



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*

(OFFICIAL REPORT—*Unrevised*)

Ceisteanna ó Cheannairí - Leaders' Questions	2
An tOrd Gnó - Order of Business	12
Taxation Orders 2018: Referral to Select Committee.	22
Home Building Finance Ireland Bill 2018: Financial Resolution	23
Message from Seanad	23
Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters	23
Ceisteanna - Questions	24
Cabinet Committee Meetings	24
Taoiseach's Meetings and Engagements	28
Taoiseach's Meetings and Engagements	31
Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions	35
Post Office Closures	35
National Broadband Plan Implementation	38
National Broadband Plan Implementation	40
Energy Infrastructure	42
Sustainable Development Goals	44
Ceisteanna Eile - Other Questions	46
Waste Management.	46
North-South Interconnector	48
Waste Disposal Charges	53
Petroleum and Gas Exploration.	56
National Broadband Plan	58
Saincheisteanna Tráthúla - Topical Issue Debate	59
Home Care Packages Provision.	59
Social and Affordable Housing	63
An Bille um an Seachtú Leasú is Tríocha ar an mBunreacht (Cion a aisghairm arb éard é ní diamhaslach a fhoilsiú nó a aithris) 2018: Ordú don Dara Céim.	67
Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018: Order for Second Stage	67
An Bille um an Seachtú Leasú is Tríocha ar an mBunreacht (Cion a aisghairm arb éard é ní diamhaslach a fhoilsiú nó a aithris) 2018: An Dara Céim	67
Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018: Second Stage	67
An Bille um an Seachtú Leasú is Tríocha ar an mBunreacht (Cion a aisghairm arb éard é ní diamhaslach a fhoilsiú nó a aithris) 2018: Céim an Choiste agus na Céimeanna a bheidh Fágtha	78
Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018: Committee and Remaining Stages	79
Ráiteas faoi Eolas do Vótálaithe: Tairiscint	79
Statement for Information of Voters: Motion.	79
Business of Dáil	81
Future of the Post Office Network: Motion [Private Members].	81

DÁIL ÉIREANN

Dé Máirt, 18 Meán Fómhair 2018

Tuesday, 18 September 2018

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

Paidir.

Prayer.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Micheál Martin: On a number of occasions since late 2017 I have raised the disgraceful treatment consistently meted out to hospices, disability organisations and mental health services by the Government, particularly its failure to restore the pay of their employees in line with that of other health service employees. The Minister for Health and the Government have been dishonest on the issue from the outset. Hospices and disability organisations are being treated as if they are second class, while their employees are being treated like second-class citizens. They implemented the FEMPI legislation in 2010 and 2013 and were deliberately excluded by the Government from pay restoration under the public service agreements of the past two years. The Government has stalled on the issue. We all know that these organisations depend significantly on voluntary donations and fundraising in the community. On average, they receive about 75% of their total annual revenue to meet operating costs from the Government and must fund the rest themselves. In particular, they have to raise almost all of their own capital. They have received no increase in funding in recent years to pay increments and meet inflation in non-pay costs. Since the early 2000s, the demand for their services has almost doubled. Hospices, in particular, are efficient and effective, have a significant impact and won the trust of the public, yet they are being treated in a very cynical, dishonest and shabby manner by the Government. It is difficult to comprehend why they were ever left out of pay restoration provided for in the Estimates and allocations, but a cynical decision was taken somewhere to brazen it out. The goalposts and the story keep changing, but, essentially, these organisations have been hung out to dry. I raised the matter with the Taoiseach in October and November 2017 and January this year, but he keeps shifting the goalposts. Fundamentally, this is not an industrial relations issue but a funding issue. It is an issue of basic fairness. Hospices and disability organisations have been short-changed. They have warned us that they will simply have to cut services if pay restoration does not happen in line with that for other health service employees. They face a funding crisis. Will the Taoiseach confirm that funding has been allocated in the Estimates for 2019 to facilitate pay restoration for the employees of hospices, disability organisations and those covered by section 39? When will the Government do the right thing in treating the employees of these organisations in a fair and just manner?

18 September 2018

The Taoiseach: I thank the Deputy and welcome him back. I hope he had a nice summer.

I want, of course, to start by joining him in acknowledging the really valuable and important work that is done in section 39 organisations, whether it is hospices around the country, like St. Francis Hospice, which is very near to where I live, whether it is disability organisations around the country or whether it is people involved in social care. I think everyone in this House will understand and respect the important work that is carried out by these organisations and their staff.

As has been explained in the past, section 39 organisations are not part of the public sector and the staff in them are not public servants. As the Deputy pointed out, on average these organisations get 75% of their funding from the State but, as we all know, “on average” does not mean “in all cases”. In some cases the funding from the Government may be as little as €10,000 or €11,000, whereas in some cases almost all of the funding may come from the public purse, and it is different in different circumstances. In almost all cases these organisations have had budget increases in recent years. There has not been a budget freeze for section 39 organisations in recent years. In fact, the money paid to section 39 organisations, taken in aggregate, or on average, as the Deputy may use the term, has increased every year in the last couple of years.

Analysis, which is not yet complete, has been done by the Department of Public Expenditure and Reform. It shows that the situation is very different across these different bodies. In some cases they have paid increases and made pay restoration, for example, in some hospices, whereas in others they have not. In some places they are entirely compliant with public sector pay policy and mirror almost exactly public sector pay policy and pay rates. In others they do not, and in some cases they use that flexibility to pay more or pay less, as they deem appropriate for the activities in their area.

We know from the analysis so far that some can afford to pay and some cannot. The fact there is such a difference across all of these different bodies means it is a complicated problem to solve, but it is something we want to solve. It is a matter that is now being considered by the Workplace Relations Commission. The Minister of State, Deputy Finian McGrath, recently met SIPTU, one of the main unions involved, and the Minister, Deputy Donohoe, has met the head of ICTU to discuss this. We want to resolve it. We want to include in the Estimates for 2019 some moneys to resolve this situation but that requires coming to an agreement, and we have not yet come to an agreement on how that can be done.

Deputy Micheál Martin: It gives me no pleasure to say the Taoiseach’s answer reeks of dishonesty. Let us cut the verbiage, the waffle and all the talk on the average and all the rest of it. I met the five hospices yesterday. The bottom line is the Government has not given them the money to restore pay. The reason there was strike notice this week is that one hospice did not pay. There has been no retrospection of pay. The Minister of State with responsibility for disability, Deputy Finian McGrath, should be up in arms in regard to the disability arguments. I have met St. Joseph’s Foundation, Charleville. It is in debt, in crisis. Let us cut all the nonsense and the waffle. When the cuts happened, the HSE went down to the CEO of each of these organisations and said: “Cut. If you do not, we will cut your money”. They are the only people in the health service who were excluded, deliberately and cynically, from the pay restoration agreement. There is no rationale for it.

I got a similar reply previously. The Taoiseach mentions St. Francis Hospice in every reply I get. That is fine, but the reality is the Taoiseach said the same thing over 12 months ago. He

has been seeking information for about 15 months. The people love the hospices of this country. They will do anything for them. It is about time the Government did more than just sip a cup of coffee or tea with them and actually gave them what they are entitled to, the same as the nurses and all the other health alliance professionals working in other organisations in the health service. He and I know they should not even be section 39 organisations. They should be fully integrated into our health service. We should take lessons from them because they are the most trusted, well received and popular services in our health service across the country.

The Taoiseach: What the Deputy may call waffle and nonsense, other people would call facts. The fact is they are section 39 organisations. They are section 39 organisations in the Health Act, an Act the Deputy brought into this House. They are not publicly owned bodies. These are private organisations that receive grant funding from the Government to provide a particular public service. That is the way it works. These bodies receive-----

Deputy Micheál Martin: The Labour Court has adjudicated, as the Taoiseach knows. It has adjudicated that there is a 30-year link.

An Ceann Comhairle: Can the Taoiseach be allowed to respond without interruption?

The Taoiseach: The Labour Court's determinations apply to the employers. In this case the employer is not the State. The way these organisations work is that they receive grant aid from the Government. They also have their own income streams. They have a decision to make as to how they should spend the money they are given. Some organisations have provided for pay restoration for staff, while others have not. Some can afford to do so and some cannot. Some receive almost all of their funding from the State, while some do not. This is not a straightforward issue, but it is one we want to resolve. We want to include some funding in the Estimates for 2019 to provide for pay restoration for staff in these organisations. However, we cannot calculate that figure until we get to the bottom of what is involved. We need all of the data from the organisations to get there and we will then need agreement with the unions to achieve it.

Deputy Mary Lou McDonald: The summer has seen the housing and homelessness emergency go from disaster to calamity. According to the most recent homelessness figures, the number of homeless individuals now stands at nearly 10,000. The number of families accessing emergency accommodation stands at 1,778, which is 349 more than in the same month last year. Scandalously, the number of homeless children has increased again. There are now 3,867 children sleeping in emergency accommodation. Service providers have been reduced to referring families to Garda stations owing to the lack of emergency accommodation. In the course of the summer we witnessed the indignity of a family of seven sleeping in Tallaght Garda station. Rental costs have spiralled out of control; house prices remain above affordable levels and tens of thousands of homes lie vacant across the State. Naturally, people have responded and some have come out to protest against the Government's failures. The response has been a heavy-handed overreaction to the peaceful occupation of a building in my constituency which had lain empty for three years. Staff of a private security firm arrived in unmarked cars escorted by gardaí to evict a handful of peaceful protestors, which was an absolutely disproportionate response. I ask the Taoiseach to contrast that with the Government's response to the housing crisis which has been underwhelming, under-resourced and inadequate. The Government's flagship housing policy, Rebuilding Ireland, has been in place for two years, but the crisis has deepened. Instead of getting to grips with the emergency, the Government has attacked local authorities and Opposition Deputies and failed to see its own failures. Spin over substance and a refusal to accept that its policies are failing are the hallmarks of the Government's approach.

18 September 2018

We need a change of direction and a change of policy desperately. That means taking bold and urgent action. I have such an action to recommend to the Taoiseach. Sinn Féin has proposed the introduction of a temporary tax relief for renters, alongside a three-year emergency rent freeze. Existing tenants would have their rent frozen at current levels, while new tenants would have their rent pegged to the Residential Tenancies Board's average rent index. This would be a good move and a partial response to the crisis we face. Will the Taoiseach introduce such a rent freeze?

The Taoiseach: On behalf of the Government and everyone on this side of the House, I acknowledge the extent to which we share the concerns of everyone in the country and the Opposition about the impact the housing shortage and homelessness crisis are having on people across Ireland. It is something about which we all know from our constituency clinics, the increased workload and the increased numbers of housing queries coming through. We know about it from the experiences of people we meet, including, in many cases, family members and friends. In many cases, young couples who are struggling to buy their first home are paying more in rent than they would if they were able to buy and meeting mortgage repayments. However, they are unable to find the right property or even any property to choose. People are waiting for years on housing lists and have been forced into emergency accommodation.

The solution to this can only be increased supply. I should not say "only", but a large part of the solution must be increased supply, which we are now seeing. Figures from the CSO, which I believe everyone trusts - they should anyway - show that 4,500 new homes were built in the previous quarter alone, in the space of three months. Behind this number are real stories and real people: 4,500 families moving into newly built houses or apartments and in many cases freeing up 4,000 or 5,000 other properties for other people to buy or to rent. We anticipate that about 20,000 new homes will be built this year, certainly 20,000 if one includes vacant properties being brought back into use and student accommodation. That will be up from 14,500 last year, up from 9,000 the year before and up from about 5,000 the year before that. Therefore, I do not think anyone can doubt that we are on the right trajectory when it comes to providing more housing.

It is definite and a fact that supply is increasing, but it is not enough, and we acknowledge that. Our population last year increased by 65,000, and while this does not mean we need 65,000 new homes every year, it probably means we need about 30,000 or 35,000. We are not there yet but we are doing everything we possibly can to ramp up supply. If there are additional measures that will allow us to increase supply, we are happy to consider them, but tinkering around the edges with other things does not produce supply. While we will certainly consider the proposals Sinn Féin puts forward, I can see that they would cost. Certainly, any meaningful tax relief for renters would be expensive and we would be interested to see how Sinn Féin proposes to fund it. However, none of these things will increase supply. Ultimately, there will be more people competing for the same number of units, and as our population rises we will need more supply.

As for protests, all I can say is that in a democracy everyone has the right to protest, and protest is a very important part of a healthy democracy. It is very much my view, however, that when protests occur, they should be peaceful, in accordance with the law and respectful of gardaí, people who put their safety at risk to keep us and our communities safe.

Local authorities have the power to purchase vacant properties compulsorily. Many local authorities use their power to do so. If a local authority is not purchasing a particular vacant

property compulsorily, it is probably not doing so for a reason.

Deputy Timmy Dooley: It will not get the money from the Minister, Deputy Eoghan Murphy, to buy it.

The Taoiseach: I note that many of the protests are taking place in the central Dublin city area. Sinn Féin and left-wing councillors dominate Dublin City Council, so I assume that if Sinn Féin and left-wing-dominated councils are not compulsorily purchasing properties in Dublin city centre, they have a reason for not doing so.

Deputy Mary Lou McDonald: The CPO process is long and arduous.

(Interruptions).

Deputy Mary Lou McDonald: The Taoiseach says the Government is doing everything to increase supply. It is not. I had occasion to visit a fantastic social housing scheme in Cherry Orchard and an affordable scheme in Ballymun. I spoke to the approved housing bodies about their analysis of the current situation. They both said they cannot understand all the blockages, delays and red tape being placed in their way by Government. In fact, some of them speculated and asked me whether the Government has some big announcement or whether there is a rabbit to be pulled from the hat. The fact is, sadly, that there is not. The truth is that when one talks to these approved housing bodies, the story they tell is one of delay and prevarication.

I put to the Taoiseach the idea of a rent freeze. This is a very necessary mechanism to prevent more homelessness. We know that the bulk of people now coming into homelessness, including family homelessness, are coming from the private rental sector. The Government's approach, including its pressure zones, has not worked. We need something that is fit for purpose. I am not inviting the Government to tinker around the edges of anything. On the contrary, I am asking it to take decisive action. I put it to the Taoiseach again that the Government needs to introduce a rent freeze. I hope that what Fr. Peter McVerry described as a conflict of interest that might be on the Government's benches and on those of its colleagues in government in Fianna Fáil will not prevent it from introducing something as necessary as a three-year rent freeze.

Deputy Regina Doherty: There are plenty of landlords in Sinn Féin.

The Taoiseach: I assure the Deputy that I have no rabbits to pull out of the hat and I have no quick fixes. This is not a problem that will be solved by an announcement, by some sort of quick-fix measure or by changing one law or one piece of legislation. That is just not the case. To every complex problem there is an easy and simple solution that probably does not work. A rent freeze is probably one of those. We have rent pressure zones. They have brought some control around the extent to which rents are increasing. They cap rent increases at 4% and we know from the last two ESRI reports that rents increased by approximately 1% per quarter in those areas, so there is at least some initial evidence that they have helped to moderate the rate of increases.

Deputy Eoin Ó Broin: Rents are increasing by 7% annually. The rent pressure zones are not working.

The Taoiseach: We have to bear in mind what a rent freeze might do. On the face of it, a rent freeze sounds like a good idea, but we should think about the unintended consequences of that kind of a measure.

18 September 2018

Deputy Pearse Doherty: Such as fewer people becoming homeless.

The Taoiseach: For example, we should think about what it would do to supply. Would more people be willing to rent out a property? Would more businesses be willing to build properties for rent-----

Deputy Dessie Ellis: The Taoiseach should look at the money they are making.

The Taoiseach: -----if they were put in a situation whereby Sinn Féin decided the rent charged rather than themselves? Would people be willing to move from property to property? People who live in rent controlled cities say that if one has a rent controlled apartment, one should hang on to it and not move. That means less churn and fewer people moving. What often happens with these kinds of measures is that they work for some people, particularly those who are already in rented properties, but they make it much harder for people who are trying to rent for the first time. That is why, when it comes to policies around housing, we always need to consider the unintended consequences.

Deputy Aengus Ó Snodaigh: People cannot rent for the first time if there is nothing available.

The Taoiseach: What might seem like a solution on the face of it, a simple, easy answer, might actually do harm to many people.

Deputy Brendan Howlin: One of the critical judgments to be made of the Taoiseach's Government is on how badly Ireland will be impacted by Brexit. It is clear that Brexit risks doing incalculable damage to our country. Everybody in this House knows it. We have discussed it in and out. Tens of thousands of jobs are at risk, as is social cohesion on both sides of the Border. For those of us who have had the opportunity to talk to both sides of the community in Northern Ireland in recent days, it is clear that they feel unrepresented and vulnerable in this entire process. Events are moving quickly. The EU is preparing a new position paper on the Irish Border question. We are told it will be a compromise on the initial paper, but which of our interests are being compromised? The backstop on the Border is now presented as the largest barrier to the UK's exit deal. Before the summer I asked the Taoiseach to resolve Ireland's Brexit concerns at the special September EU summit being hosted this week by the Austrian Chancellor. I understand that the backstop is on the agenda for the so-called working lunch of the EU 27. The backstop, however, does not represent the sum of all of Ireland's interests. The whole point of seeking a separate Ireland protocol in advance was to shield our wider interests, such as east-west trade, from the kind of brinkmanship and 11th hour negotiations we now see occurring. Regardless of the result of the EU-UK negotiations, including the potential for no deal, we need to resolve Ireland's interests before the pressure comes upon us to compromise further, which could now happen at a special meeting of EU Heads of Government as late as November next.

We need to secure a legally binding agreement on the common travel area. We need to ensure that what we enjoy now will continue to exist and will not be weakened or diluted over time. We are told by all sides that there is a political will to maintain the common travel area, but the Taoiseach knows that only exists by way of a so-called gentleman's agreement. The political environment created by a hard, messy Brexit would provide little guarantee that Irish passport holders could still work and reside in the UK, use the NHS and avail of all the other benefits they now enjoy. Brexit could disenfranchise hundreds of thousands of Irish people liv-

ing in the UK. We need the EU to open up the space for a bilateral British-Irish agreement on this issue, the common travel area, which is in our interests. This is the only concern which is historically ours and the UK's alone. It does not impinge on the wider EU. Will the Government seek the consent of our EU partners for such an agreement to be negotiated as a matter of urgency? Has the Taoiseach given consideration to setting out our understanding of the full implications of the common travel area in draft legislation here?

The Taoiseach: The Deputy can be assured that Brexit is very much at the top of the Government's agenda. We had a detailed discussion on Brexit contingency planning and Brexit planning at our Cabinet meeting this morning. As the Deputy served well and successfully in government for a period, he knows that if it was as simple as turning up at an EU summit to sort it all out, I would have done that a long time ago. What is required here is an agreement. That requires a negotiation and both parties, the EU on the one side, including Ireland, and the UK on the other, to come to an agreement.

The Salzburg Summit is an informal meeting of the EU Heads of State and Government. Accordingly, no decisions will be made at that. However, we will use the summit as an opportunity to discuss Brexit. We will meet in Article 50 format. The UK Prime Minister, Theresa May, will give a presentation. She will then leave the room while the other 27 will discuss our approach. I do not anticipate there will be any change to the EU's position or to our negotiating guidelines.

While I do not want to give a running commentary of the negotiations, as it would not be in Ireland's interests, some of what the Deputy has read in the British newspapers, particularly the British-owned newspapers, are very far off the mark when it comes to the reality of what is going on in these negotiations.

The draft withdrawal agreement provides for what we need, namely, protection of the common travel area, a transition period to allow business and others to adjust to any permanent changes in trade which may take place, guarantees on citizens' rights, particularly for people in Northern Ireland, and also the backstop. This insurance policy of the backstop, which we hope to never have to use, guarantees us that there will be no hard border on the island of Ireland. These remain our objectives and that is what we will negotiate towards.

On the common travel area, it is specifically stated in the withdrawal agreement that it will stay in place and that it will be a bilateral matter between Britain and Ireland. It will continue to allow our citizens to live, study, work, as well as access healthcare, housing, education, in each other's countries as though we are citizens of both. That arrangement has been in place for a long time. Both the UK Government and the Irish Government want that to stay in place. That forms part of the withdrawal agreement.

Deputy Brendan Howlin: Time is running out or to use the phrase of Michel Barnier, "the clock is ticking". We had hoped to have the Irish issues settled, separate from the withdrawal agreement, in June. Then it was October. Now it is to be November.

