped. Supplementary funding must also be made available for the maintenance of rural roads which are impacted by the ongoing work in nearby towns.

**Deputy Catherine Connolly:** Ba mhaith liom mo thacaíocht a thabhairt don rún seo agus mo buíochas a ghabháil le Fianna Fáil, go háirithe Teachta Robert Troy, as ucht an rún seo a chur os comhair na Dála. Is rún thar a bheith tábhachtach agus praiticiúil é. Cuirtear in iúl leis an rún seo an rud atá ráite ag an gcomisiún náisiúnta a dhéanann monatóireachta ar stádas na mbóithre sa tír, is é sin, chomh dona is atá sé maidir le bóithre réigiúnacha. Tá droch-chaoi ar 70% de na bóithre. Tá 10% de na bóithre áitiúla thíos freisin agus droch-chaoi orthu. Ní hamháin sin ach cuireann an rún in iúl an méid atá ráite sa Chlár do Rialtas Comhpháirtíochta. Tá sé geallta sa chlár sin go mbeidh méadú sa bhuiséad caipitil suas go dtí 50%, méadú nach bhfuil tugtha fós. Chomh maith leis sin, tá foráil praiticiúil sa rún seo go mbeidh freagra dó seo laistigh de thrí mhí agus go mbeidh fócas ar na húdaráis áitiúla maidir le cé chomh héifeachtach atá siad ag bainistiú airgid. Cuirim fáilte roimh an rún agus níl drogall ar bith agam mo thacaíocht a thabhairt dó. Ar ndóigh, d'fhreastal mé féin agus comhghleacaí an Aire, an Teachta Seán Kyne, ar chruinniú ar an gCeathrú Rua Dé hAoine seo caite. Ba é bun agus barr na hoíche sin ná an droch-chaoi uafásach atá ar na bóithre i gConamara. Bhí siad ag caint faoi sheirbhísí otharchairr freisin, ach bhí an droch-chaoi atá ar na bóithre ar bharr an liosta. Chuir bean amháin in iúl gur chaill sí lá oibre uilig. Ní raibh sí in ann an bóthar a úsáid de bharr na tuilte agus, i ndáiríre, an bóthar ag titim as a chéile. Chomh maith leis sin, tá ceist Bhóthar Dhoirefhearta ardaithe go mion minic agam sa Seomra seo. Táim ag scríobh litreacha ó bhliain ó shin ag iarraidh airgid maidir le caoi a chur ar Bhóthar Dhoirefhearta. Is bóthar tábhachtach é taobh leis an gCeathrú Rua. Baineann na busanna scoile - más féidir leis an Aire éisteacht liom - úsáid as an mbóthar sin agus tá sé dáinséarach. Tá litir faighte agam ó innealtóir sinsearach. Athróidh mé ar ais go Béarla mar níl na cluasáin ar an Aire Stáit. I will change back to English for the Minister of State. I will read from a letter that the senior engineer has written from the county council. He was appealing to us to put pressure on the Government for funding. The Minister of State will be able to hear this now in mBéarla. The letter states that Galway County Council is aware of the effects that recent severe weather events have had on the road network in Galway, including the R336 road. An increased level of funding is urgently required for works to the road network by the council. The engineer said he would be grateful for our help in highlighting this issue. Council staff are doing their best under difficult circumstances and budgetary restraints.

On the day I was at the meeting in Carraroe I read *The Irish Times*. I would not say that it was to my amusement - chuir sé ionadh orm - but I read that the economy is again growing at one of the fastest rates in Europe. I was out in Connemara where practically every road is in trouble. People told stories of the difficulties they are experiencing in living, working and keeping a car on the road.

I will not use all my time because the points have been made repeatedly by other Deputies. Anyway, I am pleased that the Government is accepting the motion. I am pleased that the Government is not contesting it. I am pleased that the Government is complying completely with the three-month review and that the Minister will come back to the House.

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If we are seriously interested in a balanced economy in Dublin and the rural areas, then the most basic requirement is that our roads are useable, especially in areas where the public transport is not up to scratch notwithstanding the efforts of the drivers of the buses. For example, in Connemara one bus goes from Carna to Galway and one goes back from Galway to Carna. There are many other examples of this limited public bus service. Consequently, people are utterly reliant on cars and a road system that is not fit for purpose in the 21st century. Mar a dúirt mé, níl drogall ar bith agam mo thacaíocht a thabairt don rún seo.

**Deputy Danny Healy-Rae:** I am grateful for the opportunity to speak on this important matter. I suppose I do not have much time.