The Taoiseach referred to some of the English newspapers. Bloomberg reported today that the EU will make support for Ireland's Brexit position conditional on Ireland dropping opposition to corporate tax reform. Bloomberg also quoted an alleged European Commission official saying that solidarity does not come for free.

This is the sort of brinksmanship and last-minute concern that people would have if the Irish

18 September 2018

matters are not settled well in advance of the final withdrawal agreement being negotiated at the last hour.

The Taoiseach: There is much briefing going on.

Deputy Billy Kelleher: They are listening at the doors.

Deputy Barry Cowen: The Taoiseach would recognise that.

The Taoiseach: Whatever people may say about me and the Government, I can guarantee the Deputy it is not coming from Government Buildings or from the European Commission.

Deputy Brendan Howlin: What does the Taoiseach make of it?

Deputy Timmy Dooley: Is it the Taoiseach's alter ego on Twitter?

The Taoiseach: Not that long ago I read in one newspaper that the French President, Emmanuel Macron, was so impressed by the meeting he had with the British Prime Minister in the Riviera that he changed his position and France would suddenly do a deal with the UK. I read another story several days later saying much the same about Germany. I am forever reading this stuff. I can absolutely guarantee the Deputy that EU solidarity behind Ireland, the 27 member states supporting us as a country that is staying in the European Union, is absolutely solid.

Deputy Richard Boyd Barrett: On 3 October the National Homeless and Housing Coalition, the Irish Congress of Trade Unions, housing non-governmental organisations, NGOs, such as the Peter McVerry Trust, Simon Communities and Focus Ireland and housing activist groups such as Take Back the City and many others are calling for a major national demonstration at Leinster House to demand emergency measures to deal with the spiralling housing crisis. The protests follow the magnificent protests of mostly young people in the Take Back the City movement who have occupied scandalously empty residential properties that could be used for housing to highlight the obscenity of people suffering from homelessness. Let us be clear: they are not protests for the sake of protesting, rather they are driven by intense frustration at the Government's continued policy of relying on speculators, vulture funds and corporate landlords to resolve a housing crisis that the very same people created in the first place, a failed policy that continues with the Land Development Agency initiative, the continued sale by the National Asset Management Agency, NAMA, of public land, including the former Player Wills factory site, and scandalously section 110 tax reliefs whereby billions of euro are going into the pockets of vulture funds, the local infrastructure housing action fund, LIHAF, and Home Building Finance Ireland, HBF, whereby we are financing private developers to build, in some cases, on public land, run away with the profits and charge astronomical rents and property prices, while all the while obscene profits are being made as the housing crisis gets steadily worse and the human misery it causes continues.

The protestors are demanding a change in policy. They are saying: stop selling public land to vulture funds and speculators, start an emergency programme to build public and affordable housing on public land, introduce rent controls, adopt robust and aggressive measures to go after empty residential properties where there is no justification for a property lying empty when it could be used to house those who need housing, stop evictions into homelessness - nobody should be evicted into homeless - and establish a constitutional right to secure affordable housing.

Does the Taoiseach think that rather than seeing paramilitary policing methods, with men in balaclavas, used against peaceful housing protesters - young protesters, in the main - some of whom were hospitalised such was the aggression used against them during the protests, and recognising that his policies have failed to address the deepening housing crisis, he might listen to the demands of the protesters? While he is at it, will he repudiate the unbelievable suggestion made by the Minister for Justice and Equality that gardaí should no longer be recorded in the conduct of their duties when it would amount to censorship of the press and the public in the context of their right to oversight of the heavy-handed policing tactics we saw used on North Frederick Street?

The Taoiseach: Protests will not build houses-----

Deputy Regina Doherty: Exactly, no.

The Taoiseach: -----but the Government will. The private sector will also build houses.

Deputy Pearse Doherty: When?

Deputy Eoin Ó Broin: Not quickly enough.

The Taoiseach: Ultimately, that will be the solution to the problem. As I said earlier, protests are part of a healthy democracy and welcome. However, they should be peaceful and occur in accordance with the law. I hope the Deputy will use the opportunity presented by his supplementary question to echo that sentiment-----

Deputy Dessie Ellis: It goes both ways.

The Taoiseach: -----that protests should be peaceful, that there should be no violence and that protests should take place in accordance with the law. There are no Government proposals to restrict people in taking photographs or making videos. That would be a restriction of free speech and not something I would support.

Deputy Brendan Howlin: The Taoiseach should tell the Minister that.

The Taoiseach: I reassure people - press photographers, individual citizens and protestors - that there are no Government proposals whatsoever to do so. I also hope that in his supplementary question Deputy Richard Boyd Barrett will affirm his view that peaceful protest is the type of protest we should have and that protests should happen in accordance with the law and that he will take the opportunity to condemn any abuse of gardaí-----

Deputy Charles Flanagan: Hear, hear.

The Taoiseach: -----including racist abuse and name calling. I hope Deputy Boyd Barrett will take this opportunity to condemn anyone who seeks to identify and intimidate online the members of the Garda Síochána. That is not the kind of behaviour that should happen in a decent society or a healthy democracy. Gardaí are people who put their safety on the line to defend our democracy, to protect our freedoms, to keep us safe and to police our communities. They deserve our support. I hope that Deputy Boyd Barrett would use the opportunity of his supplementary question to reaffirm his commitment to ensuring that protests are peaceful, that they happen in accordance with the law, and that gardaí are not subject to verbal or physical abuse in any way whatsoever.

18 September 2018

Deputy Richard Boyd Barrett: I condemn, unreservedly, any threat or use of violence against anybody by anybody, be it against gardaí or against protesters. Will the Taoiseach condemn the use of actual violence - not threatened violence - against wholly peaceful protesters? Some of the protesters were hospitalised with concussion, cuts and bruises or had to get stitches as a result of the violence of hooded gardaí and the private security people who used excessive violence against peaceful protesters.

Yes, the Government should build public housing, as the Taoiseach has said, but last night I looked at his Departments' figures to refresh myself. They show that between 2011 and 2018 the Taoiseach's governments built 2,827 council houses while in the same period the housing list has gone from 96,000 families to 136,000 families when one includes transfer lists-----

Deputy Eoghan Murphy: Those figures are incorrect.

Deputy Richard Boyd Barrett: -----of HAP and RAS, which, I put to the Minister, is mas-saging the figures.

Deputy Eoghan Murphy: The Deputy is changing the definitions.

Deputy Richard Boyd Barrett: The number of people in emergency accommodation has quadrupled. We have the shocking obscenity of children and families in growing numbers in emergency accommodation.

An Ceann Comhairle: The Deputy is over time.

Deputy Richard Boyd Barrett: That policy has failed, and unless the Taoiseach addresses it and stops with policies that continue to hand over billions of euro in tax breaks to private speculators and landlords for land, property and cash, as the Government is proposing to do again with the Land Development Agency-----

An Ceann Comhairle: The Deputy is well over his time, please.

Deputy Richard Boyd Barrett: -----it will never solve this crisis and it will continue to get worse.

An Ceann Comhairle: Will the Taoiseach conclude, please?

The Taoiseach: Absolutely. As I said earlier, with regard to the occupation of vacant properties, the city and county councils have the powers to use a compulsory purchase order, CPO, on properties. Many councils are doing that and if they are not using a CPO on a particular property, then I assume the council has a reason. Many of the properties being occupied are in the Dublin City Council area. This council is dominated by Sinn Féin and left-wing councillors. The Deputy should ask them to give an explanation as to why these CPOs are not being sought for these properties.

With regard to building social housing, this is exactly what the Government is doing. We have set aside funding to increase Ireland's public housing stock by 110,000 units over the next ten years and by 50,000 in the next five years. Last year we increased the social housing stock by 7,000. That includes direct builds and approved housing bodies such as the Iveagh Trust, which has provided social housing in Ireland for a very long time. It also includes councils buying properties from developers. It is all social housing that belongs to the councils. People are given secure tenancies. There were 7,000 last year and there will be more again this year.

We will ramp it up to 10,000 per year and we will provide an additional 110,000 social housing units over the next ten years. That is our guarantee and we are making it happen.

It would be helpful if Sinn Féin and left-wing councillors did not vote down social housing in Dublin City Council and in South Dublin County Council.

Deputy Eoin Ó Broin: It is Fine Gael councillors-----

The Taoiseach: Deputies have their reasons-----

Deputy Richard Boyd Barrett: That is not fair.

An Ceann Comhairle: Can we have some order, please?

The Taoiseach: If Deputies were as concerned-----

Deputy Eoin Ó Broin: The Taoiseach is telling lies.

An Ceann Comhairle: Please, let the Taoiseach respond.

The Taoiseach: If Deputies were as concerned-----

(Interruptions).

The Taoiseach: If Deputies are as concerned about these issues as they make out, and if they really want emergency measures, then they must tell their own councillors not to vote against any social housing under any circumstances.

Deputy Eoin Ó Broin: This dishonesty is incredible.

Deputy Regina Doherty: That is a bit rich coming from Deputy Ó Broin's party.

(Interruptions).

An Ceann Comhairle: We need some order, please. We shall proceed to the Order of Business.

An tOrd Gnó - Order of Business

Minister of State at the Department of the Taoiseach (Deputy Joe McHugh): Today's business shall be No. 19, motion re Multilateral Convention to Implement Tax Treaty Related Measures Order 2018 and Double Taxation Relief (Taxes on Income and Capital Gains) (Republic of Ghana) Order 2018 - referral to committee; No. 19a, Financial Resolution re Home Building Finance Ireland Bill 2018; No. 7, Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018 - all Stages; and No. 20, motion re Statement for the Information of Voters in relation to the Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018. Private Members' business shall be No. 207, motion re future of the post office network, selected by Sinn Féin.

18 September 2018

An gnó fá choinne an Céadaoin seo, business shall be No. 38, statements on a scoping inquiry into the CervicalCheck screening programme; No. 20a, motion to instruct the committee on the Home Building Finance Ireland Bill 2018; and No. 8, Coroners (Amendment) Bill 2018 - Order for Second Stage and Second Stage. Private Members' business shall be No. 208, motion re BusConnects, selected by Fianna Fáil.

An gnó fá choinne an Déardaoin seo, business shall be No. 21, motion re European Organisation for Astronomical Research in the Southern Hemisphere; No. 9, Central Bank (National Claims Information Database) Bill 2018 - Order for Second Stage and Second Stage; and No. 8, Coroners (Amendment) Bill 2018 - Second Stage (resumed). Second Stage of No. 58, National Monuments (The Moore Street Battlefield) Bill 2018 in the name of Deputy Peadar Tóibín, shall be debated in the evening slot.

Regarding Tuesday's business, it is proposed that Nos. 19 and 19a shall be taken without debate and any division demanded shall be taken immediately. Second Stage of No. 7 shall, if not previously concluded, be brought to a conclusion after 85 minutes and any division demanded on the conclusion of Second Stage shall be taken immediately. Speeches shall be confined to a single round for a Minister or a Minister of State and the main spokespersons for parties or groups, or a Member nominated in their stead, which shall not exceed ten minutes each, with a five-minute response from the Minister or the Minister of State and all Members may share time. Proceedings on Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion after 15 minutes by one question which shall, in relation to amendments, include only those set down or accepted by the Minister for Justice and Equality. No. 20 shall be taken without debate at the conclusion of all Stages of the Bill and any division demanded shall be taken immediately. Immediately on conclusion of proceedings on the motion, Private Members' business will be taken for two hours and the Dáil shall adjourn at the conclusion of Private Members' business.

Regarding Wednesday's business, it is proposed that there shall be no questions to the Taoiseach and the sos, in accordance with Standing Order 25(1), shall be taken at the conclusion of questions on promised legislation. No. 38 shall be brought to a conclusion after 80 minutes and confined to a single round of statements by a Minister or a Minister of State and the main spokespersons for parties or groups, or a Member nominated in their stead. Speeches shall not exceed ten minutes each and all Members may share time. No. 20a shall conclude within 60 minutes and speeches shall be confined to a single round for a Minister or a Minister of State and the main spokespersons for parties or groups, or a Member nominated in their stead, which shall not exceed seven and a half minutes each and any division demanded shall be taken immediately.

Regarding Thursday's business, it is proposed that No. 21 shall be taken without debate.

Deputy John Brassil: On a point of information, while I may be mistaken, I have noticed that there is an additional microphone in front of many of our seats after the summer recess. Will the Ceann Comhairle clarify whether they are live all of the time or just when we are speaking? I would hate to think private conversations between Members-----

An Ceann Comhairle: I presume they are live when-----

Deputy Aengus Ó Snodaigh: Fianna Fáil will get-----

(Interruptions).

Deputy John Brassil: I would not like anyone to hear what I am saying about the Ceann Comhairle when I do not get called to ask a question. I think it should be clarified.

Deputy John Curran: Apologise now.

An Ceann Comhairle: I can only imagine what Deputy John Brassil might have said.

Deputy Micheál Martin: Or the Healy-Raes.

Deputy James Browne: It would take up twice the tape.

An Ceann Comhairle: It is a backup system.

Deputy John Brassil: I thank the Ceann Comhairle for the clarification.

An Ceann Comhairle: There are three proposals to be put to the House. Is the proposal for dealing with Tuesday's business agreed to? Agreed. Is the proposal for dealing with Wednesday's business agreed to?

Deputy Róisín Shortall: No.

Deputy Stephen S. Donnelly: No.

Deputy Róisín Shortall: It is not agreed on two counts. I understand on the time allowed for statements on the Scally scoping inquiry that there will be eight ten-minute slots. The standard practice for statements is that time is allowed for a Minister to respond. Given the seriousness of the issue, one would expect that half an hour would be provided for questions and answers. However, there is no opportunity to come back on it, which is a mistake.

The second issue with which I have difficulty relates to the Public Health (Alcohol) Bill. The Bill has been under discussion for 1,000 days. That is six and a half years after the first recommendations were made on this legislation. A large number of spurious reasons have been given for delaying the Bill. Many tactics have been used by various Members here and in the Seanad as a result of the massive lobby put on by the alcohol industry. Time had been allowed to discuss the Bill tomorrow night and there is no reason we cannot deal with that. There are 14 Members of this House who are continuing to engage in these kinds of delaying tactics and have tabled all sorts of spurious amendments on the Order Paper. They come from Fianna Fáil, Fine Gael and, in one case, the Labour Party. I strongly appeal to the Taoiseach and Deputies Micheál Martin and Brendan Howlin to ask their party members to withdraw those amendments. Let us stop the game playing on this and get this important legislation through as quickly as possible.

An Ceann Comhairle: We cannot get into a very detailed discussion on the matter.

Deputy Louise O'Reilly: I wish to say something on the same matter.

An Ceann Comhairle: I will call Deputy Stephen Donnelly first and then the Deputy.

Deputy Stephen S. Donnelly: People have been waiting for a very long time for the Public Health (Alcohol) Bill. Our understanding as of around 10 a.m. this morning was that it would be heard and hopefully would pass Report Stage in the House tomorrow night. At about 11.30 a.m., we received word that it had been pulled from the schedule.

Deputy Micheál Martin: By the Government.

Deputy Stephen S. Donnelly: Yes. While I hope this is merely a scheduling issue, my concern is that this has also happened several times in the Seanad. Senators were told it was an administrative issue and that the Government would return with the Bill the following week, but then the legislation disappeared for months. The Bill will, I hope, save many lives. The Government pulled it from the schedule this morning. Will the Minister of State tell us why and assure the House that it will be back in the time necessary to get through Report Stage by next week at the latest?

Deputy Louise O'Reilly: The Public Health (Alcohol) Bill has been subject to disgraceful delays. The people who are doing it know who they are, and we know who is pushing this agenda. Will the Taoiseach give us an explanation? I join Deputy Donnelly in hoping that it is a scheduling error. However, the experience in the Seanad is that the Bill has disappeared from the agenda on several occasions. Will the Taoiseach explain why we cannot discuss it tomorrow when there seems to be consensus in the House that we should do so?

Deputy Joe McHugh: On the first matter raised by Deputy Shortall-----

An Ceann Comhairle: That was the Scally report.

Deputy Joe McHugh: Yes. A circular was issued on the Scally report on Wednesday. In fairness, Deputy Shortall was alone in requesting time for questions and answers at the end of the discussion. We have a tight schedule but if Deputies agree, the Government side has no problem with having 15 or 20 minutes of questions and answers at the end.

An Ceann Comhairle: Is it agreed to facilitate a question and answer period, as set out by the Minister of State?

Deputy Micheál Martin: Yes.

An Ceann Comhairle: That is agreed.

Deputy Joe McHugh: Go raibh maith agat, a Cheann Comhairle. On the second issue raised by Deputy Róisín Shortall and also Deputies Stephen Donnelly and Louise O'Reilly, we have received messages that new amendments are being considered. There are no delaying tactics. The Bill was on the schedule because it is also one of the Taoiseach's priorities. The Deputy asked for an assurance that it would be on the schedule next week. As far as I am concerned, it will be. I am also happy to check to see if there is any possibility of getting it on the schedule this evening, with the amendments that need to be considered.

Deputy Róisín Shortall: To clarify, if party leaders secure the agreement of their Members to withdraw the delaying amendments, can we take the Bill tomorrow night? I do not see any reason the legislation would not go through in the hour that was allocated for it, or in ten minutes.

An Ceann Comhairle: I do not ever recall a Deputy arguing that amendments were delaying legislation. Members are entitled to table whatever amendments they wish. The Deputy's point about starting the debate tonight or tomorrow on whatever it was originally proposed to deal with is very relevant.

Deputy Micheál Martin: To provide absolute clarity, it was the Government that withdrew

the Bill. It was nothing to do with the Opposition or anybody else. Deputy Shortall might be implying that we had some involvement in withdrawing the Bill but we had none whatsoever. We want the Bill to go ahead as it is going on for too long.

An Ceann Comhairle: In the interests of the House we must respect the process by which people can table amendments.

Deputy Micheál Martin: Of course.

An Ceann Comhairle: All Members are entitled to table amendments and we should be very careful about imputing ill intent to anyone who tables an amendment.

The Taoiseach: For the record, as the Head of Government and the Minister who published the Bill, I want to see it enacted too, but I do not think we can play out the Business Committee here. I will speak to the Whip about it afterwards, and if there is a way to get it back on the schedule this week, we will do that.

An Ceann Comhairle: Okay. Can we accept that from the Taoiseach?

Deputy Róisín Shortall: Yes.

An Ceann Comhairle: He was very positive. Therefore, is Wednesday's business agreed to? Agreed. Is the proposal for dealing with Thursday's business agreed to? Agreed. We will move on quickly then to Deputy Micheál Martin and questions on promised legislation.

Deputy Micheál Martin: As the Taoiseach is aware, before the summer break the Attorney General advised the Government that it could not proceed with legislation to give effect to the people's decision to repeal the eighth amendment. Those cases have taken their course. Will the Taoiseach now confirm when the Government intends to publish the full Bill and when we can expect to take the Bill in this House?

The Taoiseach: As Deputy Micheál Martin is aware, the courts have made their decision, the referendum has now taken effect and the Constitution has been changed. I checked with the Minister for Health and I think we can have the Bill before the House in the first week in October. I will double-check but we are on target to meet our timeline of having the legislation through both Houses before the end of the year so that the new services can be made available in the new year.

Deputy Mary Lou McDonald: This weekend the President of the Palestinian Authority, Mahmoud Abbas, will make an historic first state visit to Ireland on his way to a meeting of the UN General Assembly in New York. I warmly welcome the President's visit and I hope it will be a very productive one. I understand that in a meeting with the Tánaiste on Saturday evening there will be a focus on a number of issues, not least the ongoing illegal blockade of Gaza, and the State's recognition of the state of Palestine, which is now long overdue. A Sinn Féin motion to that effect was passed by the Dáil in 2014 and the Seanad did likewise.

The Taoiseach will recall that there is a commitment in the programme for Government and yet he continues to drag his heels on this matter.

An Ceann Comhairle: I thank Deputy McDonald.

Deputy Mary Lou McDonald: Now is the time for us to afford the official recognition

18 September 2018

to the state of Palestine, which is the agreed position of the Oireachtas and a necessary one in international terms.

The Taoiseach: The programme for Government says that we support the Palestinian state - and we do - and that we intend to recognise the state of Palestine as part of a two-state solution. An agreement between Israel and the Palestinian Authority to bring that about has not yet happened.

We are working on the diary at the moment, and if I have the opportunity to meet President Abbas myself, I will do so. He will certainly meet the Tánaiste. I will use that opportunity to reaffirm our support for a Palestinian state as part of a two-state solution, and I will also use the opportunity to raise other concerns about democracy and human rights in the Palestinian territories, in particular, for example, the fact that homosexuality has yet to be decriminalised in Gaza. It is important that when we meet representatives of the Palestinian Authority and other Palestinian groups, we support their demand for self determination but that we are not afraid to raise serious issues concerning the violation of human rights in the territories that are controlled by the Palestinian Authority and Hamas.

Deputy Brendan Howlin: The UK Supreme Court ruled at the end of August that the exclusion of cohabitees from claiming widowed parent's allowance was discriminatory on the basis of marital or birth status. Siobhan McLaughlin and her partner whom she never married lived together for 23 years and had four children together. The widowed parent's allowance in Northern Ireland is payable to widowed men and women with dependent children. In spite of Siobhan McLaughlin fulfilling the required conditions and her partner having made the necessary contributions to the UK authorities, her application was refused. The courts in Ireland may now interpret the paramount interests of the child under the European Convention on Human Rights in the same way as the Supreme Court in the United Kingdom. Has the Government considered this important ruling and does it plan to change the relevant law here to ensure the rights of citizens are fully compatible with the European convention?

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): The Government will reflect on the ruling in the United Kingdom, but it is a ruling that affects that jurisdiction. Our laws are different. However, we are reflecting on the ruling and will make a decision on the matter.

Deputy Gino Kenny: In July the Department of Health produced guidelines for the medicinal cannabis access programme which was first mooted in January 2017, almost 20 months ago. No progress has been made since. The guidelines have been welcomed by patients and doctors and provide some clarity in what is an extremely confusing situation for those who wish to access medicinal cannabis. I ask the Taoiseach to show leadership and say when the medicinal cannabis access programme will be implemented. No progress has been made since it was proposed 20 months ago. If it cannot be implemented, the Government should look to the Cannabis for Medicinal Use Regulation Bill 2016 I put forward and which the majority of Members in this Dáil voted to progress in October last year. The Government must do one or the other. It must provide clarity for patients, doctors and others on whether the programme will be implemented.

The Taoiseach: I understand from the Minister for Health, Deputy Simon Harris, that people may apply to him for a licence under the Misuse of Drugs Acts 1977 to 2016 and the regulations and orders made thereunder. Guidance on who may apply for a licence under the

Misuse of Drugs Acts, as well as instructions on how to apply, can be found on the website of the Department of Health. To date, ministerial licences have been issued for the treatment of nine patients on receipt of valid licence applications from their clinicians.

On the medicinal cannabis access programme, Department of Health officials are working intensively on the issue to ensure supply of appropriate medicinal cannabis products from other EU member states and further afield to meet the need of patients. However, the Department has no control over business decisions taken by product manufacturers and no powers to compel such companies to supply their products to the Irish market. Until cannabis product producers make their products available in Ireland, it will be a matter for the prescribing doctor and the patient to source the prescribed medical cannabis product. Clearly, that is unsatisfactory. However, it is understood patients who have been prescribed such products under ministerial licence have been able to source them from a pharmacy in the Netherlands.

Deputy Danny Healy-Rae: The health service is in a shambles. People have totally lost confidence in the service in County Kerry. There have been no hip replacement or orthopaedic procedures carried out in County Kerry for at least four months. People who need a hip or knee replacement are in significant pain. The ear, nose and throat section of University Hospital Kerry in Tralee is currently closed. People awaiting a hospital appointment
3 o'clock in Cork are choking and afraid to sleep at night. Each day 25 patients on trolleys are awaiting attention in University Hospital Kerry. People are waiting to see consultants who are not even there. We have a Taoiseach, a Tánaiste, a Minister for Health, three Ministers of State at the Department of Health and a Government, but we have no proper health service for the people of County Kerry. That is unfair. The Government is allowing the HSE to blackguard the people of County Kerry and not give vulnerable people the service they deserve. Deputy Leo Varadkar is the Taoiseach and ultimately responsible for this situation, but he is doing nothing about it. The health service is failing the people I represent.

Deputy John Brassil: I will confine my remarks to addressing the issue of orthopaedic surgery in County Kerry. All operations were stopped for several months as a result of an infection control issue which was resolved a number of weeks ago.

I spoke to the chief executive officer, CEO, of the group last Monday week but, as yet, operations have not resumed. I ask the Taoiseach to look into this to ensure a speedy return to orthopaedic surgery.

The Taoiseach: I am afraid I do not have specific information relating to University Hospital Kerry in front of me but I will certainly ask the Minister for Health, Deputy Harris, to provide the information to the Deputies from Kerry, or perhaps it could be raised as a Topical Issue matter.

For the information of the House, when it comes to operations and procedures, it is one of the areas where we are seeing some real progress. The number of people waiting for a procedure - hips, eyes, cataracts, knees and angiograms - is down on this time last year and 59% of patients are now waiting less than six months for those procedures, so it is one of the areas, unlike outpatients, unfortunately, where we are seeing some real progress.

I can also confirm to the House that, this morning, the Cabinet approved the appointment in principle of a new chairperson for the new board of the Health Service Executive, Ciarán Devane, who is a former member of the board of NHS England, and CEO of the British Council.

18 September 2018

He is somebody who has experience heading up a cancer charity and has degrees from both University College Dublin and George Washington University. I believe it is a very positive appointment and he will go before the Committee on Health for confirmation.

Deputy Danny Healy-Rae: Appointments for-----

An Ceann Comhairle: Please, Deputy. I call Deputy Eamon Ryan.

Deputy Eamon Ryan: Earlier this summer, Deputy O'Connell and the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, supposedly had daggers drawn over the development of the Dublin metro. Later in the summer, I happened to be at a public meeting where the Minister, Deputy Eoghan Murphy, and the Minister of State, Deputy Catherine Byrne, who is sitting behind him, had an upfront, full-scale public row on how we would develop St. Michael's Estate in Inchicore. I read that the Minister, Deputy Catherine Murphy, said that Cathal Brugha Barracks would be used as a potential site for public housing, with which I agree and for which this House voted, only to read on Sunday that the Minister of State, Deputy Kehoe, said they can go to Mullingar.

In terms of my question, I welcome that the people of Cork have been given a chance to vote for a directly elected mayor of their city. I would like to know the process for doing that, but why is the Minister leaving the people of Dublin out and leaving our city with chaotic leadership and no co-ordination of transport, housing, planning and development? He is here saying that Dublin City Council should be doing something on the vacant sites levy. Allow it to do it by allowing us to elect a mayor so that we can have leadership of our city rather than have Fine Gael internal rows everywhere and letting the city go into gridlock and a housing crisis, which is what the Minister is doing. Where is our mayor for Dublin?

The Taoiseach: Perhaps if Deputy Eamon Ryan's party had more than two Members, there would be more disagreements within his party group. I can assure him that when one has 70 public representatives, or whatever the number is now, there will always be a degree of disagreement among members, and as somebody who does not lead with an iron fist, I allow for it. Sometimes one has to allow for people to have differences of opinion within political parties, but the decisions we make will always be the ones that are in the best interests of all the people and not any section of the people or any particular constituency.

The Minister of State, Deputy John Paul Phelan, will bring forward proposals on directly elected mayors in this session. The rough idea at the moment is to hold plebiscites in Cork, Limerick, Galway and Waterford to ask the people if they would like to have a directly elected mayor.

Deputy Eamon Ryan: And Dublin.

The Taoiseach: Dublin is different. Dublin is complicated by the fact that we have four local authorities-----

Deputy Eamon Ryan: No leadership.

The Taoiseach: -----and the proposal to have a fifth mayor - a sort of mayor of mayors, super mayor or chair of the mayors - is not one I believe would bring about better governance in the city of Dublin.

Deputy Eamon Ryan: The Taoiseach spoke in favour of it when he was in opposition, as

did the Minister, Deputy Eoghan Murphy.

The Taoiseach: What we propose to do is something different, which is a citizens' assembly to ask the citizens of Dublin how best they would like to see the local government in Dublin reformed. I personally like the Paris and London model, which is a single authority with a small number of full-time assembly members, a powerful executive mayor and, below that, many local councils like boroughs that people would really identify with. I refer to places like Lucan, Blanchardstown, Castleknock, Dún Laoghaire or Dundrum-----

Deputy Aengus Ó Snodaigh: Balbriggan.

The Taoiseach: -----but maybe I am wrong. Let us ask the people of Dublin, not just the politicians.

Deputy John Curran: Yesterday, I went to visit a family in my constituency where I met a boy by the name of Sam. Sam is eight years of age and suffers from spinal muscular atrophy, SMA, which is a degenerative neuromuscular condition. Sam is in a powered wheelchair. His mother explained that he is PEG-fed - that stands for percutaneous endoscopic gastrostomy - and does not eat or drink orally. Extensive physiotherapy on his chest and on all his limbs to keep him supple and free from pain are part of his everyday routine. He has endured so much in his short life. He has had long hospital stays, sometimes for weeks and months at a time, largely because of chest infections.

Sam's mother went on to say, however, that his condition is not without hope and that there is a drug that is available in up to 20 countries around Europe but not in Ireland. That drug is Spinraza. I understand there are 20 families and 25 children in this country suffering with SMA from whom this drug would be deemed to have a positive effect.

SMA is a degenerative condition and timely intervention is very important. While I understand that the Government is looking at making this available, I am concerned that the period of consultation is taking a long time. It is young children who are involved. I appeal to the Taoiseach not to hide behind bureaucracy and procedure. I appeal to the Minister of Health to engage actively with these families.

An Ceann Comhairle: Deputy Lisa Chambers on the same matter.

Deputy Lisa Chambers: On Thursday, the families, friends and supporters of children suffering with spinal muscular atrophy, SMA, will demonstrate outside the gates of Leinster House to make sure we are all aware of the suffering their children are dealing with. Yesterday, I met one of the children, Cillian, and two of the families in my constituency who are affected by this terrible condition. They know it is a costly drug. They appreciate that there are other demands on Government. They have yet to receive any correspondence or response from the Minister for Health, however, whom they have tried to contact and who has failed to meet or respond to them. I am asking that the Taoiseach relay to him that he might respond to those families. They are also aware that this drug is not only a game changer but will transform the lives of their children. It is clinically effective and has been proven to work. It is available in more than 20 other countries and should be available here. I ask the Taoiseach to contact those families and for his Minister for Health to do the same. I also ask that he approve the drug without delay.

The Taoiseach: I know this is a very stressful and worrying time for people with spinal muscular atrophy and their families. I know the day-to-day challenges these people and these

18 September 2018

patients face in dealing with a progressive and life-limiting illness. It is important to say that this is not a political decision. Deputies should note this if they do not know it and I hope they do not tell anyone otherwise. It is not a case of anyone hiding behind bureaucracy. It is the law. This is not a political decision. Politicians do not sign off on which drugs are reimbursed and which are not.

The European Medicines Agency granted market authorisation in May 2017 and in October 2017 the HSE received a reimbursement application. The National Centre for Pharmacoeconomics, which is an independent expert body made up of doctors and pharmacologists, conducted a full pharmacoeconomic evaluation and did not recommend that the drug be reimbursed due to efficacy and cost. The application is being processed by the HSE's national drugs committee. No final decision has been made as yet and it is always open to the manufacturer to produce new evidence or a different cost profile that would allow the drug to be approved. So far this year, 23 new medicines have been approved for reimbursement.

Deputy Tony McLoughlin: This may also be an issue for the Minister for Health. My question concerns a timeframe in respect of the new mental health unit at Sligo University Hospital. It is vitally important. I met quite a number of people over the summer who have been lobbying to ensure this would be an urgent case. I ask that we would get a timeframe as a matter of urgency.

The Taoiseach: I thank Deputy McLoughlin for raising this important issue. As he will be aware, the capital budget for health increased this year and will increase again next year. In excess of €10 billion has been set aside for investment in new buildings, new equipment and ICT in our health service over the next ten years. As is always the case, it is not possible to complete every project this year or next so it will have to be profiled. I will ask the Minister for Health to give the Deputy an indicative timeline if he has one.

Deputy Imelda Munster: I wish to raise the setting up of the Land Development Agency, the latest quango. I will give an example which I am sure could be replicated in every county across the State. Louth County Council has 50 acres of council-owned landbanks which would provide 1,000 social and affordable housing units, should the political will be there to fund them. Under the Government's latest quango, those 50 acres will only deliver 100 social houses and 300 affordable houses or, as it now appears, unaffordable houses. In essence, the Government's Land Development Agency will deprive the citizens of Louth of 600 social and affordable houses on council-owned land banks. Why does the Minister for Housing, Planning and Local Government feel the need to set up a quango that he knows will not deliver, and has no intention of delivering, any meaningful volume of social and affordable housing when he is doing such a perfectly good job himself? Is it because he can hide behind it? Is that why he wants to set it up?

As our housing crisis deepens, will the Taoiseach tell me why he and his Government refuse point blank to fund a State-wide social and affordable house building programme when he knows the misery the housing crisis is causing families across this State day in, day out? Will he give me straight answers to the questions about the quango and funding?

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I thank the Deputy for the question. For decades, we have had the wrong approach and attitude to the use of land in the public interest. As a result of that dysfunctional relationship, we have seen violent and dramatic swings in our housing sector that have hurt many people up and down

this country, for example, ten years ago when the crash arrived and today. We know there is an unacceptable number of people in homelessness. This Government has a dedicated social house building programme. The Taoiseach referred to it earlier. A total of 110,000 homes will be built over ten years under Rebuilding Ireland and Project Ireland 2040. It is improper of Deputy Munster to mislead the public and the Dáil by saying that public houses are not being built because they are being built.

Deputy Imelda Munster: Less social and affordable housing will be delivered. That is a fact.

Deputy Joan Burton: Fine Gael's friends, the developers, are back in-----

An Ceann Comhairle: Could we have order for the Minister to respond?

Deputy Imelda Munster: The Minister accused me of misleading the Dáil.

An Ceann Comhairle: Deputies do not have to agree with what the Minister says.

Deputy Imelda Munster: I want him to correct that statement.

An Ceann Comhairle: The Minister has been asked a question. All Members deserve the courtesy of being able to reply. Members do not have to agree with them but please allow them to reply.

Deputy Eoghan Murphy: The Land Development Agency is in the public interest. The State will be the developer of public lands, not the private sector. We will bring forward State land for houses for the general public - social housing, subsidised housing and housing for people up and down the country who need homes. It is important to state that where a local authority has land, that is not our interest. This land is for the local authority to build social and affordable housing on. Louth County Council has been given the policy, powers and money to build housing. We are publishing the targets for those local authorities. It is for the local authorities to do that. A total of €6 billion was ring-fenced in 2017.

Taxation Orders 2018: Referral to Select Committee

Minister of State at the Department of Finance (Deputy Michael D'Arcy): I move:

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

(i) The Multilateral Convention to Implement Tax Treaty Related Measures Order 2018, a copy of which was laid before Dáil Éireann on 13th September, 2018, and

(ii) Double Taxation Relief (Taxes on Income and Capital Gains) (Republic of Ghana) Order 2018, a copy of which was laid before Dáil Éireann on 14th September, 2018,

be referred to the Select Committee on Finance, Public Expenditure and Reform, and Taoiseach in accordance with Standing Order 84A(3)(b), which, not later than 25th September, 2018, shall send a message to the Dáil in the manner prescribed in Standing Order 90, and Standing Order 89(2) shall accordingly apply.

18 September 2018

Question put and agreed to.

Home Building Finance Ireland Bill 2018: Financial Resolution

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): I move:

THAT provision be made in the Act giving effect to this Resolution for the amendment of subsection (2) of section 133 of the Finance (Local Property Tax) Act 2012 (No. 52 of 2012), in the manner and to the extent specified in the Act, to provide for the extension of the relief allowed by subsection (1) of section 133 of the Finance (Local Property Tax) Act 2012 (No. 52 of 2012) in respect of certain properties that are subject to a mortgage.

Question put and agreed to.

Message from Seanad

An Ceann Comhairle: Seanad Éireann has passed the Road Traffic (Amendment) Bill 2017, without amendment; the Industrial Development (Amendment) Bill 2018, without amendment; the Children and Family Relationships (Amendment) Bill 2018, without amendment; the Insurance (Amendment) Bill 2018, without amendment; and the Companies (Statutory Audits) Bill 2017, without amendment.

Ábhair Shaincheistanna Tráthúla - Topical Issue Matters

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputies Fiona O'Loughlin and Martin Heydon - the delivery of home care packages in CH07 Kildare-west Wicklow; (2) Deputy David Cullinane - the provision of cardiac services and a cath lab at University Hospital Waterford; (3) Deputy Willie O'Dea - school transport from the Caherconlish-Ballynetty area to St. John the Baptist School, Hospital, County Limerick; (4) Deputy Pat Casey - school transport provision in Tinahely and Redcross, County Wicklow; (5) Deputies Aengus Ó Snodaigh and Richard Boyd Barrett - the need for action as a result of MDY's imminent collapse; (6) Deputy Maurice Quinlivan - the need for additional beds at University Hospital Limerick to alleviate the current and future chronically overcrowded conditions; (7) Deputy John Brassil - the need to consider a scheme to incentivise homeowners currently residing in nursing homes and availing of the fair deal scheme to rent their homes; (8) Deputies Eoin Ó Broin, John Curran and Gino Kenny - the need to provide funding for capital works to meet fire and safety standards at the Carline Learning Centre, Lucan; (9) Deputies Niamh Smyth and Declan Breathnach - the problems with the school transport system; (10) Deputy Fergus O'Dowd - the proposed Drogheda northern cross route project; (11) Deputy

Frank O'Rourke - the provision of child and adolescent mental health services in Kildare North; (12) Deputy Peadar Tóibín - the impact of a population cap on County Meath; (13) Deputies Clare Daly, Mick Wallace and Joan Collins - recent protests at the occupation of vacant buildings and the Garda response; (14) Deputy Mattie McGrath - the status of the measures taken to tackle the fodder crisis; (15) Deputy Catherine Connolly - the ambulance service in north and south Connemara; (16) Deputy James Browne - the need to address delays in accessing child mental health services; and (17) Deputy Stephen S. Donnelly - the status of the 2018 health budget.

The matters raised by Deputies Fiona O'Loughlin and Martin Heydon; Aengus Ó Snodaigh and Richard Boyd Barrett; Stephen S. Donnelly; and Eoin Ó Broin, John Curran and Gino Kenny have been selected for discussion.

Ceisteanna - Questions

Cabinet Committee Meetings

1. **Deputy Joan Burton** asked the Taoiseach when Cabinet committee C, European Union, including Brexit, last met; and when it is scheduled to meet again. [27644/18]

2. **Deputy Mary Lou McDonald** asked the Taoiseach when Cabinet committee C, European Union, including Brexit, last met; and when it is scheduled to meet again. [29286/18]

3. **Deputy Eamon Ryan** asked the Taoiseach when Cabinet committee C, European Union, including Brexit, last met; and when it is scheduled to meet again. [29412/18]

4. **Deputy Joan Burton** asked the Taoiseach when Cabinet committee C, European Union, including Brexit, last met. [37674/18]

5. **Deputy Brendan Howlin** asked the Taoiseach when Cabinet committee C, European Union, including Brexit, last met; and when it is scheduled to meet again. [37751/18]

The Taoiseach: I propose to take Questions Nos. 1 to 5, inclusive, together.

Cabinet committee C assists the Government in its ongoing consideration of Brexit. It also covers other EU and international issues and supports my participation as a member of the European Council. It last met on Thursday, 21 June in advance of the European Council on 28 and 29 June. This was the third such meeting of this Cabinet committee. The next meeting has not yet been scheduled.

Given the significance of Brexit and other EU issues, these matters are frequently discussed by the full Cabinet, including in detail at our meeting in Derrynane in July and again at this morning's meeting. I also meet regularly with individual Ministers or groups of relevant Ministers to focus on particular issues, including those relating to the EU and Brexit, with a view to seeing how the Government can best support delivery of priorities and commitments. Preparation for Brexit at official level in regard to the negotiations and in preparing for the potential consequences of the UK's withdrawal from the EU is intensive, with a range of interdepartmen-

tal and senior official groups meeting very regularly.