**An Leas-Cheann Comhairle:** You have nine minutes, Deputy.

**Deputy Danny Healy-Rae:** We are sharing time. The biggest trouble in our roads is water on the roads. There has been no drainage programme in Kerry like we used to have for many years. I will only talk about my own place. What is happening is the side drains are not being opened. The related inlets used to play a pivotal role in times gone by. They used to let the water run in off the road into a drain or somewhere. They took it off the road anyway but that is not happening anymore. Where water stays continuously on the road, we finish up with a pothole. The surface finishes up torn and broken and then we try to patch it.

I have another gripe with the patching of potholes. Now, our local authority is so reduced in numbers, including general operatives and foremen, that the crews are barely filling the potholes with black tar or tarmacadam. It is a cod of a job. Before, they were able to do a perfect job with a thing called a DuraPatcher. A crew would clean out the pothole, put in some tar, put chips on top of that, put tar on top of that and put chips on top again until they levelled it up properly. That is not happening anymore because the crews are so depleted. In one area, the Killarney electoral area, there were six crews. I will only mention that place. There were six crews there to keep the drains open and the potholes filled. Now, we are down to two crews. We simply do not have the staff. The story from Kerry County Council is that the council does not have the funding to pay more staff.

We got no money for cul-de-sac roads or class 3 roads since 2011. Until then, there was discretionary funding that usually came around August or September. Each county councillor was allowed to nominate a road or two. If we assigned two roads in Kerry to each councillor, that would be 66 roads. It would be grand if we even got one road for each of them. I am asking the Minister of State to give his Minister this message. The Minister should restore the discretionary grant that used to be spent on class 3 roads and cul-de-sac roads. It is important but we have not had it since 2011. That is why so many of our minor and cul-de-sac roads are in the state they are in. If the Minister can get his head around that and get funding, it would sort out many of the problems in our county anyway.

**Deputy Michael Collins:** I am pleased to have the opportunity to speak on the motion. I thank my colleagues in the Fianna Fáil party for bringing forward the motion. The motorway infrastructure in Ireland at the moment is excellent. Every week I travel along the M8 and M7 towards Dublin. However, the road network in my constituency of Cork South-West has not experienced similar investment.

The programme for partnership Government vowed not only to increase funding on the road network throughout the county by approximately 50% but to spread the apparent economic re-

covery beyond the M50 through the creation of jobs in all parts of Ireland as well. To achieve this objective, we must have a decent road network to connect west Cork to the main markets throughout the country. We have seen extraordinary underspend in west Cork from the current and previous Governments. If west Cork roads are to be brought up to any standard, it is estimated that the cost could be up to €500 million. Funding was made available some weeks ago by the Minister for Transport, Tourism and Sport, Deputy Ross, but it was only 10% of what is required. Deputies and councillors are besieged by requests from the taxpaying public. I pity local area engineers because they are under immense pressure. They are trying in vain to find funds to repair our depleted roads.

Many people ask whether sand is going into potholes because as soon as the potholes are filled, they are back open again and cars are being damaged. The *Southern Star* newspaper ran a report last week or two weeks ago. The newspaper reported that €26,000 was spent in compensation to motorists who had their cars damaged in 2015. The figure was up to €40,000 in 2016. God only knows what the figure will be in 2017. We should remember that approximately 80% of people do not even claim at all.

There is a bypass in Bandon and it lies unfinished. Innishannon is a bottleneck. The road from Clonakilty to Skibbereen is another example. A motorist cannot pass on the N71 road. It is a completely farcical situation. Continuously, little or no money is spent on our roads. The main road from Dunmanway to Bantry has continuous white lines that prevent motorists from passing. The road from Ballydehob to Bantry would burst every shock and spring in any car in the land. The N71 road is in an appalling state. I have to travel on the other side of the road if I want to take that road safely rather than go off the road with the height of bumps and hollows and whatever.

We have reported this to the National Roads Authority in recent years. I was talking to a local workman who drove his van through the route last week. He said his tools, which were neatly in the back, were turned up all over the van afterwards. The way this is being left is criminal. There are major potholes in Leap, Drimoleague and Bandon. The roads are underfunded and I appeal to the Minister of State to turn this decision around and give money to rural communities.