Deputy Joan Burton: We are now entering the witching period with regard to Brexit when deals and compromises emerge, very often late at night. The Government is hinting heavily that a deal on the backstop is nigh and that Ireland is willing to compromise on the previously cast-iron backstop guarantee. Michel Barnier is speculating on “de-dramatising” the backstop. Does the Taoiseach agree that this is a period of maximum danger for Ireland, notwithstanding the valuable solidarity offered to us by our colleagues in the EU? From a democratic point of view, the Taoiseach needs to enlighten people about what the Government’s position is now as against what he previously described in this Chamber as a cast-iron commitment. We need to know the Government’s plan of action and its approach to these negotiations. We do not want the Taoiseach to come back with some outcome that is less than satisfactory and causes serious problems in respect of the Border. Everybody, North and South, regardless of background, agrees on what is the most favourable outcome for Ireland. Now we find that this is in some peril. Will the Taoiseach enlighten us about his plans?

Deputy Mary Lou McDonald: I accept that media reports in Ireland and across the water in Britain yesterday about the implementation of the backstop agreed between the British Government and the EU in December amounted to speculation. Nonetheless, at this stage, they are very worrying. It is clear there is still a wide difference of opinion between the various actors, that is to say, the British Government and the European Union. I have heard the Irish Government say that Chequers represents a basis for progress, although I do not know what that means. I believe the Chequers plan put forward by the Tory Government does not resolve the crucially important and sensitive issues surrounding the Border and the protection of citizens’ rights in the North. On the contrary, I think it serves only to confuse and deflect. Theresa May’s plan falls well short of what was contained in the December backstop and well short of the benchmarks that had been agreed to protect the Good Friday Agreement in all of its parts, which includes no diminution of the rights of citizens in the North of Ireland and to ensure no hardening of the Border.

That is the bottom line. We have an agreed cross-party position right across the Oireachtas that the way to do that is to ensure the North remains within the customs union and the Single Market, although there are different iterations of that. It is very important at this stage that the Government holds firm and that Mr. Barnier and the negotiating team hold firm. What is meant by Chequers as a basis for progress? What is meant by latitude or a perception of latitude on the part of Dublin in terms of revisiting the backstop? The bottom lines are the bottom lines. They are the minimum necessary protections for this island and they have to be honoured.

Deputy Eamon Ryan: It seems we are coming down to the crux of the withdrawal element within the Brexit negotiations, and it seems to focus on the issue of whether there will be a border in the Irish Sea or what type of border would exist between the island of Ireland and Britain. I know our preference might have been for as easy a border-less east-west outcome as a North-South one. However, as I understand it from listening to Michel Barnier, the EU has to protect its own Single Market and, in doing so, while it may be willing to offer concessions to ensure there is no border on the island of Ireland, it will not provide such a mechanism for the rest of the UK and, therefore, there will have to be some sort of border in the Irish Sea.

If that is the case, can the Taoiseach outline whether the Government is considering technological applications that might be able to manage that and which would be able to get over some of the constitutional difficulties the UK Government might have? Does he agree that, in

hindsight, maybe we made a mistake last December? On the Monday, the original deal was done with the UK Government which envisaged that outcome but the British Government then capitulated and, by the latter part of that week, on the Thursday, there was a new wording along the lines of “one for everyone in the audience”, that the Single Market does not matter. Maybe we should have been more honest and direct last December by holding to the line of the agreement that was written on the Monday rather than putting in the fudge on the Thursday. Does the Taoiseach believe there is some way we can overcome this issue of the border in the Irish Sea that I believe Michel Barnier wants?

Deputy Brendan Howlin: Other Deputies have raised issues that are very important. I am deeply concerned there will be a lot of quickly moving parts in a very short period of time, and that we might be blindsided by some of the decisions that are happening. On the domestic front, it was announced a year ago as a key Brexit support measure that there would be a €300 million Brexit loan fund. It was announced during the summer that, of the 5,000 companies the Government had announced would benefit from it, only ten companies had done so, and of the €300 million that was going to be made available, less than €2.5 million had actually been allocated. Is the Taoiseach happy with that position? What is the up-to-date position and has there been a dramatic change since June? We need to prepare. While I am very happy to be part of the Brexit group that meets periodically with the Tánaiste, these are the practical things that should be happening in parallel to the negotiations.

Deputy Micheál Martin: It is clear there is an overwhelming momentum to conclude a withdrawal agreement. A car crash Brexit next March is simply not going to happen because the financial, economic and security damage caused would be much worse than any alternative. We should also remember that the Taoiseach and Tánaiste repeatedly said that Ireland would veto the continuation of the talks if there was any backsliding but they failed to do so when the critical moment came in March. Since then, in July, Michel Barnier signalled the de-dramatising of the backstop. There has been a constant drip of stories from London, Dublin and Brussels about what is on the way. As we head into the decisive weeks in the negotiations, it would be helpful if the Taoiseach would clarify whether the backstop still means what was claimed for it in December. Last December the Taoiseach told the press conference in Government Buildings that the backstop means continued membership of both the customs union and the Single Market. That is the key point. Both he and the Tánaiste referred to the deal meaning, effectively, the continuance of the *status quo*, not just in terms of border checks but, crucially, the administration of trade. Can the Taoiseach assure us there will be no attempt to redefine what is meant by the backstop? In particular, is it still his belief that Northern Ireland should continue with full access to both the customs union and the Single Market, and that it is not good enough to just find a way of not having a border? Can he explain why, so far, we have heard nothing about any discussion on how regulatory alignment would be maintained in Northern Ireland if the blockage on east-west checks is overcome?

Deputy Seán Haughey: There is an informal summit of EU Heads of Government this week in Salzburg. I appreciate the Taoiseach does not have to report to the House because it is to be an informal summit, either before or after the main meeting, but perhaps he might give us an indication of what he would hope to achieve at that summit. Although decisions cannot be made, does he expect to make some progress in regard to resolving the Irish question in the context of Brexit? What other issues of importance are on the agenda for that informal summit?

The Taoiseach: As I said earlier, it is not advisable for me at this stage in the negotiations to give a running commentary on how things are going but briefings are available to party lead-

ers and, of course, they are available through the co-ordination group headed by the Tánaiste. I welcome the fact some parties have been attending the group regularly. Suffice to say, a lot of briefings have been going on and there have been a lot of stories in the media which have been very far off the mark.

In terms of the Government's position in this phase of the talks, our position is as it has been since the very start. We want the withdrawal agreement to include a commitment to retaining the common travel area, a transition period giving businesses and people time to prepare for any permanent changes that may take place in the rules of east-west trade between Britain and Ireland and protection of citizens' rights for those EU citizens living in Northern Ireland. There is also the backstop - the Irish protocol - which gives us a legally operable guarantee that should it not be possible to negotiate a new comprehensive relationship between the UK and the EU that negates the need for a border during the transition period, we will have the backstop to fall back on. This is something we hope will never need to be used. We would prefer to resolve the situation through the new EU-UK relationship, and I have always said that. We want option A as opposed to option C, if we want to go back to the language of December. However, we still need it because when I hear people talking about negotiating a new deal between the EU and the UK, something similar to Canada, for example, first, that would not solve the border problem and, second, it took seven years to negotiate. We need to know there is a legally operable backstop in place which would apply unless and until we can develop a new-----

Deputy Micheál Martin: Does that mean Northern Ireland would still be in the customs union and Single Market?

The Taoiseach: The backstop is no secret. The backstop, or at least the draft backstop, was published back in March so anyone can see in black and white what that means. It means applying the rules of the customs union and the rules of the Single Market to the extent they applied to the all-island economy. I should not need to elaborate on it. The EU published our draft of the backstop back in March. That has not been accepted by the UK Government so we now need to negotiate. As I have always said, we are flexible on the language but we cannot be flexible on the outcome.

Deputy Micheál Martin: I thought it was cast-iron.

The Taoiseach: The outcome has to give us what was agreed to last December and must become law, namely, a legally binding and operable backstop in the withdrawal agreement. Without it, there cannot be a withdrawal agreement, as everyone should understand at this stage.

In essence, dedramatisation is about trying to move away from language such as "a border in the Irish Sea". People can misinterpret such terms as referring to some form of constitutional border. No one is disputing the constitutional status of Northern Ireland which will be part of the United Kingdom until such time as the people there vote to say otherwise. Sometimes when language of the kind referred to is used, it can be seen as some sort of constitutional move or grab. It is not part of the Irish Government's agenda to change the constitutional status of Northern Ireland. As I have often said, I do not want a border between Larne and Stranraer anymore than I want one between Newry and Dundalk. The things being examined include the checks that may need to take place. We already have checks taking place on an east-west basis, including sanitary and phytosanitary standards, SPS, checks for agricultural products coming from Britain to Ireland. We also have certain North-South checks in relation, for example, to cigarettes and excise duty on diesel. We are trying to profile the checks which might take place,

but the principle remains that there should be no hard border between Northern Ireland and Ireland.

Taoiseach's Meetings and Engagements

6. **Deputy Joan Burton** asked the Taoiseach if he will report on his meeting with Ms Christine Lagarde. [28850/18]

7. **Deputy Brendan Howlin** asked the Taoiseach if he will report on his meeting with IMF managing director, Ms Christine Lagarde. [29004/18]

The Taoiseach: I propose to take Questions Nos. 6 and 7 together.

I had a very positive meeting with Ms Christine Lagarde, IMF managing director, in Government Buildings on 25 June. I also hosted a dinner to mark her visit to Ireland on the evening of 26 June. Our exchanges covered the economic outlook, international trade and gender equality issues.

On the economic outlook, we discussed the latest IMF Article IV assessment of the Irish economy. We agreed that the economy was enjoying a period of strong growth and increasing employment but that we must proceed carefully to ensure the benefits were shared throughout the country, while guarding against the type of policies that had resulted in the boom and bust pattern of the past.

On trade, we discussed the risks posed by growing international tensions. I welcomed Ms Lagarde's strong and vocal advocacy for preserving and deepening the rules-based multilateral trading system, which is, of course, crucially important to our own highly open economy. We agreed that in a trade war there would be no winners.

Ms Lagarde also informed me about the work she was doing to advance gender equality, including placing it at the centre of the IMF's work. I offered her my strong support in that regard. I also took the opportunity to highlight some recent Government initiatives in this area, including the recently published Gender Pay Gap (Wage Transparency) Bill and the Better Balance for Better Business initiative which I subsequently launched on 30 July and which aims to increase women's representation on company boards and in senior management roles.

Deputy Joan Burton: It is the tenth anniversary of the collapse of Lehman Brothers and our own financial and construction sector collapse which caused so much suffering and unemployment, the loss of trade and the collapse of many businesses for families and individuals across Ireland. The Taoiseach referred to threats to the international economy and the risk of a trade war, obviously something he does not want, but the two greatest threats to the economy are the inability of the Government, despite its good intentions, which I acknowledge, to get to grips with the housing issue and its inability to get to grips with the health issue. The Government is hapless in dealing with both, notwithstanding its genius for spin. Did the Taoiseach consider asking the IMF to provide the Government with advice on how to get to grips with the housing and health issues? We received some advice from the IMF in the past, some of which was very difficult, while some, in particular in addressing unemployment and getting people back to work, was quite helpful.

The Taoiseach referred to the gender pay gap. Why is the Government restricting the com-

panies which will be subject to the gender pay gap legislation to those with 250 employees or more? Why can we not start with companies with 50 employees or more, as has happened in our neighbouring country, the United Kingdom? There is no rational basis to so heavily restricting our approach to companies having to publish information on why women are so significantly underpaid.

Deputy Micheál Martin: The Taoiseach will be aware that Ms Christine Lagarde again warned about the impact of Brexit on both Britain and the European Union as a whole. There have been substantial changes in various forecasts on the impact of various scenarios, ranging from a car crash next March to the now clearly dead option of EEA membership for the United Kingdom. When Copenhagen Economics studied the different scenarios, it estimated that national income would be hit by approximately 4.3% in both the customs union and free trade agreement scenarios. In both scenarios under discussion, therefore, Ireland will be hit worse than any other European Union member state. Will the Taoiseach confirm that this analysis continues to form the basis of and inform Government policy? The study also points to the impact of the costs that will ensue from the United Kingdom not being in the Single Market, irrespective of customs and trade policy. This is because compliance rules will place very significant and unavoidable burdens on many companies. Does the Taoiseach accept that this is another reason detaching Single Market access from the backstop is unacceptable?

On trade wars, has the Government written formally to President Trump or otherwise communicated its opposition to and alarm at the increasingly protectionist approach he is taking to trade and the degree to which his actions and policies could cause a very destabilising era of trade protectionism?

Deputy Mary Lou McDonald: I return to the issues of the gender pay gap and gender equality more generally. I understand these matters formed part of the Taoiseach's discussions in June with Ms Lagarde. The gender pay gap is a frontline equality issue, not a sideline, petty concern. It is a matter of deep concern that, notwithstanding legislation on equal pay for work of equal value dating back to the 1970s, we continue to witness gross disparity in the earnings of men and women, respectively. I share Deputy Burton's concern about the very high threshold for the implementation of the legislation and reporting requirements, which is companies with 250 employees or more. I do not accept that a lower threshold would create an undue administrative burden, which is, I suspect, the response the Taoiseach is lining up. The suggested penalties for companies which fail to make information public must be pointed and of sufficient weight to act as an incentive to good practice and a disincentive to continuing with bad practices. When does the Taoiseach intend to introduce the Bill in the Dáil and when will a debate take place on it? I ask him to confirm his political commitment to the speedy passage of the legislation which is just one of the measures needed to achieve full equality for women in society.

The Taoiseach: The answer to Deputy Burton's question is that we did not specifically ask the IMF to advise us on health reform or housing. I will consider it as it is always useful to have an external view from an international body on how one is doing. Generally, we use the OECD for that, but we could potentially ask the IMF to do it. I am a little taken aback that a centre-left politician would ask us to bring in the IMF to advise us on health and housing. Given the IMF's view as to how to reform public services in other jurisdictions, I am not sure the answer we would get from the IMF would be supported by parties of the left, but it is never a harm to ask. It certainly gave us some good advice in the past during the bailout-----

Deputy Joan Burton: It has changed its tune and has suggested we invest in people. Parties of the left agree with that, but clearly Fine Gael does not.

The Taoiseach: -----and other advice that we did not follow. For example, the IMF took the view that we would help to resolve our unemployment crisis by cutting the minimum wage. That was done by Fianna Fáil and the Greens in office and we decided to reverse that when Fine Gael and the Labour Party came into office. Fine Gael has increased the minimum wage three times since, with a further increase in January.

As for international analyses as to how Ireland is doing, I note that the United Nations Development Programme, UNDP, released its figures last week as to how Ireland is performing across a number of measures. The UNDP uses something called the human development index, which, unlike gross domestic product, GDP, which just measures economic success, power and prowess, looks at things such as life expectancy and education and many other different factors. The UNDP put Ireland in fourth place in the world and said Ireland had moved up the rankings between 2012 and 2017, more quickly than any other country in the world. While we have serious problems and enormous challenges in this country, which no one denies for a second, at least one body, the United Nations, recognises the enormous progress we have made. I imagine that if a UN committee of less stature had a critical report about Ireland, it probably would have been major news, but when a big agency such as the UN Development Programme produces a report such as the one it has produced, it barely gets noticed. Perhaps this is an opportunity at least to put that on the record of the Dáil.

The Government approved the general scheme of the gender pay gap Bill. I acknowledge Senator Bacik in particular as being one of the leaders behind this who gave impetus to the Bill. It will promote transparency on wage levels, initially for large employers. The general scheme proposes that we start with employers of more than 250 employees and extend over time to smaller employers of about 50. Like many things, and as is often the case with a new policy or measure, this would be done with a view to phasing it in. Phasing in measures allows us to pick up mistakes and so on. We do not want to wait until we have everything ready and all the staff and IT systems in place to do this. We can bring it in in phases. We often phase in policies, which I do not think is necessarily a bad thing. The legislation will come before the Dáil and the Seanad, which may decide that 250 is too high and 50 too low and decide on a different figure, and we are certainly open to considering that.

Regarding trade wars, “Yes, absolutely” is the answer to Deputy Micheál Martin’s question. When I met President Trump last March, it was one of the issues we discussed. I explained to him why we believe trade wars have no winners and why we believe in free trade across the Atlantic. I always use the opportunity when I engage with the US Administration to point out the extent to which trade in Ireland now very much goes both ways. The US has a small trade surplus with Ireland. We have a surplus in terms of goods, and they have a surplus in terms of services. President Trump often sees trade only as goods. He very much fixates on cars, steel and other manufactured items, whereas we all know that the economy is much more than goods. Services are now the biggest part of any western economy, and the US has a very significant surplus with Ireland when it comes to services. Investment goes both ways. Approximately 150,000 people in Ireland work in US-owned firms. Approximately 100,000 Americans across 50 states work in Irish-owned firms.

I always try to make this point, that free trade makes everyone better off in the round. I keep making that case. I also made the case with Kevin Hassett, who visited last week. Last week

18 September 2018

I had the opportunity to meet him in the US ambassador's residence. The Ministers of State, Deputies Breen and O'Donovan, very recently paid a visit to the United States to discuss Aughinish Alumina and Rusal and our concern that US trade sanctions may affect Rusal. We are working very hard on that, and Deputy Deasy is very involved in it too. The answer, therefore, is "Yes". It is always our role in engagements with the US Administration to make the case for free trade, which, along with free enterprise, once was a core American value but is less so under the current Administration.

Regarding the better balance for business initiative, we have established a business-led group charged with increasing the representation of women on boards of Irish publicly listed companies. The group is led by Bríd Horan, former deputy CEO of the ESB, and Gary Kennedy, who is chair of Greencore, and it is based on the successful model in the UK. It will engage with companies and report back on actions to increase the percentage of women on corporate boards and in senior management in leading companies. Deputies will be aware that we have met and exceeded our target of ensuring that at least 40% of State board members are women - we met the target in July - and that in the past year, 52% of appointments to State boards through the Public Appointments Service, PAS, process were female. This is the first time that more than half of the people appointed to State boards through the PAS process have been female. We are not going to wait at 40%. We are going to keep moving towards parity. Furthermore, about 40% of appointments last year to the senior positions of the public service, those of Secretary General and assistant secretary, were female.

Taoiseach's Meetings and Engagements

8. **Deputy Brendan Howlin** asked the Taoiseach if he will report on his bilateral meeting with the British Prime Minister, Mrs. Theresa May, at the Council of the European Union. [30645/18]

9. **Deputy Mary Lou McDonald** asked the Taoiseach when he last spoke to the British Prime Minister, Mrs. Theresa May. [30677/18]

10. **Deputy Micheál Martin** asked the Taoiseach the personal contacts he has had with Prime Minister May in the period since the last meeting of EU leaders. [36990/18]

The Taoiseach: I propose to take Questions Nos. 8 to 10, inclusive, together.

I had a bilateral meeting with Prime Minister May on the margins of the European Council in Brussels on 28 June. We discussed the current political situation in Northern Ireland, whereupon I emphasised the Government's commitment to the Good Friday Agreement and we reaffirmed the determination of both Governments to secure effective operation of all its institutions. In line with this, we agreed that a meeting of the British-Irish Intergovernmental Conference would take place in London in July in accordance with the Good Friday Agreement. This was co-chaired by the Tánaiste and the Minister, David Lidington.

We also discussed Brexit and I advised the Prime Minister that there would not be much time left if we were to conclude a withdrawal agreement and have it operational by the time the UK leaves the EU in March. The UK gave clear commitments and guarantees on the Border in December and again in March, and we need to see detailed, workable proposals from the UK to deliver on these commitments if it cannot accept ours. I told the Prime Minister that the EU

27 agreed that if we did not get agreement on the backstop and the other outstanding elements of the withdrawal agreement, including the jurisdiction of the European Court of Justice, ECJ, it would not be possible to finalise the withdrawal agreement as a whole, including transition arrangements, which are essential for the UK. I have always said that I hope the future relationship between the EU and the UK will be as close and comprehensive as possible and that it will remove any need for a hard border or for the backstop to be invoked. Nonetheless, we will need a legally robust backstop to apply unless and until better arrangements are negotiated and enter into force, thus ensuring there will never be a hard border on this island. While I am confident we will achieve a very close, comprehensive and ambitious future relationship with the UK, the Government is of course continuing to plan for a full range of scenarios. We need to bear in mind that the United Kingdom will leave the European Union and with it the Single Market and the customs union and, therefore, things will change.

I also spoke to the Prime Minister by phone on 7 July, when she briefed me on the outcome of her Chequers Cabinet meeting the day before. I welcomed the fact that the UK Government had reached a position whereby it would put forward detailed proposals for the future UK-EU relationship post Brexit. I expressed my hope that the UK Government would engage constructively with the Barnier task force and other member states. I also said that the Government was open to proposals which meet our aims of avoiding a hard border and maintaining free trade with the UK while respecting the integrity of the Single Market and the customs union.