**Deputy Mattie McGrath:** I am delighted to speak on this motion on behalf of the Rural Independent Group. I compliment Fianna Fáil on putting down this motion. Our motion was submitted for next week on this topic but now we find that it has been disallowed because of repetition. This is so important that every Deputy from rural Ireland has to talk about it. The Minister of State, who lives in the south east, must also know this. While there is a motorway from Dublin to Waterford city, he will know what the roads around Dungarvan and other areas in County Waterford are like. The roads in my constituency, from Carrick-on-Suir to Kilsheelan and Clonmel, from Cahir to Tipperary town, Bansha, Thurles and Kilcommon, in the mountains and everywhere else, are in a deplorable state. We lobbied hard in the talks on the programme for Government - the Minister of State was present on some of the days - to have money front-loaded for roads. We were told that ample funds would be allocated for roads in the Government's second budget. The less we invest in roads every year, the more we will have to spend because they are deteriorating fast. Funding is needed. It is pointless trying to attract tourists or companies to locate in my local area, which does not have broadband services either. The bridge and streets of Thurles are in an appalling state. Traffic calming measures such as dangerous traffic islands are destroying the place. I wonder who has these brainwaves.

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I salute the area engineers who must divvy up and try to manage the money that is available. We are taking a sticking plaster approach. This is a particularly inclement winter and the large amounts of rain and frost have left roads disintegrating, which is not fair to motorists.

I fully support the requirement to have all cars older than ten years pass the national car test, NCT. However, insurance companies are refusing to insure people who have valid NCT certificates for their vehicles. This is fraud, blackguarding and downright robbery of people in rural areas.

I will make a point about the brainwave the Taoiseach had when he made an announcement in Cork some months ago. Unfortunately, the Minister for Transport, Tourism and Sport is not present to listen to it. We lobbied to have a motorway built from Limerick to Cahir to link the M8 motorway between Cork and Dublin with Waterford via Piltown, where people are being slaughtered on the roads. “Dr. Spin”, as I call the Taoiseach, on a recent visit to Cork, made an announcement, before the Minister had arrived, that he would proceed with the motorway from Limerick to Cork. It would make more sense to extend the M8 to Mitchelstown as that would serve all of us. However, the Taoiseach wanted to make an announcement for some of his people in Cork in an early morning raid. Maybe he had this harebrained idea when he got up that morning. It would cost €380 million less to build a motorway from Limerick to Cahir than it would to build a motorway from Limerick to Cork. I have no issue with extending the motorway to Cork but it would be sensible to first build a motorway from Limerick to Cahir and then Waterford to connect the Port of Waterford with Galway and Limerick, cities that need infrastructure. The Minister did not have the patience, interest in or respect for rural Ireland to spend two hours listening to us. That is a shame and disgrace.

**Deputy Danny Healy-Rae:** I omitted to say something in my contribution.

**An Leas-Cheann Comhairle:** That will be a lesson to the Deputy not to do so the next time he speaks.

**Deputy Danny Healy-Rae:** I declare an interest as a small plant hire contractor. Some people could argue I am furthering my interests, which would not be the truth.

**An Leas-Cheann Comhairle:** Deputy Danny Healy-Rae has declared an interest.

**Deputy Brendan Ryan:** I am sharing time with Deputy Seamus Healy. I do not support the Fianna Fáil Party for the simple reason that the Green Party believes we must substantially increase funding for public transport and investment in cycling and walking, which would not be possible in the context of an increase in the roads budget of €4.25 billion for the next four years. Investment in public transport is only a fraction of this amount.

Investing all our money in roads, as we are doing again, is the wrong strategy in terms of climate emissions and building communities. The system and economy will simply not work and we will have gridlock. I agree with the point made on radio this morning by DCU Professor Edgar Morgenroth who was behind the national planning framework when he stated the framework had been thrown away and we were pursuing the same old approach of building more and more roads. This will not develop urban centres or reduce commuting and will cause further gridlock. We tried it before and it will not work this time either.

I remember, while campaigning on transport about 25 years ago, the findings of one of the best engineers in the country when he examined what was being done in Galway. He stated the

ringroads and roundabouts being built in the city at the time would not work and it was madness to believe we could move large numbers of people from one side of Galway to the other by road. He has been proved right.

In 1999, the Dublin platform for change looked at proper modelling of transport. I remember as if it was yesterday that the clear message from the best modellers and engineers was that the public transport infrastructure, including a metro and DART interconnector, had to be built first. What did we do? We first widened the M50 and built the motorway network leading to Dublin. As a result, the capital is starting to grid-lock and is already crippled by our excessive dependence on roads and the absence of public transport.

This is not a rural versus urban issue because rural areas also need public transport. A large chunk of the €4.25 billion in roads funding should be allocated for rural bus services and we must invest in rural towns to stop the sprawl. We must stop the incredibly expensive and unsustainable approach of building housing everywhere and having everyone travelling by car. The end point is that this simply does not work but it is the direction in which we are moving again.

It is incredibly frustrating that the Minister does not appear to understand the basic lessons we should have learned from the past 30 or 40 years. Deputies have spoken about road conditions. The Minister should go down to College Green and see what he has done on the ground in terms of safety. Potholes are a major concern in rural areas but they are also a concern in urban areas. It is clear the Government does not care about cyclists, pedestrians and bus users. All the Minister does is open up motorways in an open top, dressed up car and tell us how great everything is. This approach will not work because it is out of date. We need a change in approach to one that will benefit citizens. I did not hear the Minister say anything on that issue. I will not support the Fianna Fáil motion because the party does not appear to have learned that lesson either.

**Deputy Mary Butler:** Deputy Ryan clearly did not read it.

**Deputy Seamus Healy:** I welcome the motion, which I will support. I will also support the Sinn Féin amendment. It is fine for Deputies living in Dublin and other major cities but if they had to drive around rural constituencies every week, as rural Deputies must, they would find that local and regional roads are in an atrocious condition. It is barely possible to drive on many of them and the rural bus service about which Deputy Eamon Ryan spoke cannot operate on some of them because they are so bad. From Carrick-on-Suir to Gortnahoe and Littleton, from Ballingarry to Hollyford and Upperchurch and from Clogheen to Lower Ormond, the roads are in a disgraceful condition. As a former Ceann Comhairle and Tipperary man, the former Deputy Séan Treacy, once said, one could bury one of Burke's pigs in the potholes in Tipperary. One could now bury a lorry load of Burke's pigs in the potholes of the county's local and regional roads. The position is so bad the chief executive officer of Tipperary County Council, Mr. Joe MacGrath, wrote to Deputies about two weeks ago stating the following:

[I]t is acknowledged that there has been an accelerating deterioration in regional and local roads which is directly attributable to the deficit in investment on these roads over successive years during the economic downturn. The investment deficit on roads (ie the amount of spend necessary to restore these roads to an acceptable standard and within an acceptable timeframe) in Tipperary is estimated at €180 million.

Mr. MacGrath was referring to regional and local roads as opposed to motorways. The

condition of these roads is exacerbated by repeated incidence of flooding and extreme weather events. Mr. McGrath also noted that for comparison purposes, “the total national allocation of €416.8 million for 2018 is still only about two thirds of the Non National roads Allocation in 2008”. We have a serious problem with local and regional roads.

We should remember that these are the roads on which people living locally go to work and school, do their business, farm, shop and go to sports fixtures or religious events. They use them in normal daily living and in very many cases their cars are being damaged, with people hardly able to drive on some of the roads because they are so bad. We need an emergency allocation of funding for these roads immediately. We need the Minister and his Government to honour the commitment made in the programme for Government to increase funding for these roads by 50%.

In the minute or so left to me, I want to refer to the N24. As the Minister knows very well, the N24 is a social and economic lifeline for the south east, including Tipperary, Kilkenny and Waterford city and county. It is not fit for purpose and despite its importance, the N24 suffers from slow journey times and is substandard in its design and alignment. It is congested where it is routed through a number of towns and villages, including Tipperary town, Clonmel and Carrick-on-Suir. The vitality and growth of those towns and villages on that route is also dependent on the removal of heavy traffic from them. For example, thousands of vehicles, including huge lorries, are going straight through the main street in Tipperary town on a daily basis. They are destroying businesses, roads and the town. We have been seeking a bypass of the town for over 20 years and it is now time to deliver on it. We certainly hope it will be in the capital programme to be announced next Friday. The N24 is substandard but it is vital to the south-east area. A bypass is also needed for Clonmel and Carrick-on-Suir.

We need an emergency allocation for the local and regional roads and we want the 50% increase that was promised delivered immediately. When the chief executive of the local authority wrote to us, he said he had written to the Minister, Deputy Ross, seeking agreement to meet to outline the accelerated deterioration in parts of the road network, with particular emphasis on non-national roads.

**An Leas-Cheann Comhairle:** The Deputy has exceeded his time. We will move to the Fianna Fáil slot.

**Deputy Seamus Healy:** I ask the Minister to accede to the request to meet a deputation from Tipperary.

**Deputy Michael Moynihan:** I thank Deputy Robert Troy for putting down this motion, which is very important. I notice Deputy Eamon Ryan is leaving the Chamber but this is not just about urban Ireland versus rural Ireland. This is about developing each and every corner of the country. If one travels on rural roads, one can see how secondary and regional roads have all been neglected. We can listen to the contributions made by people in the House tonight; they are speaking from their heart on the matter.