I will travel to Salzburg tomorrow for the informal meeting of the European Council and I will meet Prime Minister May there over breakfast on Thursday. The Brexit negotiations are now in the final stage and talks will take place continuously from now on. I welcome the commitment from both sets of negotiators to intensify negotiations in the coming weeks. As the Prime Minister and I agreed, our offices have maintained close contact over recent weeks at ambassador and Sherpa level and we and our offices will continue to do so in the period ahead.

An Ceann Comhairle: I call Deputy Burton.

Deputy Joan Burton: Deputy Howlin?

An Ceann Comhairle: Deputy Howlin is not here.

Deputy Joan Burton: Yes. I am taking Question No. 8 on his behalf.

An Ceann Comhairle: Yes. I am calling Deputy Burton.

Deputy Joan Burton: We have already had an amount of discussion on the potential backsliding from the backstop. We have explained that people are really concerned and worried about what the implications are likely to be and about what the transition period is likely to be. As far as most of us can make out about what those in the UK want, whether the Tory Party or the Labour Party, it is that they essentially want the UK to step out of the EU and then, quite quickly, to step back into an agreement that would effectively mimic both the customs union and the Single Market. Obviously that would be on the basis of negotiations with the 27. It is the magical thinking about which there has been talk for a long time. When the Taoiseach has the bilateral meeting with Mrs. May to which he has just referred, does he hope to get clarity on the current status of the Chequers papers and the Chequers proposals? Clearly, an element of that relates to a political situation and a political proposal in the context of the internal difficulties in the politics of the UK, but it really does pose enormous difficulties for us. These papers also propose something we discussed before the summer break, namely, the “max fac”,

the maximum facilitation of movements and so on.

The second item on the discussion table in Salzburg is the issue of immigration. We know that the recently elected Government in Austria has taken quite a hard line on this. It seems to be another very far right government. Does Deputy Varadkar propose, as Taoiseach, to say anything about immigration? Could he share with us the sense of what he proposes to say on that matter because I am conscious that there are still huge numbers of deaths occurring in the areas around the EU, although the numbers are diminishing?

An Ceann Comhairle: The Deputy is significantly over time.

Deputy Joan Burton: Will the Taoiseach tell us about that?

Deputy Mary Lou McDonald: In the Taoiseach's first response he said that he and Theresa May affirmed their determination to see the institutions in the North back up and running. I put it to him directly that there is in fact no determination from the British Government to achieve that outcome. In fact, it has acted to frustrate that very course of action. We achieved an agreement or accommodation last February and when the DUP ran away from that there was not a word nor a scintilla of pressure or incentivisation to return to the institutions from the British Government. The British Government, which the Taoiseach says has a firm determination to achieve fully functioning power sharing, is the same British Government that looks the other way as the DUP involves itself in scandal and in the waste of public money through the renewable heat incentive, RHI, scheme and, worse still, openly and brazenly refuses and faces down the rights of sections of Northern society. That is the fact of it. The British Government which the Taoiseach says affirms the commitment to re-establishing power sharing is, in fact, a British Government which has given safe shelter to the DUP at Westminster, far away from the halls of Stormont and away from any form of accountability. That is the truth.

Whereas I welcome the fact that the intergovernmental conference was convened in July - that was a necessary first step - I am now concerned that the foot has come off the pedal. We need a thoughtful map back to real, genuine power sharing and that has to mean the vindication and realisation of rights, be they language rights, marriage rights or the right to inquest. Families have waited decades for that simple, democratic, fundamental right. It is utterly shocking. I have said so to Theresa May and yet she looks the other way and stalls. I read no urgency, much less an affirmed determination, on the part of the Tory Government to re-establishing power sharing.

An Ceann Comhairle: If we do not conclude the questions we will not be able to get answers.

Deputy Mary Lou McDonald: I put it to the Taoiseach that it is actually very dangerous for him to set out that rhetoric on the floor of the Dáil, but that it is even more dangerous if he actually believes and is gripped by the delusion that the Tories have done anything positive or assertive to ensure a pathway back. They have not. They have frustrated progress.

Deputy Micheál Martin: The Taoiseach might clarify something for me. Earlier he spoke about the backstop and I sought clarity on whether the backstop meant continued membership of both the customs union and the Single Market for Northern Ireland because he seemed to indicate that there could be a Canadian style agreement or that Britain will be outside the customs union and the Single Market. The Taoiseach said at a press conference last December that the backstop would mean continued membership of the customs union and the Single Market for

Northern Ireland. Can he please confirm that is still the position in respect of what the backstop actually means?

Today marks exactly 600 days since the main institutions of the Good Friday Agreement were collapsed over the details of a heating scheme. That is why it was collapsed - a heating scheme. I was fundamentally of a different position. It should never have been collapsed. It was a reckless and irresponsible position in which to be, given the threat of Brexit. In the past road blocks like this were dealt with through intensive engagement not just at ministerial level, but between the Taoiseach and the Prime Minister of the day. Even the most fervent member of Fine Gael could not describe efforts to re-establish the institutions of the Good Friday Agreement as either urgent or intense. July's meeting of the intergovernmental conference, to which the Taoiseach referred, was not even a sideshow. In my view, the disrespect shown to our Government was a disgrace. There is no way around the fact that, in comparison with the relations which various Taoisigh of different parties had with Prime Ministers Major, Blair and Brown, there appears to be no leadership being shown by the heads of government on Northern Ireland. In the face of the immense threat of Brexit and the real damage being done to the foundations of the peace settlement, can the Taoiseach explain why he and the Prime Minister have shown so little initiative?

If we put to one side the tragic Stormont debacle in which the Taoiseach flew to Stormont to sign a deal which never materialised, there has been no attempt to convene all-party talks or to take any joint initiative. Can the Taoiseach detail whether he has proposed any initiatives or is he leaving everything to the Department of Foreign Affairs and Trade?

The Taoiseach: First, there is no backsliding on the backstop from us. In terms of the transition period, we want it to run until the end of 2020, which means that no changes would take effect until January 2021. There will be changes, however, under our central case scenario which is based on a successful negotiation of a withdrawal agreement with a transition period and a backstop. It will still be the case that the United Kingdom is leaving the European Union and with it the Single Market and the customs union. Therefore, as things stand, we are planning for a situation in 2021 where there will need to be east-west checks and controls, though not between Northern Ireland and the Republic of Ireland. We are making those preparations in our ports and airports now. We confirmed in Derrynane in July that we would hire 1,000 additional staff. That will happen on a phased basis.

Deputy Micheál Martin: Does that mean Northern Ireland will stay part of the customs union?

The Taoiseach: Today we approved recruitment in 2019 of 270 additional customs staff, 116 additional sanitary and phytosanitary control staff, 51 additional staff for the HSE's environmental health service and 14 professional property staff, given the infrastructural needs. I should emphasise however that these are for the ports and airports including
4 o'clock Dublin Port, Dublin Airport and Rosslare. They are not for along the land border because we are not making preparations for a hard border between Northern Ireland and Ireland. I think Deputy Martin is attempting to ask a trick question. Maybe I am being unkind to him.

Deputy Micheál Martin: No, I just-----

The Taoiseach: The backstop was published in March.

18 September 2018

Deputy Micheál Martin: Yes, but what does it mean?

The Taoiseach: It has been there in black and white for everyone to read since March.

Deputy Micheál Martin: What does the Taoiseach think it means?

The Taoiseach: It says that the common commercial policy, the rules of the customs union and the rules of the Single Market will continue to apply in Northern Ireland unless and until there is a new agreement that makes it unnecessary and that it would apply to the extent that is necessary to avoid a hard border and to continue to protect the all-island economy as it now works. I do not have it front of me, but it was published in March. It has not changed since.

Deputy Micheál Martin: The Taoiseach said it would mean continued membership of the customs union, about which he was very clear. I am simply asking if that is still the position. It is a fair and straightforward question. It is not a trick question.

The Taoiseach: It depends on how one defines “membership”.

Deputy Micheál Martin: I am referring to membership of the customs union.

The Taoiseach: Obviously when the United Kingdom leaves the European Union, Northern Ireland will leave with it. That is a statement of fact, as everyone knows. The draft backstop, as published in March, means that, to all intents and purposes, Northern Ireland will stay in the customs union and the Single Market. Even at that, it is not as straightforward as that. It is the full regulatory alignment and the application of the rules which allows us to avoid a hard border and continue to protect the all-island economy. The document has been published since March. I do not think the Deputy should need me to interpret it for him at this stage.

Deputy Micheál Martin: No, but it is a fundamental point. Does the Taoiseach agree?

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Post Office Closures

42. **Deputy Timmy Dooley** asked the Minister for Communications, Climate Action and Environment his views on whether it is acceptable that a minimum of 159 post offices will imminently close; and the steps he will take to restore viability to the An Post network. [37875/18]

Deputy Timmy Dooley: The Minister is well aware by now of the decision by An Post to orchestrate the closure of 159 post offices in some of the most marginal and rural parts of the country. I would appreciate it if he could set out his views as to whether this is acceptable.

Minister for Communications, Climate Action and Environment (Deputy Denis Naughten): As Minister for Communications, Climate Action and Environment, I am responsible for the postal sector, including the governance of An Post which is a commercial State body with a mandate to deliver a postal delivery service and a viable post office network. I am acutely conscious of the value placed by communities in both rural and urban areas on services

provided by post offices. I am fully committed to ensuring a sustainable post office network is available to all citizens for the medium and long term.

It is widely accepted the post office network has been facing many challenges for some years, with a continuing decline in transaction numbers primarily driven by the move to on-line payments and online banking, as well as e-substitution. Standing still is not an option for the network. An Post has confirmed that it has implemented 17.5 of the 19 recommendations made in the Kerr report. I acknowledge the significant contributions made by Mr. Bobby Kerr and Senator Marie-Louise O'Donnell in helping to address issues surrounding the post office network.

In April this year An Post announced a renewed vision for the post office network, which centres on the availability of new services in a modernised and revitalised network. The announcement was supported by an agreement reached between An Post and the Irish Postmasters Union, IPU, executive following months of intensive negotiations. It was subsequently endorsed by 80% of IPU members.

In their negotiations with An Post postmasters sought both the modernisation of the network and a voluntary redundancy package for those who wanted to leave the business. It is important that the decision of those who wish to leave the business be respected. These are not decisions that have been taken lightly or without good reason. There are several reasons postmasters across the country are availing of this offer, including age, low population levels, as well as the fact that some postmasters are not even earning the minimum wage as a result of declining transaction levels and mail volumes. An Post advises that where a post office closes, 70% of the business transfers to a neighbouring office. The reality is that by facilitating those who wish to exit the business, neighbouring offices are further supported, thereby ensuring a more sustainable network for the future.

The IPU agreement represents a necessary first step in reinvigorating the national post office network and making it a viable, sustainable, modern and vibrant network for the future, capable of adapting to the changing environment in which it operates by providing a service which meets the needs of communities across the country, particularly in rural areas.

Deputy Timmy Dooley: The wholesale closure of post offices across the country is a fundamental attack on rural Ireland and the people who live in it. I recognise that there has been a fall-off in the usage of post offices. Some Ministers, however, are blaming communities because they do not use them. How ridiculous is that? Life has changed and some people make their transactions online. The Minister and the Government need to accept this. However, the fact that fewer people utilise post office services should not be used as a ruse to close them. It effectively says to the elderly and vulnerable that they, as well as their needs and expectations, are not really important and do not matter to the Government. Instead, the Minister is asking them to travel 15 km to join a queue to give their business to somebody else and make it viable. That is not what public service is about. The reality is that the State has a responsibility to provide public services as close as possible to the people who need them - the elderly, the infirm and those with the greatest need in society. It is incumbent on the Government to retain these services in the community. It can be done at reduced cost and by co-locating post office services with existing businesses. That would support them and ensure services would be maintained, particularly the delivery of social welfare payments to the elderly and the most vulnerable at a location close to where they live. The Minister needs to rethink and stop robbing Peter to pay Paul by closing one post office to make another viable. That is making meal

of one and fish of the other.

Deputy Denis Naughten: Let me make it crystal clear that my priority throughout all of this process, as I have said in the House before, is to make viable as many post offices as possible. The Deputy knows from the statistics we have given that one of the post offices that will close makes 11 social welfare payments a week. If we are honest about this, we all know examples of where people are bypassing the local post office and going to another one. We also know that young people are not using post offices. That needs to change and the only way it will change is by investing in the post office network. An Post is making an investment of €50 million in the network across the country. That is the equivalent of €45,000 per post office. It is a voluntary package. No one is being forced to go. People have options. They will have the same access to the investment as every other post office if they decide to remain in it. Thanks to the support of colleagues in the House, we probably have the only universal service obligation post office network in the world which is actually expanding its service from a five-day-a-week service to a six-day-a-week parcel service.

Deputy Timmy Dooley: The Minister has claimed no one will be forced to go. However, they will be. When a post office closes and the postmaster or postmistress receives his or her rightful payment, the people who availed of their services will be forced to travel a further distance. The Minister gave an example of a post office with only 11 social welfare customers. There are others which make 100 and 200 social welfare payments a week, but the Minister did not refer to them. If the 11 payments were transferred to the local shop, local pub or other retailing business to give the owner of that business a couple of bob, from the experience I have had in talking to them up and down the country, they would do it. The Minister could do that more cheaply by giving the kind of contract that was in existence when a greater number of people used the service. Many of the shops in question would be delighted to have the business for less money. If the Minister removed some of the restrictions, they could handle it through the PostPoint system or a postal agency service. The key is retaining the making of social welfare payments within a village. The Minister knows full well that if that block of payments, whether it be 11 or 100, moves 15 km to the neighbouring village, it will shore up the post office in the neighbouring village, as well as the viability of its shops. However, when that money is taken out of a village when its post office closes, one is also effectively closing the shop. The Minister is buying into the viability model which has An Post working through this initiative. What about the viability of communities? The Minister should follow what is being done in the UK and elsewhere in western Europe and provide a small amount of subvention to support those businesses in the individual villages that are happy to have the postal service delivered from their premises. They are not going to rob him. They do not want the type of contract that existed in the past. They are happy to provide payments to their community if the Minister is prepared to pay a reasonable amount of money and allow the service to be delivered across the PostPoint service.

Deputy Denis Naughten: An Post is altering its retail network to try to meet the changing needs of communities right across this country and reflect shopping patterns. The Deputy is correct in that there are communities where there are other retailers willing to operate the service and I accept that is an issue. That is the reason An Post has put out a call to those retailers to the effect that it is prepared to engage with them. As I said at a meeting of the Oireachtas committee, it is prepared to engage with them and look at the PostPoint service.

As the Deputy will be aware, the chief executive of An Post has said he is examining the potential of expanding the services that are available through PostPoint. There is also the matter

of the smart account that is available through An Post to those individuals. There are a number of opportunities available as well as the potential to have the post office franchise operated from local retailers. An Post is willing to engage with retailers across communities where the postmasters decide to take the package. I actively encourage retailers to engage with An Post in that regard. There is a commitment from An Post that there is an appeals mechanism in place if the retailer is not satisfied with the engagement he or she receives from the company.

National Broadband Plan Implementation

43. **Deputy Brian Stanley** asked the Minister for Communications, Climate Action and Environment his views on the fact there is only one supplier left in the tender process for the national broadband plan; his further views on whether it is competitive for the State; and the capability of the company to fulfil the project in a realistic timeframe. [37869/18]

Deputy Brian Stanley: My question relates to the national broadband plan. When will the Minister announce the tender for it and when will that process be complete? Only one supplier is left in the tender process. I relayed to the Minister in the past the perils of that happening and I do so again today regarding the competitiveness of the process, the question marks over it and a realistic timeframe for its delivery. This is very important for rural Ireland.

Deputy Denis Naughten: I thank the Deputy for his question. The national broadband plan, NBP, is ambitious, with the objective of ensuring that access to a high speed broadband service is available to every premises in Ireland. Realising this objective will significantly enhance Ireland's standing as a leading EU digital economy.

Bidders wishing to participate in the ongoing NBP procurement process had to pre-qualify in order to participate in that process. Only those bidders that could demonstrate they had the necessary economic and financial standing, together with the required technical and professional capability, were allowed to participate in the procurement. A single bidder scenario does not change this and the remaining bidding consortium has had to meet the relevant thresholds set out for the procurement process.

Up until the point where the procurement was about to enter its final stages, there was a competitive process. Through the engagement with multiple bidders the NBP procurement team has had clear sight of the likely costs and revenues associated with delivering the high-speed broadband network in the intervention area. The NBP contract includes comprehensive governance provisions to ensure tight management of the build and operating costs.

The procurement process is now in its final stages and the bidder's submission of a final tender will include its proposed technical solution and deployment plan.

I am pleased to inform the Dáil and, more importantly, the 540,000 families and businesses across rural Ireland who are awaiting high-speed broadband that today marks an historic milestone in the Government's national procurement of the broadband plan. Earlier today, the remaining bidder in the national broadband plan procurement process submitted its final tender to my Department. Over the coming weeks the Department's procurement team will evaluate that submission that was received earlier today. I look forward to receiving the output from that particular evaluation.

18 September 2018

The NBP procurement process is unique in terms of its level of ambition and vision. Its focus is to ensure a future-proofed, technical solution that will allow this generation and future generations to participate fully in digital society. Due to the significance and scale of the project to deliver high-speed broadband to every single premises in Ireland regardless of location, the procurement process has been, by necessity, complex and thorough. As the evaluation process is now under way, I cannot comment further. Suffice it to say that today is a landmark date.

Deputy Brian Stanley: I listened very carefully to every word the Minister said. He said the final tender has been submitted and will be considered in the days, weeks and months ahead by his Department. He told me almost a year ago that it was in the final stages but he and I knew at that stage that it was not in the final stages, that nobody had sight of anything and that it was lost in a legal, financial and logistical mire. That is the truth of it. I ask the Minister to tell me the number of people who have been working on the tendering process and the length of time that has been going on.

The Minister has only one bidder left in the process. He has no plan B. It is either Enet or he calls a halt to the process. It is not just Sinn Féin saying that. Earlier this year, Professor John FitzGerald, speaking in respect of State contracts, stated: "If there is no queue of suppliers there will be no savings for the State." I told the Minister a year ago that if one was going to the market to sell a calf, a bullock or anything else, if there was only one buyer, one would be better off turning around and bringing the bullock back home. The Minister knows that is the case, as someone who is living in a rural area.

The Minister has chosen the privatisation and Enet model, Enet being the only company that can do that. He has not been able to tell us the size of the blank cheque this will cost taxpayers. We want to see this plan rolled out. We believe this process has been like a slow bicycle race.

The programme for Government states: "We will...provide additional exchequer capital, if needed, to deliver on our commitment to bring next generation broadband to every house and business in the country by 2020." It also states: "Once the contract is awarded the rollout phase will begin immediately". We are now 15 months from 2020. The taxpayer will now subsidise the company that now has control of the network - Eir - to hang cables on poles erected by the taxpayers and by public funds from this State.

Deputy Denis Naughten: The tender was submitted earlier today. That will be gone through by a team comprising approximately 80 people who have been involved in this procurement process, which also includes external advice that was available to the Department.

This procurement process has been complex. I accept it is quite technical. It is unique in terms of its level of ambition, vision and challenge. Thirty seven percent of our population live on 96% of the landmass of Ireland. This is unique in European, if not global, terms. Through this procurement process, we have been designing a technical solution that not only meets the needs of today and tomorrow but of the next generation and the one after that. I have given on occasion in this House examples of the previous scheme, the national broadband scheme, and the day it went live it was obsolete. This network will meet the needs of today, tomorrow, next year, the year after that and those of years to come.

Deputy Brian Stanley: Does the Minister still believe he will be able to run fibre to every home? We know that the 2020 target is unrealistic. As he knows, Enet runs the State's metropolitan area networks, MANs, systems, therefore, the State and Enet have been working

together. The MANs contract for Enet was extended out to 2030. It has that contract, which was not subject to tender. The Minister has the power to tender that contract. The MANs were established for social, economic, regional and good reasons and we have no problem with that. What review was made with regard to pricing in the extension of that agreement? Has a report on this been published for and subsequently by the Minister? The pricing of these wholesale systems will affect homes and businesses in towns such as Portlaoise, Tullamore and others where the MANs systems are rolled out. I want the Minister to address that issue because the MANs systems are key to the future of broadband in rural and regional areas, and particularly in the 90 towns that have those systems.