The Minister mentioned earlier that he visited many of the constituencies but Cork North-West is one he has not visited. In the few minutes available to me, I will speak about the position that has developed in Ballydesmond. There has been much development there and, for example, EirGrid got a road opening licence for putting a line through. It has left Ballydesmond in a deplorable state. This is a result of road works, so it must be very clear from the top down,

from the Department through to local authorities, that if a road opening licence is issued, the road must be repaired so that people are not left living on a building site. I will also mention Ballymaquirk cross on the Mallow to Killarney road. It is an absolutely lethal junction and a number of accidents have occurred there. A petition has been circulated over a number of months to get something done with it. I appeal to the Minister to examine this junction on the Mallow to Killarney road outside Kanturk heading for Banteer. It is absolutely lethal.

There is no doubt but that the funding coming right through from the Department down to local authorities is not sufficient to meet the needs of maintaining the roads. We can all cite different ways in which roads have been maintained but unfortunately they are not being maintained. Water is lodging on them and damage is being done to cars. People living in rural Ireland expect and deserve the same right to have roads to home and to work as anybody else on the island of Ireland.

**Deputy Brendan Smith:** This very important motion is a matter of serious concern throughout rural Ireland. One can consider that 94% of the road network nationally comes under the classification of regional and local roads, and that network carries 54% of all traffic. Unfortunately, over the past number of years we have witnessed a deterioration in the standard of roads. Fortunately, from the late 1990s until 2011, there was major investment in a very well-targeted programme that literally rebuilt our local and regional roads. Unfortunately, with the very substantial cut in funding to local authorities since 2012 in particular, that investment has not been protected. There was good investment but the roads did not get enough maintenance and investment on an annual basis to ensure we protected them.

Many of the enterprises in my constituency of Cavan-Monaghan are sited along local roads in particular. Many of the enterprises are now major international companies providing very valuable employment both locally, nationally and internationally. They started as small enterprises along local roads, so we can never underestimate the importance of the local road network. People deserve a proper standard of road going to their homes or place of work. There must be a major increase in investment to try to stop the accelerating decline of the road network throughout all of rural Ireland.

**Deputy Aindrias Moynihan:** So much of the road network in rural areas is potholed and damaged that it is very difficult for residents to travel to and from work or even do an ordinary school run. In many places, the potholes are so big that even the adventurer Bear Grylls would struggle to make his way through. Right beside them there might be a great piece of road; it is a checker board right around the place and much more work needs to be done. There has been much underinvestment over years in this regard. The Department estimates €580 million should be spent each year but since 2011 barely half of that has been spent. Even at €417 million, this year's funding still falls well short. In Cork, for example, which has the largest road network, the road manager estimates he must resurface a road every ten years. With the funding made available to him, he would only be able to resurface a road every 50 to 55 years. It is clearly inadequate.

It is not just about the level of funding, as the Minister is restricting the way the councils can spend their money. For example, the discretionary fund cannot be spent on local improvements from this year and the Minister is proposing to stop topping up the discretionary fund from the restoration improvement grant from next year. He is removing flexibility from local authorities and the ability to spend money where they see issues.

It is a good move to reintroduce the local improvement scheme and it will make a big difference in so many rural communities. Releasing the funding so late in the year means we are not getting the best value. The Minister should release it much earlier in the year as it would not cost anything to do so. If it was released earlier, councils could plan better and get better value for money, making the road networks so much better than they are now.

**Deputy Mary Butler:** In all counties, local and regional roads serves as the main connection between homes, schools and business. In the past few weeks, our focus has been on the national planning framework and connectivity between the regions, which is very important. We also need connectivity at a local level. The local authorities do fantastic work with their engineers and outdoor staff to keep the road network in the best condition they can. They need investment to do this and with all the storms, floods and other extreme weather events in recent years, much good work has been undone and moneys allocated for road improvements end up being spent on repairs.

I was shocked when Transport Infrastructure Ireland took the extraordinary step of writing to all local authorities in December last to warn them that the ordinary maintenance allocation for roads would plummet by 30% in 2018. This is truly shocking and a cut of this nature will only worsen the already poor road network in the country. Waterford roads, especially those in rural parts of the county, which the Minister of State, Deputy Halligan would know, such as Ballymacarbry, the Nire, Tooraneena and Modeligo, are in a severe state of repair. They are patched and repaired year on year but the only solution is capital expenditure to carry out proper repair work and have full sections replaced. The Minister needs to review the issue as a matter of urgency. Where is the additional money that was secured in budget 2018 going? It is clear that it is not going to the roads maintenance budget.

**Deputy James Browne:** I thank Deputy Robert Troy for tabling this timely and important motion. Taxpayers pay their motor taxes and their property taxes, yet their roads are in a disgraceful state. Road users are angry, frustrated and fed up. Their cars are regularly damaged and they want to know where their money is going. Our regional and local roads account for 94% of all roads in the country - not just in rural Ireland but in our towns and cities.

Wexford has almost 3,473 km of roads in need of repair, reconstruction and maintenance. In the last three national roads surveys, Wexford finished in the bottom 5% or 10% for the state of our roads. This is self-evident by the state of the roads in Gorey, New Ross, Wexford, Enniscorthy and Riverchapel, to name but a few, and I challenge the Minister of State to go down to Wexford and see them. There is a running joke in some parts of Wexford that the potholes are so big they are fighting over the fishing rights. No one is laughing about the state of those roads, however.

The surface dressing cycle for a basic level of maintenance and safety requirement is for a road to be done once in every eight years. Currently, in Wexford it is once in every 40 years. The State has €1 million to waste on an unopened service station outside Gorey. The N11 is a carpark at peak time for commuters who cannot get housing in Dublin. Despite all this, there is a proposal to shut down the railway line south of Gorey. For health and safety reasons, economic reasons and the sake of fair play, fix the roads.

I listened to Sinn Féin moaning about Fianna Fáil. As usual, instead of holding the Government to account, it obsesses about Fianna Fáil. I remind Sinn Féin that we need a Government. While the rest of this Dáil made every effort to put a Government together, those in Sinn Féin

took a ten-week holiday, preferring protest over responsibility.

**An Leas-Cheann Comhairle:** We now move on to the Government slot. I call the Minister of State at the Department of Business, Enterprise and Innovation, Deputy John Halligan.

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy John Halligan):** First-----

**Deputy Robert Troy:** Is any Fine Gael Deputy speaking tonight?

**An Leas-Cheann Comhairle:** I can only call those who are present.

**Deputy John Halligan:** Shall I continue?

**An Leas-Cheann Comhairle:** Yes.

**Deputy John Halligan:** I will start again. First, I take the opportunity to acknowledge and welcome the points made by the Minister for Transport, Tourism and Sport, Deputy Shane Ross, and the other contributors to this debate. Our road network plays an integral part in society and in our economic recovery in terms of, for example, supporting the lives of those socialising and working in rural communities, job creation, health and education, and creating balance in regional and local development. This is a serious and constructive motion that has been considered and accepted by the Government.

As outlined by the Minister, Deputy Ross, the financial crisis and resulting funding cutbacks in previous years has had major and tangible impacts on the maintenance and upgrading of our road network. In the circumstances, I understand why the focus of the Department of Transport, Tourism and Sport and local authorities has been on maintaining both the existing regional and road networks for the past number of years. Therefore, despite the considerable funding constraints for our roads network over many years, it must be acknowledged that considerable efforts have been made and continue to be made to best manage what is a difficult situation.

The necessity to target scarce resources towards maintenance and rehabilitation works has meant that in the past two years more than 90% of regional and local road funding has been directed towards such works. In that context, I very much welcome the increase in funding under the capital review of the Building on Recovery capital plan for 2016 to 2021 which will allow maintenance and rehabilitation moneys to increase to the required steady State level of funding over the period of the plan and will also include moneys for targeted road improvement schemes. I add my support to the stated aim by the Minister, Deputy Ross that the additional funding allocated under the capital review for the period 2018 to 2021 of €486 million will be distributed to secure a balance between servicing the existing network while at the same time examining the potential for improving and expanding the network.

Given the scale of the economic crisis and subsequent funding constraints for many years, it must be acknowledged that it will take some time to remedy the cumulative deterioration of the network and to make the improvements required. With all respect to Fianna Fáil which has tabled the motion, some of the roads we are travelling on today were in as bad a condition as when it was in government as they are today.

**Deputy Dara Calleary:** What about the motorway to Waterford?

**Deputy Robert Troy:** In 2008, €160 million was spent on regional roads.

**Deputy John Halligan:** It is all very well to come along and criticise the Government but let me remind those in Fianna Fáil of the state in which they put the country in the first place that meant we were not able to spend the money where we wanted to spend it.

**Deputy Dara Calleary:** What did the Government do to get around it?

**Deputy John Halligan:** As I said, given the scale of the economic crisis and subsequent funding constraints for many years, it must be acknowledged that it will take some time.

**Deputy James Lawless:** Where is the Government party?

**Deputy John Halligan:** However, given the size of our roads network, I echo the Minister's point that it will be important to ensure resources are managed as effectively as possible so that the best value with the greatest impact may be achieved. I am sure that the combined efforts of the Department, the road management office and local authorities will greatly contribute to this objective.