Another issue, on which I have not been able to get an answer from the Minister, is in regard to the cost of this contract. He has quoted commercial sensitivity but it is as if the taxpayers are to keep their eyes shut while all this is happening. The Minister will have a pen in his hand writing a cheque for this fairly soon and we have no idea what it will cost. This cannot be nailed down and we cannot even get a price range. It is estimated to be nearly €2 billion for the overall contract. How much of that is a State subsidy?

Deputy Denis Naughten: First, the tender was submitted today. I have not had sight of that tender, and nor should I. Deputy Stanley asked detailed questions about the metropolitan area networks, MANs, across the State. If the Deputy submits a question on that matter, we will provide the detail on it.

On the towns specifically, the Deputy will be aware that the towns serviced by the MANs are now getting high-speed broadband through SIRO, Virgin Media, Eir or some of the other operators. The MANs will be used as a backbone, as part of this procurement process, and provide the backhaul system for delivering high-speed broadband to rural premises across Ireland. The MANs network and the other State infrastructure will form a key element of that.

National Broadband Plan Implementation

44. **Deputy Timmy Dooley** asked the Minister for Communications, Climate Action and Environment the status of the national broadband plan process; and the dates by which construction of the broadband network will commence and be completed. [37876/18]

Deputy Timmy Dooley: I appreciate the Minister's confirmation that he has received the bid today. Will he tell the House who the bid is from? He is aware that in recent months Eir pulled out of the process, as did the SIRO consortium made up of the ESB and Vodafone, and we were left with one bidder, Enet. I understand that, prior to the break in the process, Enet was a consortium made up of SSE, the John Laing Group and Granahan McCourt Capital. Will the Minister confirm that this is the consortium that submitted the bid today?

Deputy Denis Naughten: The procurement process to select a company that will deliver high-speed broadband to 543,000 premises in the State intervention area is now in its final stages. The bidding consortium is proposing a predominantly fibre-to-the-home solution, which will be capable of delivering more than 100 Mbps to premises and up to 1 gigabit for businesses. This network will be a wholesale open access network, over which multiple retail providers will offer a range of services to citizens and businesses at competitive prices.

The deployment of the State intervention network will allow 1.1 million citizens to fully

18 September 2018

participate in the digital society. The intervention area includes 558,000 members of the labour force for whom a high-speed broadband network will open up possibilities for remote working. The intervention area also includes almost 56,000 farms, more than 44,000 small and medium enterprises and more than 600 schools.

As I outlined in my response to Deputy Stanley, my Department received today the final tender from the remaining bidder in the national broadband plan procurement process. I do not propose to comment further while the evaluation of the submission is ongoing. However, it is worth reflecting on the investment of more than €2.7 billion in high-speed broadband infrastructure that has taken place in Ireland in parallel with the national broadband plan procurement process. The commercial sector has clearly reacted to the programme for Government commitment to ensure access to high-speed broadband to every premises in Ireland by investing significantly in new infrastructure and by offering services with a minimum download speed in excess of 100 Mbps.

Deputy Dooley asked about the consortium. It is a Granahan McCourt Capital led consortium. While I do not propose to comment in any way on the submission received by my Department earlier today, I understand the consortium will issue a press statement later today providing some background detail.

Deputy Timmy Dooley: The Minister is telling the House that Enet is no longer the lead bidder and that the company is not part of the consortium that is bidding. It seems that the John Laing Group is no longer part of the consortium. We are aware that SSE removed itself from the consortium some time ago. While the Minister will not tell us very much, by his failure to respond to the question, he is confirming that the only remaining bidder here is Granahan McCourt Capital. Can we make that assumption? I ask the Minister to answer that question.

Deputy Denis Naughten: As I said, I cannot or will not comment on that at the moment. I understand the consortium will issue a statement later today, which will provide detail on the questions that have been raised.

Deputy Timmy Dooley: In light of the information the Minister is not giving us, does he have any concerns about the viability of the company in question and its ability to meet the requirements of this important contract? Some time ago, when I raised concerns in this House with the Minister about this particular bidder, he pounced on me and lectured me about the quality of the consortium. At that stage, the Minister put much stock in SSE and the John Laing Group and their international reputations.

The Minister will need to reflect very seriously on this matter in light of what is about to emerge on the change in character of the bidder that has submitted its final tender. I understand the political expediency of getting a deal signed, but this contract is for 25 years. The Minister may be gone from office and I may be gone from this House, but I do not intend to be part of leaving a mess behind us that does not deliver the long promised broadband services to 540,000 premises. This has been promised since 2012 and nobody in that cohort of 540,000 is any closer to seeing broadband delivered. There is no start date for the first house and no end date for the last house.

There are now real questions about the viability of the bid. Eir, Vodafone, the ESB and SSE have pulled out and my information is that the John Laing Group has pulled out. Enet has moved from the front to the back of the line. If that does not raise very serious questions

about the viability and capacity of the State to roll out this service, I do not know what does. The Minister is driving headlong into this and failing to do what I previously asked him to do, namely, take time out to reflect on whether it will be possible to do this based on the kinds of tendering processes put in place in the first instance.

Deputy Denis Naughten: Let me be crystal clear for Deputy Dooley and all Members. As I stated, the procurement process involved is complex and each of the bidders had to provide evidence of the necessary economic and financial standing along with the required technical and professional capability to deliver on this. We received a tender earlier today and the evaluation team needs to be allowed the space to undertake a comprehensive and robust assessment of that tender.

The 543,000 families and businesses do not care what name is on the side of van. They want and deserve high-speed broadband and I am determined to ensure they get it.

Energy Infrastructure

45. **Deputy Bríd Smith** asked the Minister for Communications, Climate Action and Environment if his attention has been drawn to proposals to build a liquefied natural gas, LNG, terminal here; his views on whether such facilities are compatible with the State's commitments to tackle climate change; and if he will make a statement on the matter. [37591/18]

Deputy Bríd Smith: The question is on the proposal for a liquefied natural gas terminal in the Shannon Estuary. How is this proposal compatible with the State's commitment to tackle climate change, given that Ireland has banned fracking and given the likelihood, should the proposal proceed, that fracked gas from North America will be used off the Irish coast? This seems to fly in the face of the Minister's commitment to tackle climate change.

Deputy Denis Naughten: There have been a number of announcements of private sector commercial proposals to build liquefied natural gas, LNG, facilities in Ireland. These include the Shannon LNG project, which is designated as an EU project of common interest, and a number of other more recent proposals. These are commercial projects and the location, development and final investment decisions for these projects are ultimately the responsibility of the project promoters. In addition, it is the responsibility of the project promoters to comply with any legal and regulatory requirements, including requirements for planning permission, other consents or permits, and related environmental impact assessments.

Ireland's energy policy is fully aligned with the EU's climate and energy objectives on the transition to decarbonisation, which includes the continuous and ongoing review of policies to reduce harmful emissions, improve energy efficiency, incentivise efficient and sustainable infrastructure investment, integrate markets, and promote research and innovation while ensuring our energy security of supply is maintained and enhanced. The development of an LNG facility would further enhance Ireland's security of gas supply by increasing import route diversity and would be compatible with the State's commitment to tackling climate change.

The 2015 energy White Paper, Ireland's Transition to a Low Carbon Energy Future 2015-2030, sets out a roadmap for Ireland to reduce its greenhouse gas emissions by between 80% and 95% by 2050. The strategy is clear, in that non-renewable energy sources will make a significant, though progressively smaller, contribution to our energy mix over the course of that

18 September 2018

energy transition. The national mitigation plan, which I published in 2017, restates the Government's commitment to move from a fossil fuel-based electricity system to a low-carbon power system. The investment in further renewable generation is to be incentivised. The national development plan commits to a doubling of renewable electricity generation.

During the transition, gas has the potential to deliver significant and sustained benefits, particularly in terms of enhanced security of supply. Natural gas has the potential to play an important role in reducing greenhouse gas emissions in our power generation, industrial and commercial, residential and transport sectors by replacing more CO₂-intensive fossil fuels. In Ireland, gas-powered generation provides an important backup for intermittent renewable wind generation within our electricity system.

Deputy Bríd Smith: The planning permission for an LNG terminal at Ballylongford has been extended by An Bord Pleanála for five years. It was due to expire in 2018. Compared with when that planning permission was first given, we now know more about the dangers of LNG, the way that fracking is conducted in North America and the damage the latter does to the environment and the planet. As such, it is extraordinary that An Bord Pleanála would decide to extend the licence by five years without even undertaking an environmental impact assessment. I congratulate the Friends of the Irish Environment on successfully challenging this decision in the High Court and having an injunction placed on it.

Everything the Minister has said indicates not only that there is a problem with our climate change strategy, but that we lack such a strategy. We are nowhere near reaching our commitment to reduce our CO₂ emissions by 40% by 2030. We are at 10%. We know for sure that we will not be able to do it.

Will the Minister please repeat what he said about energy security? The planet does not recognise borders when it comes to climate change and toxic pollution, but the Minister seems to believe that it is okay for us to import fracked gas when we have banned it in Ireland. That is a contradiction.

Deputy Denis Naughten: First of all, the figure is 40% of our renewable electricity by 2020. I am determined to try to achieve that target.

The production, sourcing, buying and selling of natural gas produced outside this jurisdiction is an operational matter for the undertakings involved. There are a number of supply sources, with North America potentially one of those. Qatar is the largest producer of natural gas in the world and provides a substantial amount of LNG to Wales.

A number of projects have been proposed. I visited a floating LNG facility when I was in Malta last year. It has provided security of supply to that country.

The reality as the Deputy knows - it would be disingenuous not to acknowledge the fact - is that we are reliant on gas coming in through the interconnectors with the UK. If for geopolitical reasons gas was turned off in eastern Europe, it would have significant implications for employment, individuals and families in this country. My priority has to be to ensure that people have heat and electricity in the morning when they get up and that they have jobs to go to. My No. 1 priority as energy Minister is to ensure security of supply and that same has as low a level of impact on our environment as possible.

Deputy Bríd Smith: I must contradict the Minister's statement that his priority is just to

supply energy. It is also to ensure that we move away from overheating the planet. Liquefied natural gas is the dirtiest fossil fuel imaginable - scientists argue it is as dirty as coal. What we did not know in 2008 when permission was first granted for offshore LNG licences was that methane emissions from natural gas are lethal to the planet. Since we know it now, why would we extend the licences and why would a Minister say that we must shore up our dependence on fossil fuels rather than move away from them? If LNG terminals were to be built in Ireland, it would lock this country into a fossil-fueled economy for a further 50 years. That does nothing to address our commitment to tackling climate change. In fact, we would be supplying gas to other parts of Europe.

The Minister's argument is disingenuous. He is not just the Minister for energy. Energy security is meaningless on a planet where there is no security for the people or other species living on it. That concern needs to be first and foremost in his mind.

Deputy Denis Naughten: I am not just the Minister for energy. That is why I have told the Deputy in my response that not only is it important that we have power in this country, but that it be clean power as well. I am determined to ensure that we have the cleanest possible generation. In terms of renewables, we have significant opportunities off our east and, in particular, west coasts. We have approximately 50 GW of potential electricity in that regard. I have previously spoken about an interconnector between the west coast and France to allow for the export of that to the European grid. However, we must also consider the short-term issues. Security of supply is a short-term issue for us, and that is something of which I as energy Minister must be conscious.

Regarding the three projects whose promoters have been in contact with my Department, no decision has been made to invest in any of them. I do not know whether any of them will go ahead. That is a matter for the investors involved.

Sustainable Development Goals

46. **Deputy Maureen O'Sullivan** asked the Minister for Communications, Climate Action and Environment the position regarding Ireland's first voluntary national review for sustainable development goals, SDGs, in July 2018; and if he will make a statement on the matter. [37510/18]

Deputy Maureen O'Sullivan: Will the Minister outline Ireland's position on our first voluntary national review of SDGs last July?

Deputy Denis Naughten: I thank the Deputy. In July, I presented Ireland's first national review of the SDGs to the United Nations High-level Political Forum on Sustainable Development. Following the adoption of the 2030 agenda for sustainable development, including the 17 SDGs, by UN member states in 2015, the forum was designated as the central platform for the follow-up and review of the 2030 agenda at global level.

The presentation of the review fulfilled one of the committed actions under Ireland's Sustainable Development Goals National Implementation Plan 2018-2020, which I published in April 2018. The plan sets out how the Government will implement the SDGs at home and support countries around the world to do the same.

The review provided a comprehensive overview of Ireland's progress towards meeting each of the 17 SDGs and of how Ireland was supporting the SDGs' global achievement. An important secondary aim was to establish a baseline for Ireland's future SDG reporting. The review was evidence based, using the EU SDG indicator set developed by EUROSTAT, with corresponding national data for Ireland provided by the CSO.

The review demonstrated how every Department across the Government was contributing to achieving the SDGs, but it also made clear that Ireland still had work to do in order to become a truly sustainable society. Specifically, the review identifies Ireland's strengths in respect of those SDGs dealing with education, health, economic growth, innovation, certain environmental issues, and the enjoyment of a peaceful and safe society. However, we also face challenges in many areas, including addressing high levels of obesity, meeting our national poverty targets, achieving sustainable consumption and production, protecting our marine and terrestrial habitats, and achieving full gender equality in Irish society. Both the review and my presentation to the UN drew attention to housing and homelessness and climate action as major challenges facing Ireland. As part of my presentation, I invited Ireland's two UN youth delegates for 2017 to 2018 to address the forum and to provide their perspectives on how the sustainable development goals, SDGs, are being implemented in Ireland. I did so because many of the SDGs are highly relevant to Irish young people's daily lives and demonstrate Ireland's ongoing commitment to involving stakeholders in the SDG process.

Deputy Maureen O'Sullivan: We have to acknowledge the very special role that Ireland played in developing the SDGs. That was our then ambassador, David Donoghue. We are in a unique position with that. There is always a danger, when we have agreed goals and targets, that we do not move on to the next phase quickly enough, which is implementation and monitoring. We know what they are about. They are about inequality. If we had to sum it up, we would agree that it is about that. Whatever about the inequalities that Ireland faces, we know that, when it comes to living with inequalities in the global south, in countries in Latin America and certain countries in south-east Asia, we are talking about a different kind of inequality.

I was at Concern's 50th anniversary in Dublin Castle recently and I heard the great enthusiasm and commitment there. Everybody was on the same page. They were talking about the momentum that gathered in New York. How do we move that momentum further? I know that suggestions are being made about the national action plan. One is that all Departments have to come together. There has to be high-level representation because otherwise we will not get policy coherence. The trade policies and tax policies all have to be aligned with our finance policies. Does the Minister expect there will be that cross-departmental group? I know his Department is the lead on this but it will not work unless the other Departments buy in.

Deputy Denis Naughten: I thank Deputy O'Sullivan. I acknowledge the tremendous work the Irish ambassador, David Donoghue, did on behalf of Ireland and Kenya, which led the charge for the development of these SDGs. People did not believe that it was possible to get agreement about SDGs. The Deputy is right about having co-ordination across Departments. It is my responsibility to ensure that happens, working with other Ministers. It is also important that individual Departments take responsibility for individual issues because if no one is responsible, then nothing gets done. We have been frank about the challenges that we have. We are engaging at official and ministerial level to progress these issues.

Deputy Maureen O'Sullivan: The question comes down to whether the Minister will be the person who will draw all of that together. The proposals from Coalition 2030 make sense.

The national action plan was one. They also talk about a monitoring forum. I listened to the previous exchange. The elephant in the room is climate change. If we do not get that right, then none of those sustainable development goals will be achieved. The other point is that the public has to buy into this. Importantly, there has to be public awareness and participation. When we look at finance for development, which the Minister for Foreign Affairs and Trade seems to be committed to, the question seems to be one of moving towards 0.7% of gross national income, GNI. None of this will happen unless the resources go in. It is a matter for the Minister's Department but the other Departments have to be involved. We need NGOs and civil society to buy into that. That is a major piece of work that has to be done.

Deputy Denis Naughten: As part of the implementation plan over the next couple of years, priority is being given to public awareness and to stakeholder engagement. We accept that that is fundamental to this. My role as Minister is overseeing coherent implementation across Government and Departments. I have specific responsibility for energy, sustainable consumption and climate action. It is not just about providing leadership here at home. When I was in New York, I had the opportunity to show international leadership. Ireland is now taking a lead role in the United Nations Convention to Combat Desertification, with the Great Green Wall initiative, to look, across the Sahel region and north Africa, at building a physical barrier to the progression of the Sahara Desert, which has a direct impact on sustaining those communities along the Sahara Desert; to address some of the issues and challenges relating to migration; to provide viable futures for those communities; and, working at international level, to promote and develop that not just as a concept but with practical action on the ground.

Ceisteanna Eile - Other Questions

Waste Management

47. **Deputy Clare Daly** asked the Minister for Communications, Climate Action and Environment the supports available to facilitate communities interested in establishing local community-based waste collection co-operatives in the interests of best waste management and environmental practice. [37314/18]

Deputy Clare Daly: I do not think it is an overstatement to say that there is a crisis in waste management. Multiple operators trudge up and down the same road every day to pick up the odd bin here and there. There are appalling working conditions, rising prices and one would probably need a university degree even to work out what one is supposed to put in each particular bin. There is a desire in communities to take the service back into municipal, local or co-operative ownership. Does the Minister's Department provide any supports for that?

Deputy Denis Naughten: The Waste Management Act 1996, as amended, and the Waste Management (Collection Permit) Regulations 2007, as amended, set out the regulatory framework for the collection of waste in the State. The obligations on local authorities with regard to collecting household waste are set out in section 33 of the Waste Management Act 1996, as amended. In summary, it provides that each local authority shall collect, or arrange for the collection of, household waste within its functional area. The obligation to collect or arrange

for the collection of waste shall not apply if there is an adequate waste collection service available in the local authority's functional area; if the estimated costs of the collection of the waste would, in the opinion of the local authority, be unreasonably high; or if the local authority is satisfied that adequate arrangements for the disposal of the waste concerned can reasonably be made by the holder of the waste.

It is open to any organisation, commercial enterprise or local community group, to apply for a waste collection permit to the National Waste Collection Permit Office, which is the nominated authority to issue permits on behalf of all local authorities, should they wish to collect household waste in the State. In addition, and depending on the scale of the planned operation, it may also be necessary to apply to the relevant local authority and-or the Environmental Protection Agency for a waste facility permit or licence for the storage and-or sorting of waste.

As Minister, I do not provide any supports to any organisation, commercial or community-based, to facilitate the establishment of waste collection services. As the Deputy may be aware, the Competition and Consumer Protection Commission, CCPC, is conducting an independent study on the operation of the household waste collection market. The ongoing results from the Price Monitoring Group, in conjunction with the study being undertaken by the CCPC, will provide an evidence base for future policy decisions on the household waste market.

I accept the point that Deputy makes about the confusion about what goes into which bin. As of the end of last year, we have a uniform list of what goes into the recycling bin. That is available and we have been running campaigns about that. Whether one is in Cork, Fingal, Roscommon or Cavan, the same material goes into the green recycling bin.

Deputy Clare Daly: We could spend the rest of the day debating what is not on any of those lists and the confusion that arises, but the point I am trying to get at is that we need to be a bit creative. I am not talking about the responsibilities of a local authority *per se* but the attitude of the local community, particularly from the point of view of acting on a co-operative basis. Last year, a good community activist in Swords, where I live, Dean Mulligan, and I conducted a survey of approximately 2,000 households which were not impressed with the bin service and were sick of the different bin companies going up and down their roads. There was a desire by over 90% to buy in to a co-operative venture where they would run their own local service, just serving their estate with their own local labour, which they would control on a co-operative basis. In this area of climate change, with our emissions targets and the number of trucks on the roads, not to mention cost and value, surely that is something which the Minister's Department could play a role in, not necessarily subsidising it but stepping in and giving some form of direction and assistance. From a climate change point of view, not to mind waste management, starting and keeping it local is best for the environment, the consumer and also potentially workers.

Deputy Denis Naughten: I hear what the Deputy says. First, we are open to considering any suggestion or idea to reduce the generation of waste in the first place. That must be the number one priority. The difficulty with the Deputy's suggestion is that the logistical cost involved in collecting, segregating and managing waste for 2,000 houses would make it very expensive for the houses involved. As the Deputy is aware, there are only four landfill sites in the country. We have reduced the number from 24 in the previous decade and by the end of this year will be down to three landfill sites. My priority as Minister is to try to minimise the amount of waste going into landfill sites. We want to reduce the generation of waste in the first place, but where it is generated, we want to make sure it does not go into landfill sites. That

requires scale in the segregation of waste, not just green waste but also brown waste and the residual waste that is put into the black bin so as to minimise the amount of material going into landfill sites.