Planning for future investment is also a key objective. The national planning framework and the ten-year national development plan, to which the Minister referred, will provide for continued investment in the maintenance of the existing network as well as improvements in the network which will be linked to regional and local development. For example, as I previously mentioned, our roads network is vital to regional and local development. Consequently, the 29%, or €100 million, increase in grant funding for regional and local roads is of particular importance in that regard. The increased funding will create the potential to improve the lives of those living in rural communities, increasing opportunities in those communities.

At the outset I noted that this is a serious and constructive motion which has been considered by the Government. It must be acknowledged, however, that we were in deep recession for six years and that, under the circumstances, every effort is being made to deal with what is a serious situation, that is, the seriousness of the roads network.

**Deputy Dara Calleary:** We do not need a Fine Gael Minister. The Minister of State is giving us the Fine Gael speech.

**Deputy John Halligan:** It would be folly of me to say that we do not have a problem with the road network. Do not forget that Fianna Fáil was in government for approximately 20 years but did not do much about it.

**Deputy Robert Troy:** Fourteen actually, and we will be back.

**Deputy James Lawless:** Where is the Government party?

**An Leas-Cheann Comhairle:** Fianna Fáil has ten minutes. I call Deputy Dara Calleary who is sharing time with Deputies Margaret Murphy O'Mahony, Eugene Murphy and Robert Troy.

**Deputy Dara Calleary:** All the Murphys.

At the risk of being beaten up by my colleagues, I have some sympathy for the Minister for Transport, Tourism and Sport, Deputy Ross, on the issue. Yes, there is a much reduced budget that is below where it needs to be but there are other issues also. There is a lack of staff, particularly outdoor staff, in local authorities and a lack of funding to replace them. There is also an

issue around drainage. The community employment, CE, scheme was mentioned earlier but the Government has not provided extra materials or resources to the CE schemes to do it. The issue around drainage and lack of drainage is currently the biggest issue for the condition of roads.

There is also the issue of the disparate funding which I have previously discussed with the Minister. Do we know how much of the money is going into tar and how much is kept for administration, management and other matters? Is there consistency? The big issue is funding. We are not appropriately addressing what is needed. When we consider the level of expenditure needed throughout the country, the Minister admitted himself that it is still falling far short. There is a commitment in the programme for Government to deal with it and I ask the Minister to do so urgently.

I heard the Minister discussing his tour of the country earlier. I notice it took in areas represented by many of his Independent colleagues. The people trying to undermine him most are the ones he is trying to entertain. We had that discussion previously as well.

I invite the Minister to County Mayo. I want him to travel the R312 from Belmullet in the very north of Mayo to Castlebar. It is a route often taken by people in ambulances because it is the main route to Mayo University Hospital. Taking that journey in a car is hard enough but taking it in an ambulance is nigh on impossible. If an ambulance is trying to get to the hospital at high speed on that route, the damage done to the patient, the driver and the vehicle is appalling. It is typical of roads all over County Mayo.

It is 48 hours before the Minister's big announcement in Sligo. He should not pass up on the opportunity for regional transport that the western rail corridor represents. I know various Members are lobbying the Minister. However, in respect of regional connectivity that is a good value for money proposition in as much as regional roads are as well. He should not ignore it.

**Deputy Margaret Murphy O'Mahony:** I commend my colleague, Deputy Troy, on bringing forward this motion. It is a pity, however, that he and we had to do this in order to highlight the sorry state of the road network and to try to increase investment in it. There is a post doing the rounds on social media which says that in Ireland we used to drive on the left but now we drive on whatever is left. This may seem funny but in many parts of west Cork it is reality. This is our daily life.

I could stand here for an hour naming the different roads in a bad and dangerous condition in my constituency, Cork South-West. The N71 is in a terrible state, especially the sections from Ballydehob to Bantry and from Clonakilty to Skibbereen. There are large potholes in Bandon that a person could nearly swim in. I know the Minister saw some of the roads on a visit to west Cork. Having seen them, however, it is a pity that the funding provided subsequently did not go far enough. Indeed, it does not go one tenth far enough. It is estimated that it would take €500 million to fix the roads in west Cork, yet only 10% of this amount was allocated.

This is not on. My former colleagues in Cork County Council have set down a motion for next Monday's meeting. They are demanding more money for road maintenance in Cork South-West. I commend them on this. A poorly maintained road is an unsafe road. The reality is that the shoddy state of the regional roads in west Cork will increase the frequency of road collisions and car damage. It is unfair for the motorist in west Cork to have to pay such high motor tax and yet have to pay to fix their cars day in and day out. When the Government makes its big announcement on Friday, with the much anticipated and at this stage predictable and bor-

ing bells, whistles and bows, will the Minister please remember what he heard here.

**Deputy Eugene Murphy:** Like all of my colleagues, I reiterate the difficulties we have in rural Ireland. I hope the Minister and the Minister of State are taking this motion seriously. I hope that listening to the passionate way we have put the representations on behalf of our people - I am about to make them on behalf of my people in Roscommon Galway - will ensure that this is taken as a major and serious issue. I have on my mobile phone hundreds of pictures of roads that have been sent to me. I am going to show them to the Minister later. They show roads that are similar to those one might see in Haiti. The Minister may not believe that. I have seen pictures from Haiti and some of the roads I have gone through in south Roscommon are in a worse state. That is true. I want the same for my people in the constituency of Roscommon-Galway as the Healy-Raes get for theirs in Kerry. I want our roads looked after.

The Minister must remember that when people in rural Ireland step out of their houses, there are no footpaths or public lighting. Remember, though, when they get their planning permissions, €4,000, €5,000 or €6,000 is stopped and when they ask for a breakdown of what that money is for, they are told it is to maintain roads, public lighting or footpaths. We are not going to have public lighting or footpaths out in the middle of the country so they cannot get the money spent on the roads. I am pleading with the Minister to do better. We need more. What Deputy Troy said echoes what is being said by people all over this country, namely, that the roads are in an appalling state.

I have heard the Government boasting repeatedly that it took in €51 billion in taxes last year. Well, by God, when it is taking in that type of money, the Government should be well able to invest more in roads. I plead with the Minister. This is a huge issue. I and all other Fianna Fáil Deputies have every right to table motions and hold this Government to account. We will do that and we will make progress on this issue.

**Deputy Robert Troy:** I remind Sinn Féin that the confidence and supply agreement we signed up to was to provide stable Government for this country. In signing it, we ensured that there was a reversal of the Fine Gael policy and a two-to-one split of additional funding to invest in services and infrastructure. Deputy Munster and the Government know that we cannot veto every decision or announcement that is made.

I overheard the two Ministers talking. They were taking solace in the fact that Sinn Féin was critical of Fianna Fáil. They agreed with Sinn Féin. However, they did that because they know they are failing in their own responsibilities and their own duties. They are taking solace from a party that refuses to take its seats in Westminster at a time when it could have huge influence on the future of Brexit. They take solace from a party that has been involved in a stalemate in Northern Ireland for the past 12 months. The only funding that comes out of Northern Ireland is that which pays the expenses of MLAs in respect of work they are not doing. The Minister is happy to cosy up to Sinn Féin because he knows that we on this side of the House are relentless in our opposition. We hold him to account for his inadequacies and his failings in his role as the Minister for Transport, Tourism and Sport for the past two years.

Like his colleagues in government, the Minister has visited many constituencies. However, they have all failed to follow up after their visits. I acknowledged there was an increase in funding this year. What the Minister has failed to acknowledge is that he was not able to secure the increase that he signed off on in A Programme for a Partnership Government. It was the Minister who signed off on a 50% increase and it was he who failed to deliver on that. It is

because of the motion before us that he will have to come in and be answerable to this House every six months in respect of how he is going to address the deficiencies relating to our roads.

It is interesting to note that none of his Fine Gael colleagues are present. They are never at the Minister's side during any debate. I ask him to be as forceful in his negotiations in respect of provision for roads as he was for the reopening of Stepside Garda station and in how judges are appointed to the Bench. We are not exaggerating the problems facing Ireland. It is not just rural Ireland. Regional roads and local roads are in our cities and rural areas. The Minister needs to accelerate funding. It will be more efficient in the long term. It is critical for balanced regional development. We need to ensure that water is properly drained off our roads and that hedgerows are cut back. We need to ensure that the money allocated is spent efficiently and that we are getting value for money.

I am glad the Minister is accepting this report but we will be keeping an eye on him every six months to ensure that he delivers when he says he is going to deliver. There is one thing for sure. The time for announcements and spin is over. If the Minister fails to deliver, the time for this Government will be over because we will pull the plug.

**An Leas-Cheann Comhairle:** That concludes the debate.

Amendment put.

**Deputy Imelda Munster:** Vótáil.

**An Leas-Cheann Comhairle:** In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 15 February 2018.

The Dáil adjourned at 10 p.m. until 10.30 a.m. on Wednesday, 14 February 2018.