Deputy Clare Daly: Waste reduction is key. In that sense, householders are small change because, by and large, they are waste receivers, rather than waste producers. If we want to tackle waste generation, we must tackle the business and agriculture sectors.

I fully accept that what I am putting forward is not a solution to the national waste problem. However, it is potentially a solution in some areas. Independents 4 Change introduced a Bill prior to the summer recess to make it easier for people to establish co-operatives. For example, the Magpie Recycling Co-op in Brighton began with three volunteers collecting cans and glass in their locality. It expanded into the collection of recyclable materials such as old furniture and other materials and providing a service for 2,000 houses. Such co-ops could engage people who are not working or who are retired in reusing material in the local economy. Will the Minister consider a pilot project based on such a model? I accept that it would have to feed into a grid for the disposal of some waste, but such a pilot project could point to a really good way forward in terms of an initiative on the ground to deal with the footprint of trucks.

Deputy Denis Naughten: We are quite open to exploring the possibilities in terms of what the Deputy has outlined. My objective is to keep material out of landfill sites and anything that could help to do that would be positive.

Specifically on waste generation, important work is being undertaken by some of Ireland's leading agrifood businesses to reduce unnecessary plastic packaging in the food supply chain. I hope to make an announcement on an initiative shortly. The companies involved which represent significant but different elements of the food processing sector will use their collective power and food production experience to eliminate single use plastic packaging from the supply chain and replace it with new more sustainable alternatives. We will all welcome this in our supermarkets and shops.

To specifically address the other aspect of the Deputy's question, we are trying to focus on reducing the generation of waste in the first place and then to find novel solutions to divert waste away from landfill sites and other forms of disposal and encourage reuse. Next month is reuse month. I encourage all colleagues to participate in the initiatives in their local authority areas and encourage participation by the public.

North-South Interconnector

48. **Deputy Timmy Dooley** asked the Minister for Communications, Climate Action and Environment when he plans to publish two reports that his Department has commissioned on the feasibility of undergrounding the North-South interconnector and provide compensation for owners of property near high voltage transmission lines; and the status of these plans. [37631/18]

50. **Deputy Brendan Smith** asked the Minister for Communications, Climate Action and Environment if he has received the two independent reports on the proposed North-South interconnector; if so, when he plans to publish the reports; and if he will make a statement on the matter. [37595/18]

18 September 2018

80. **Deputy Brendan Smith** asked the Minister for Communications, Climate Action and Environment when he plans to publish the two independent reports on the proposed North-South interconnector; and if he will make a statement on the matter. [37594/18]

83. **Deputy Shane Cassells** asked the Minister for Communications, Climate Action and Environment the status of the North-South interconnector project. [37619/18]

Deputy Brendan Smith: More than a year ago the Fianna Fáil Party introduced motions in this House and Seanad Éireann calling on the Government to commission independent studies of the technical feasibility and cost of undergrounding the North-South interconnector. It is welcome that following the motions the Minister has commissioned two studies. I understand the reports have been with him for some time. Communities in counties Cavan, Monaghan and Meath are anxious to know what has been recommended in them. I hope the Minister is in a position to indicate to us that the reports will be published without further delay.

Deputy Denis Naughten: I propose to take Questions Nos. 48, 50, 80 and 83 together.

As the Deputies will be aware, in 2017 I commissioned two studies designed to address the main points of the motions passed by Dáil Éireann and Seanad Éireann, as well as key concerns expressed by those opposed to the development of the North-South interconnector, NSIC, as an overhead line. The first is an independent study to examine the technical feasibility and cost of undergrounding the interconnector. Three international experts in the field of electricity infrastructure development carried out a comprehensive analysis of international developments in undergrounding technologies since publication of the international expert commission's report in 2012. That was a key request of the representatives of the communities concerned about the proposed overhead line development. Two of the consultants appointed were members of the 2012 commission, while the third was a member of the 2014 independent expert group appointed by my Department to review key electricity grid projects. Therefore, all members of the commission were familiar both with the development of transmission grids across Europe, as well as the project in the context of Ireland's all-island electricity grid.

The North-South interconnector is critical to ensuring a safe, secure supply of electricity throughout the island of Ireland. It also supports the core objectives of European and national energy policy, namely, sustainability, security of supply and competitiveness. The project is the subject of legal challenges in both Ireland and Northern Ireland, with important legal dates imminent in both jurisdictions this month and next. EirGrid and ESB Networks are awaiting the outcome of the judicial challenges before they proceed to discharge their operational duties in the construction of the interconnector.

The second study is focused on the levels of compensation provided for land and property owners in proximity to high voltage transmission lines in a European context. This study was undertaken to consider a separate concern raised by public representatives at meetings with me on the impact of transmission lines on land and property values and the level of compensation paid in lieu of such impacts. Levels of compensation provided for land and property owners are considered to be a reflection of the impact of transmission lines on land and property values; therefore, this study, undertaken by KHSK Economic Consultants, analysed the compensation regimes in other European and selected international countries. Both studies have been completed and submitted to me.

In order to have the most up-to-date assessment of the implications of Brexit for the energy

sector before bringing the reports to the Government, I sought the views of the energy regulator and electricity and gas transmission system operators on the implications for the electricity market in Ireland in the event of a hard Brexit, including for the single electricity market, SEM, timelines for the delivery of programmes such as DS3, delivering a secure, sustainable electricity system, and the North-South interconnector and continued secure cross-Border electricity trading across interconnectors. The outcome of this analysis was submitted to my Department last week and is being considered. I have previously indicated to this House that it is my intention to bring the relevant reports to the Government for consideration prior to their publication. I expect to do this shortly.

Deputy Brendan Smith: I thank the Minister for his detailed response. He has told me previously in response to numerous parliamentary questions that he expects to bring the report to the Government shortly or within a few weeks. That dates back some time.

The Minister mentioned the people who had been given sight of the report. Has EirGrid had sight of it? Was it asked for comments or submissions on either of the studies? The Minister is fully aware that in no circumstances will communities in counties Cavan, Monaghan and Meath allow the transmission cables to be overground, if the project is to proceed. The fundamental issue is that if the project is to proceed, the transmission cables need to be placed underground.

5 o'clock We know for some time that EirGrid has accepted that it is technically feasible to place the transmission cables underground. In addition, the cost differential in undergrounding or overgrounding the cables has narrowed significantly from the time the project was initially commissioned ten or 12 years ago. The Minister needs to give a very strong commitment to communities in counties Cavan, Monaghan and Meath that if the project is to proceed, their concerns will be taken into account. Those individuals, families and communities will not accept the transmission cables being placed overground in any circumstance.

Deputy Denis Naughten: The reports were requested by me on behalf of the Oireachtas. A decision was made by the Government in that regard. I will present the reports to the Government. The hold-up has been that it was incumbent on me to consider the implications of a hard Brexit for our electricity system, the single electricity market, our gas market, the North-South interconnector and the ongoing DS3 project. I wanted to have a comprehensive position to present to the Cabinet.

The third report specifically engaged with EirGrid and Gas Networks Ireland on the implications of a hard Brexit. Before the summer, the European Commission requested of me that that be carried out. We will report back to the Commission on the report.

Deputy Brendan Smith: EirGrid has had sight of both reports.

Deputy Denis Naughten: No. My reference to EirGrid and Gas Networks Ireland related to a third report I sought regarding the implications of a hard Brexit for our electricity and gas systems. It will be presented to the Cabinet along with the other two reports. It was only received by my Department at the end of last week. The intention is to turn it around quite quickly and bring all three reports to Cabinet very soon.

Deputy Brendan Smith: A very distinguished and reputable journalist, Michael Fisher, who does a lot of work for *The Northern Standard* newspaper in Monaghan and is a former RTÉ correspondent, did a great public service in obtaining through freedom of information requests

18 September 2018

correspondence between the Minister's Department and EirGrid. Reading that correspondence over the summer months, one would think that EirGrid is a division of the Department. It is obvious that it was consulted and its views sought on any move by the Department. It was not kept at arm's length but, rather, seems to be a de facto division of the Department, which is utterly wrong.

Deputy Denis Naughten: I am the first Minister for a long time to meet and directly engage with interested groups-----

Deputy Brendan Smith: We welcome that.

Deputy Denis Naughten: -----and colleagues on the matter. I do not think any Member questions my sincerity or commitment to a fair process in this matter. I have the reports. I hoped to bring them to Cabinet earlier, but having received the request from the Commission, I believed it was fair to bring all three reports together. It is my intention to do so quite soon. Once they have been brought to the Cabinet, I intend to publish the first two reports and report on the third one to the Commission.

Deputy Shane Cassells: I am very interested in where the Minister intends to go with this monstrous pylon project, as are my constituents in County Meath and those of my colleagues, Deputies Niamh Smyth and Brendan Smith, who are present, in County Cavan. As Deputy Brendan Smith stated, we have intently read the weekly publication of what have come to be known as "the EirGrid files" in *The Northern Standard* over the summer. They comprise documents obtained by the respected journalist, Michael Fisher, who has unearthed some fascinating stuff. Most shockingly, he exposed the "best buddy" relationship which the documents show exists between the Minister's Department and EirGrid officials. More important in the context of the underground review group about which the Minister has today been asked is the fact that EirGrid officials emailed proposed agendas for meetings with the underground review group to his Department. I have those emails in front of me. How can the Minister call this an independent review when the body being looked at put together the agenda for meetings? The last time I checked, the defendant in a court case does not prepare the case for the prosecution. Following the intervention by EirGrid, an email from the Minister's Department to the independent review group stated that EirGrid was trying to structure a Thursday meeting a little and had suggested a draft agenda for the meeting. That is a little more than trying to structure the meeting a little. Like my colleagues and, most importantly, the people of County Meath, I am very interested in the work the Minister has on his desk. However, I would love to hear his insights into those serious revelations by Michael Fisher in regard to the process.

Deputy Denis Naughten: I have not read the articles referred to by Deputies Cassells and Brendan Smith and, therefore, will not comment on them.

Deputy Shane Cassells: The Department has seen everything else.

Deputy Denis Naughten: As soon as the reports have been presented to Cabinet, I intend to publish them so that people can read them for themselves.

Deputy Shane Cassells: As we speak, EirGrid is trying to canvass farmers at the ploughing championships and get them on board with its project to traverse the land of farmers and that of their neighbours with monstrous pylons across counties Meath, Cavan and Monaghan. It will not succeed. The cosy relationship between the Minister's Department and EirGrid was exposed by Michael Fisher in the EirGrid files which I am holding in my hand. They show a

very unhealthy link between the Department and EirGrid which scuppers any belief in the integrity of the process. The Minister spoke of meeting interested parties. Such people no longer have any belief in the process after reading those reports in *The Northern Standard* which were published over eight weeks.

EirGrid officials went so far as to monitor my social media account with the intent of giving a heads-up to officials in the Minister's office that he should expect questions on the matter from me in the Dáil. I will save them the bother of having to do so. I will add the Minister as a friend on Facebook and he can monitor it himself and read what I intend to say. The only thing such officials will find on Facebook is a resilient community in counties Meath, Monaghan and Cavan which will not be bullied by EirGrid.

I will obtain the EirGrid files published by *The Northern Standard* for the Minister because they contain serious insights into what is, as has been said, a very unhealthy relationship between the Minister's Department and EirGrid.

Deputy Denis Naughten: I do not monitor anyone's social media account, nor do-----

Deputy Shane Cassells: I have the evidence here. Shall I read it out?

Deputy Denis Naughten: I do not dispute what the Deputy stated but-----

Deputy Shane Cassells: I have it here. I will hand it to the Minister.

Deputy Denis Naughten: -----I do not monitor social media accounts, nor do any of the staff who work with or were personally appointed by me. Every Member of this House is legitimately entitled-----

Deputy Shane Cassells: The Minister's senior officials are listed in the email.

Deputy Denis Naughten: -----to raise any issue in the House with me or any other Minister and I will always try to respond to the best of my ability. I understand the frustration that the reports have not yet been published but it was important for me to provide the Cabinet with a comprehensive review of all aspects of the matter, and I think Deputy Brendan Smith in particular will understand and appreciate that. Brexit is a big issue and it is important that we carry out a full assessment of its possible implications. I intend to bring that to Cabinet very shortly and I will publish the two reports to which I have referred as soon as I have done so.

An Leas-Cheann Comhairle: Deputy Brendan Smith had two questions in this grouping so is entitled to another speaking slot.

Deputy Brendan Smith: I anticipate some interesting discussions at the Cabinet table when the Minister presents those reports because his colleague, the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, stated some time ago that one would expect civil disobedience if the project were to proceed on the basis of the transmission cables being overground.

I was very surprised that the Minister, Deputy Naughten, allowed the procurement process to continue while the projects are the subject of proceedings in the Irish Supreme Court and the Court of Appeal in Northern Ireland. Why was the procurement process allowed to continue while the project is the subject of those court proceedings? We know that decisions cannot be made on major infrastructural projects North of the Border because of the governance situation

in Northern Ireland.

Deputy Denis Naughten: As Deputy Brendan Smith is aware, there are judicial proceedings under way North of the Border and in this jurisdiction. As he is also aware, on 6 September the Secretary of State for Northern Ireland, Ms Karen Bradley, announced that legislation is to be introduced in the House of Commons to deal with the issues that have been raised regarding the Arc21 waste incinerator judgment. There are similar issues in regard to the North-South interconnector. As the Deputy is aware, we expect that the judicial review in this jurisdiction will be heard soon. No works have commenced during this procurement process. I have stated that on several occasions in the House and explained why the process is proceeding, but there will be no works until we have clarification regarding the consent process.

An Leas-Cheann Comhairle: I acknowledge that Deputy Niamh Smyth has requested to speak on the issue but the time allocated for the matter has elapsed.

Waste Disposal Charges

49. **Deputy Thomas P. Broughan** asked the Minister for Communications, Climate Action and Environment if the waste collection price changes have led to a change in customer behaviour, that is, increased use of the green and brown bins; if this aspect of waste collection is being monitored; and if he will make a statement on the matter. [37453/18]

Deputy Thomas P. Broughan: I have been following the reports of the price monitoring group, PMG, on household waste collection. I note it was to finish its work in June but the Minister extended its remit. Was that considering his concerns about the introduction of green bin charges, about which constituents are deeply unhappy, on foot of the decision of China not to accept any more plastic waste? I fiercely opposed the privatisation of the household waste management system but we do not have a regulation system. It is a totally failed system. Householders, certainly in the Dublin region, are very angry about the introduction of this charge, which is sometimes up to €5 extra per collection per month. They believe the Minister has not been prepared to monitor and control the waste management companies, including what they would allege are the many cowboys in this industry.

Deputy Denis Naughten: In June 2017, in line with commitments set out in A Resource Opportunity - Waste Management Policy in Ireland, and in the interest of encouraging further waste prevention and greater recycling, the Government decided to phase out flat-rate fees for household waste collection. All waste collection permits were amended by the National Waste Collection Permit Office to require that no flat fees would be charged after 30 September 2018.

Household waste collectors are required to charge fees which respect the waste hierarchy and encourage customers to segregate their waste. The last two months of data from the price monitoring group reported that no flat-rate fees are being offered across the 47 service offerings being monitored.

The Environmental Protection Agency, EPA, is charged with reporting data on waste management. A wide range of waste statistics are available on the EPA website, including national waste reports and data releases containing information on municipal waste, infrastructure, packaging, construction and demolition, and composting and anaerobic digestion of biodegradable waste generated in Ireland. The most recent data indicate that the quantity of biodegrad-

able municipal waste diverted from landfill and sent for composting and anaerobic digestion increased by 19% between 2015 and 2016, from 194,000 tonnes to 231,000 tonnes. It is very important that timely and accurate data on waste are available so that policy decisions on waste can continue to be evidence based.

In this regard, a new national municipal waste characterisation study, which commenced in December 2016, will be completed shortly. The last study was carried out in 2008 and it is anticipated that changes in consumer behaviour, in products placed on the market and changes in waste policies and legislation will have impacted upon the characterisation of municipal waste since 2008.

My Department has also funded the provision of public information to encourage waste prevention and segregation through the regional waste management offices and the Environmental Protection Agency. These initiatives include a national standardised list of items that can go into the recycling bin, available at *recyclinglistireland.ie*; a master recycling programme, in partnership with environmental non-governmental organisations, NGOs, to roll out 650 workshops nationwide; Reuse Month, the annual nationwide campaign in October to promote reuse among householders and businesses; the Stop Food Waste programme, which provides comprehensive information about food that is wasted and how to prevent it to both householders and businesses; and information on how to use the organic bin appropriately, at *www.brownbin.ie*.

The abolition of flat-rate fees, together with increasing use of compost bins and continuing awareness campaigns funded by my Department, will assist Ireland achieve current and future EU waste targets.

Deputy Thomas P. Broughan: Is the Minister not achieving the direct opposite of what he wanted to achieve? We have an increasing problem in our region of dumping on amenity lands over many of the Dublin constituencies. With the major charges on the green bin, people perceive now that prices are constantly increasing and that the market is dominated by a cartel, a small group of companies. I note, for example, that the Minister's own price monitoring group states that of eight companies that changed their prices, six increased them. I note also that there are about 60 waste management companies, yet the price monitoring group is monitoring approximately 26 of them, which is less than half. Has the Minister given any consideration to having a maximum percentage to ensure that larger monthly costs cannot be imposed on consumers? This is a bit like another part of the Minister's Department, namely, the communications area. For ordinary consumers, tariffs from companies, at least one of which seemed to have its headquarters in the Isle of Man, not in this country, are incredibly complicated and difficult. Inexorably, prices are rising, and that often discourages rather than encourages people to recycle.

Deputy Denis Naughten: The price monitoring group reports have been published on our Department website and they show that there is not price gouging across the sector. In some cases, there have been very marginal increases. In other cases, there have been price reductions. All of that data is being collected by an anonymous shopper who is potentially purchasing these services. It is monitoring across the spectrum of companies that are involved in it.

A separate independent review of our household waste collection system is being carried out by the Competition and Consumer Protection Commission, CCPC. That is expected to be completed by the end of this year and will show a clear reflection of what is happening across the sector. We can all welcome the completion and publication of that review and if policy deci-

18 September 2018

sions need to be taken on foot of that, we can look at that then.

Deputy Thomas P. Broughan: I am glad to hear about the Competition and Consumer Protection Commission review. We will have it before the end of this year because it is urgently needed. The Minister extended the PMG study.

Deputy Denis Naughten: Yes.

Deputy Thomas P. Broughan: Did that not indicate that he was concerned about price gouging relating to the green bin? Generally speaking, people are well intentioned about household waste management. They want to do their best for their community, the environment and the country but they need to be encouraged in that regard. I am one of those who bitterly opposed the privatisation of the household commercial waste sector but the continuous stream of complaints I get about the total lack of transparency in terms of household waste management fees is a grave responsibility, which I do not believe the Minister has grappled with yet.

I have a final question. On the proposal for the €75 annual support for people with lifelong or medical incontinence, I understand the Department was talking about providing special support in that area. When will the Minister be able to announce that?

Deputy Denis Naughten: First, if I had not extended the PMG remit until the end of the year, I would have been criticised for being anti-consumer regarding it. Now, the Deputy is questioning the reason I extended it. I extended it to ensure there was consistency in respect of-----

Deputy Thomas P. Broughan: The Minister knows there is something wrong, does he not?

Deputy Denis Naughten: -----the monitoring. I accept there is an array of charges and complexity in respect of them. The Deputy is right. It was an issue in the telecoms area and the regulator has addressed that. This might be something that will be reflected in the CCPC report and which we will have to look at in that context.

Regarding medical incontinence, my Department is continuing to work on the development of a mechanism to provide the €75 support for persons with lifelong or long-term medical incontinence to help meet the average annual cost of disposing of medical incontinence products. Unfortunately, this process has taken longer than I had envisaged due to data protection issues that arose with the introduction of the general data protection regulation, GDPR. I am committed to introducing an annual support as soon as practically possible in conjunction with the relevant agencies and stakeholders. We have the funding, and I hope that I can make an announcement on that quite soon.

Question No. 50 answered with Question No. 48.

Petroleum and Gas Exploration

51. **Deputy Bríd Smith** asked the Minister for Communications, Climate Action and Environment the extensions and renewals to licences for petroleum exploration issued in 2018; and the way in which the issuing of these licences is compatible with commitments to tackle climate change. [37615/18]

Deputy Bríd Smith: I assume the Minister of State, Deputy Kyne, is taking this question. He usually does. I think I have asked a similar question previously. I will come to the reason I ask that question but I want to ask him about the extensions and renewals of licences for petroleum exploration issued this year and the way in which the issuing of these licences is compatible with and complements our commitments to tackle climate change.

Minister of State at the Department of Communications, Climate Action and Environment (Deputy Seán Kyne): Details of all petroleum exploration authorisations granted are published on my Department's website on a quarterly basis. In addition, I am required to lay before the Oireachtas under the Petroleum and Other Minerals Development Act 1960 half-yearly reports detailing all petroleum authorisations granted during the period of the report. The last such report was in respect of the six-month period ending 30 June 2018. To date in 2018, 12 licensing options have been converted to frontier exploration licences and the terms of the phases of three exploration licences have been extended.

Ireland will, within the EU and UN climate frameworks, pursue and achieve a transition to a low-carbon, climate-resilient and environmentally sustainable economy, underpinned by a secure and competitive energy supply, in the period to 2050. Within that context, it is accepted that Ireland will continue to require and use some, but significantly reduced, fossil fuels to meet the needs of our people, public transport, haulage, aviation, marine, home heating requirements, farming sector, medical device sector, manufacturing and industry. In that transition period, the development of Ireland's offshore oil and gas resources has the potential to deliver significant and sustained benefits to the people of Ireland in terms of national and local economic development, technology learning, enhanced security of supply, import substitution and fiscal return. What is not compatible with Ireland's commitments to tackling climate change, however, is continuing to use the same levels and mix of fossil fuels that we use today. Demand levels must drop significantly. Therefore, the Government's approach to tackle emissions from fossil fuels is to focus efforts on energy efficiency and renewable energy, which the Minister, Deputy Naughten, has highlighted on numerous occasions and which make essential contributions to all of the major objectives of climate and energy policies, including improved competitiveness, security of supply, sustainability and the transition to a low-carbon economy.

Deputy Bríd Smith: Every time I ask a question on climate change, I can locate it in the context of another climate disaster or global event of climate and weather extremity. This week, we saw such extremes in the USA and the far east and the absolute destruction to life and planet they have caused. That is why I bang on about this all the time. Our situation and the threat to our planet and our lives on it are not getting better. The situation is increasingly getting worse and the evidence is out there.

I ask the Minister of State this question again to highlight an issue that was brought to the fore at the Joint Committee on Communications, Climate Action and Environment's discussion of my Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018, which took place on 2 July 2018. Dr. Amanda Slevin pointed out at the meeting that the way in which we issue licences and extensions means that private companies such as Providence can effectively lay claim to huge tracts of the ocean bed for long periods. There is a labyrinthine process of extending licences and leaseholds of which companies take advantage. On top of that, we heard about Ireland's very generous tax regime for oil and gas companies. If they do actually make any finds, the State gains very little financially as a result of that tax regime.

18 September 2018

Deputy Seán Kyne: The vast majority of people in this House understand and accept the threat to our planet and the real, visual impact that we see in different parts of the world. That is why the Government wants to reduce the use of fossil fuels. I have been at pains to point out that the Bill the Deputy has proposed will not do anything to reduce the use of fossil fuels. It will mean we will be entirely reliant on other countries for the import of our oil and natural gas into the future. That is not the same as achieving the objectives we all share in terms of reducing the use of fossil fuels and meeting our climate targets and ambitions. That is the issue I have.

Regarding the tax regime, there have been changes which are part of the Finance Bill and which have taken place and have been agreed here in Dáil Éireann at various stages. They have been put in place based on best international practice.

Deputy Bríd Smith: That is fair enough. We have obviously a very serious difference about how to tackle climate change: it emerges every time we have this discussion. The Bill I have before the House passed Second Stage. There was strong cross-party support for it although the Government may be opposing it. What the Government is doing by extending these licences and leaseholds is attempting to sabotage that Bill. If it does pass, the effect of it will be to say that we are leaving fossil fuels in the ground. That is the point of it. Science tells us that we must leave 80% of the known reserves in the ground, never mind finding new reserves, in order to reach our targets under the Paris Agreement. I believe the continual issuing of licences and extending of leaseholds is an attempt to sabotage the essence of that Bill, the aim of which is to say that Ireland will be a leader in terms of challenging the overuse of fossil fuels, their over-burning and over-extraction on a global scale. We could be a leader as one of maybe five countries that will have achieved this. I am just making the point and pointing out to the public that the extension and continued issuing of licences flies in the face of the Government's commitment on climate change.

An Leas-Cheann Comhairle: The Deputy is over time.

Deputy Seán Kyne: The Deputy's Bill passed Second Stage with a lot of support. I know the Bill is currently being debated as part of a wider discussion on energy security. The Deputy cited people who came before the committee and I know there were a number of experts on all sides who spoke. It is up to the committee now to decide on the next step. It may pursue the Bill as is, there may be a vote to end discussion on the Bill or it may be progressed to full Committee Stage with amendments to come back before the House. That will be the democratic decision of the committee.

The Government has its point of view. We are in a minority. We will put forward the case in respect of what we are doing, which is trying to reduce the use of fossil fuels rather than being wholly reliant on importing fossil fuels at the end of a pipeline or shipping lane. Who knows how future world turbulence might impact on the security of supply that we have in this country? That is why we are supporting the continued exploration offshore. However, we are a minority Government and the full Dáil and Seanad will determine the Deputy's Bill if the committee chooses to pursue it.

National Broadband Plan

An Leas-Cheann Comhairle: We will move on to Deputy Bríd Smith's next question but I ask her to forfeit her initial 30 seconds and call on the Minister to respond immediately.

Deputy Bríd Smith: Am I being asked to forfeit my 30 seconds?

An Leas-Cheann Comhairle: If you do so, we will be able to take your supplementary question. Otherwise-----

Deputy Bríd Smith: Am I being asked to do so or is the Leas-Cheann Comhairle assuming it? I have no problem with the request.

An Leas-Cheann Comhairle: -----I can bring the questions to an end. I am only being helpful.

52. **Deputy Bríd Smith** asked the Minister for Communications, Climate Action and Environment the way in which the national broadband plan will meet its targets; if there have been changes to the costs of the plan from when it was first announced; and if he will make a statement on the matter. [37617/18]

Deputy Denis Naughten: The target of the national broadband plan, NBP, is to bring a high-speed broadband connection to every single premises in Ireland as effectively and efficiently as possible. This means no home, business, school or community is left without access to high-speed broadband. This is being achieved in two ways, through investment by commercial operators and, where this will not deliver, through a State intervention. Commercial investment has totalled €2.75 billion over the past five years. This means that today more than 15 out of 20 premises have access to high-speed broadband commercially. Without the catalysing effect of the national broadband plan this would simply not be the case. My Department is in a formal procurement process to select a company that will roll out a new high-speed broadband network in the State intervention area.

I am pleased to inform the House and, more importantly, the 540,000 families and businesses that are awaiting high-speed broadband across the country, that today marks a historic milestone for the Government's national broadband plan. Earlier today, the remaining bidder in the national broadband plan procurement process submitted its final tender to my Department. Over the coming weeks, the Department's procurement team will evaluate the submission received today. I am looking forward to receiving the output from that particular evaluation.

Deputy Bríd Smith: I am here just over two years and, in those two years, time after time the Minister has come in here to eulogise the privatisation of broadband. I almost feel sorry for him that by now he is probably choking on his words. He repeatedly says what a wonderful plan this is and what it is going to do for the country. Bidder after bidder has fallen aside but the Minister still comes in here to justify the privatisation of broadband. We are now on the hook to the remaining bidder. The Minister will not tell us who it is or how much it is costing but we will find out soon enough when the decision is actually made.

Will the procurement team that is looking at this bid be in a position to say "no"? If it says "no", where then does the Minister go? Is there any possibility that we could keep in public hands even a fraction of this service? The root of all this lies at the original decision by Fianna Fáil to privatise Telecom Éireann, and we all know what a disaster that was. The Minister is eulogising privatisation when it is made clear time after time that just getting rid of important national infrastructure like this is a mistake. Can the Minister say "no" to the current procure-

18 September 2018

ment bidder if that is a decision that his procurement team could make? Could we realistically see any attempt by the State to hold on to some of this important national infrastructure?

Deputy Denis Naughten: The procurement team will evaluate the tender. It is up to the team to come up with a recommendation. We have received the final tender from the bidder. This must be assessed and evaluated by the 80-strong team that has been involved in this very complex process since the end of 2016. It has been frustratingly slow, particularly for the 543,000 families across rural Ireland and businesses that have been waiting on this. This is something to which I have been personally committed for a long number of years. I want to see this fulfilled to give people access to a basic piece of infrastructure that everyone should have as a right.

Deputy Bríd Smith: I recently heard the Taoiseach eulogise the Land Development Agency, comparing it to the electrification of Ireland, a comparison I often use when I talk to the Minister about broadband. I think that is a joke but I also think it is such a shame that we privatised broadband. It will go down in history as one of the worst decisions this Government has made. Of course, I welcome and look forward to those 450,000 homes and businesses getting access to high-speed broadband. They have been promised it for years and it is about time they got it. However, I believe that this is a disastrous decision and that the Minister has been made a bit of an eejit by all these bidders who dropped out one after the other and left the Minister to come in here to try to justify what is going on. When we do find out who the bidder is and how much it has cost, we will see whether the Minister can ever justify what has happened to our national broadband infrastructure.

Deputy Denis Naughten: The assessment of the tender that has been submitted will now take place. I await the report on that from the procurement team. A process must be completed and this process will proceed.

Written Answers are published on the Oireachtas website.

Saincheisteanna Tráthúla - Topical Issue Debate

Home Care Packages Provision

Deputy Fiona O'Loughlin: I assume the Minister of State, Deputy Finian McGrath, is taking this as, unfortunately, the Minister for Health is not here. I wish to raise the horrific situation in which so many patients and families in community healthcare organisation, CHO 7, an area that includes my county of Kildare and parts of west Wicklow, and CHO 8, which includes Laois, find themselves. Figures recently supplied to me show that some 6,458 older people are waiting for home care packages. According to the latest response I received to a parliamentary question, there are 724 people waiting on them in CHO 7 but when I rang the services, I was told that the same number of people were waiting for them last year so this is an ongoing issue. It is shocking. These figures are unacceptable.

There are many challenges in the health system, not all of which are about funding but come down to management and mismanagement. However, this is clearly an issue of funding. One

family I have been helping applied for funding for the mother, who is 90 years of age, and was told funding would be provided after two weeks. The family was just about able to bear the financial brunt for two weeks but after those two weeks, it was told that no funding was available. Another family I know has been waiting for a home care package to bring their mother from Naas Hospital. In the meantime, she is taking up a bed that is needed for other people. I spoke to a nurse in the area today who told me about an 85 year old woman who broke her ankle three weeks ago and was allowed out of hospital last week. No care package could be provided. The woman was unable to shower, lives on her own and has been waiting two and a half weeks. It is a disgrace. We need to do far better. I will have more to say in my supplementary.

Deputy Martin Heydon: I wish to raise the issue of home care packages and home support services and the significant waiting lists in the Kildare-west Wicklow-south Dublin area. As the Minister of State is aware, it is called CHO 7. I have been dealing with a number of constituents who include stroke victims, cancer sufferers, people suffering from early onset dementia, older people who need additional support and a person recovering from the removal of their colon. I have been dealing with these cases all summer. Many of these people are in Naas Hospital, other hospitals or the community awaiting these additional supports. They are taking up hospital beds they do not need. There are people on trolleys in Naas Hospital who could be in those hospital beds. The people in those beds who have these issues have applied for home care packages. The waiting list is there because the budget seems to have been eroded earlier in the year. It makes no sense. Those people want to be at home, as would we if we were sick and could be cared for at home.

Some very basic questions need to be asked. First, we must reach a situation where the very significant waiting lists in the Kildare-west Wicklow-Laois area are reduced and dealt with as soon as possible. These are real human stories that are very harrowing to deal with. However, it is also not even smart. Even if it is an accounting exercise on the part of somebody in the HSE or the Department, it is not a good use of resources. We need to support people so that they can be minded at home to free up those hospital beds for people on trolleys who need them because those beds are very expensive for people who are in them, never mind the fact that they do not need or want to be there. If we compare the Kildare area of CHO 7 with CHO 4, which covers Kerry and Cork, we can see they have similar populations of over 650,000 if we include south Dublin in our area yet CHO 4's waiting list in June 2018 was less than a quarter of that of CHO 7. Did they have the same budget to start with, were they managed differently and how has this been allowed to happen? We cannot allow this to happen in the future.

Minister of State at the Department of Health (Deputy Finian McGrath): I thank the Deputies for raising this very important issue. I know they have a particular interest in developing services in CHO 7. The overarching policy of the Government is to support older people to live in dignity and independence in their own homes and communities for as long as possible. Home care is an important part of the supports for enabling older people to remain in their own homes and communities for as long as possible and for facilitating their discharge from acute hospitals.

Since being appointed as Minister of State with responsibility for older people, Deputy Jim Daly has made improved access to home support services a key priority. Progress in this area is reflected in the additional funding made available for the winter of 2017 and 2018, the increased funding and level of activity for 2018 and the work being progressed on the development of a statutory home care scheme.

18 September 2018

Home support services were a particular focus in budget 2018 with an additional €18.25 million allocated. The HSE has operational responsibility for planning, managing and delivering home and other community-based services for older people. Services are provided on the basis of assessed healthcare need. The HSE 2018 national service plan provides for over 17 million home support hours to be delivered to 50,500 people at any time. Intensive home care packages for people with more complex needs are being provided to approximately 235 people at any time delivering approximately 360,000 hours in the full year. A further 156,000 hours relating to adverse weather funding earlier this year will also be provided.

This year's home support budget for CHO 7 is about €47 million with an additional adjustment in spring of €1.4 million in view of sustained pressures in the community and to address delayed discharges in hospitals. At the end of June 2018, there were 6,683 people in receipt of home support services in the CHO 7 area.

Working within its available resources, the HSE has sought to maintain and, where possible, to expand the range and volume of services available to support people to remain in their own homes, to prevent early admission to long-term residential care and to support people to return home following an acute hospital admission. Despite this significant level of service provision, the demand for home support continues to grow. It is important to note that the allocation of funding for home supports across the system, though significant, is finite and services must, therefore, be delivered within the funding available. In that context, it is acknowledged that in some cases, access to the service may take longer than we would like. However, the Minister of State, Deputy Jim Daly, is satisfied that the HSE monitors the delivery of home care on an ongoing basis to ensure that activity is maximised relative to the individual clients' assessed care needs within the overall available resources for home support and having regard to demand throughout the year.

As part of the Estimates process, the Department is actively engaging with the Department of Public Expenditure and Reform regarding funding for services for older people in 2019, including home support services. I have listened carefully to the issues raised by Deputy O'Loughlin in regard to the 90 year old mother who is waiting and the person who is in Naas hospital due to the discharge issue. Deputy Heydon mentioned stroke victims and also the issue of hospital beds and home care packages. Of course, these are priority issues. I will bring the points raised in the debate to the attention of the Minister.

Deputy Fiona O'Loughlin: To be honest, that answer is not worth the paper it is written on. There is nothing there that could in any way satisfy the 796 people who are on the waiting list. I outlined these specific cases. How many more cases are there across the country where people are taking up hospital beds when they just need to have a home care package in place? More funding has to be allocated for 2019 if the Government wants to see any reduction in the number of people waiting in hospitals for a home care package.

We are currently in a trolley crisis. August was the worst month on record and I heard this morning that 33 people are on trolleys in Naas hospital. Families cannot afford to put supports in place but they hate to see their relatives unable to come home due to the lack of supports. This is putting them in penury. Something has to be done to resolve the issue. Home care is a far better system for the patient and for the taxpayer when one considers the cost of keeping people in hospital. The Minister of State has to give solid answers and a solid vision for improving the current system. It is simply not good enough.

Deputy Martin Heydon: I thank the Minister of State for his response but questions have to be asked. Was the initial budget for the home care package for the greater Kildare area sufficient to start with? Why is there such a disparity between our area and other areas of similar population, given waiting lists are greater in our area? I accept additional funding was given in the spring of this year as a result of Storm Emma, which affected many parts of the country, although Kildare appears to have been disproportionately affected. However, that additional money did not provide any extra home care packages for the Naas hospital area because it all went to Tallaght and St. James's hospitals. I suspect that not much money went into the community either.

That is a challenge for us and we have to learn from it. I acknowledge the role management play in Naas General Hospital, although I suspect managers were nearly punished in the spring for not having many delayed discharges and for managing as well as they possibly could. I deal with some great people who are managers in the HSE and the Department of Health. While that is great on an individual basis, the system has to be looked at and we have to learn from this situation. First, we have to ensure money goes in and that we clear the backlog of the significant number of Kildare people who do not have access to home care packages but who need them. Then, we need to understand why this happened and ensure it does not happen again. I will keep asking these questions until I get answers because this is too serious and there are too many people affected by it.

Deputy Finian McGrath: Arrangements for home care have developed over the years with a significant local focus and there is considerable variation in accessing services in different parts of the country. It is accepted there is considerable demand for home support services over and above the existing service levels, so the Deputies have hit the nail on the head with their main points.

A Programme for a Partnership Government includes a commitment to increase funding for home support services and, as I mentioned, the Department is actively engaging with the Department of Public Expenditure and Reform in regard to funding of older people's services in 2019, including home support services. The Department is actively engaging on this issue and we are listening to the concerns. My Department is currently engaged in a detailed process to determine what type of home care support scheme is best. I am happy to say we reached an important milestone in the development of a new support scheme in June, when we published the report of the findings of the public consultation on home care. The consultation process took place last year and approximately 2,600 submissions were received. The report includes a number of interesting points made by respondents in regard to innovative new models and it is available on the Department's website. The findings will now be used to help to inform the design of the new home care scheme.

In the meantime, the Department and the HSE are continuing to improve the existing services, including in 2018 through the introduction of a single funding stream for home support services. This new approach is providing significant benefits, including making services easy to understand, streamlining the application and decision making processes and facilitating service users to move to changed levels of service as their needs change, without the need for an additional application process.

However, there is also another reality, which is that there has been a 12% growth in the overall population, a 59% growth in the population aged over 65 and a 95% growth in the population aged over 85. A classic example of what we are trying to do is that the HSE has undertaken

18 September 2018

a new tender for home care, which is expected to run from 1 September 2018 until December 2020. A list of 48 approved providers is available for the provision of home care support services across the nine CHO areas.

Social and Affordable Housing

Deputy Aengus Ó Snodaigh: I do not know if the Minister of State is aware of the financial situation of MDY Construction. Some reports suggest it is in receivership or, if not, it is definitely in financial trouble, given that all of the subcontractors have taken all of their equipment and left all of its sites. This has left social housing units either just started, half-complete or literally days from completion.

What I want from the Minister of State is reassurance, in particular for those waiting for housing in Orchard Meadows in Cherry Orchard, where this week 35 homes were meant to be allocated to families who have been waiting for them, some of whom have managed to delay their notice to quit from landlords but who now have insecure tenancies because they were meant to move into these new homes this week. At Dolphin Park, which is a senior citizens complex where the Minister turned the sod in April, the project was flying ahead but is now totally stalled. There are other sites where work has stalled, for example, at Kilbride in County Wicklow, where more than 40 social housing units were due to be ready next year. The reassurance I am looking for is that everything that can be done will be done to deliver these homes to the families who are waiting for them, in particular the homes in Cherry Orchard, which are in a state of readiness. I visited the site twice in the last month and I see no reason these homes cannot be allocated to the families who have already been told which house they will have. Let us think about that. They have already put their children into schools locally in anticipation of the move, given the project has already been delayed by a number of months thus far.

That is one job of work. The other job that needs to be tackled by this Government is the continuous abuse of subcontractors. Here again we have workers and subcontractors with no wages and no income, which will cause other financial difficulties, if not collapses of small companies. This needs to be borne in mind.

Deputy Bríd Smith: To add to that, I doubt if there are many in this House who can imagine what anticipation, hope and joy a family have when they are told, after years of waiting, with many of them in homeless accommodation, that this is their home. Deputy Ó Snodaigh spoke about the homes in Cherry Orchard, which are gorgeous. They are passive housing and have lovely fitted kitchens and so on. They are waiting to be occupied but we then hear that MDY Construction has gone under. We are not sure how it has gone under but I am told by local council officials that there is the involvement of a vulture fund. Will the Minister of State tell us if it is the case that a vulture fund has called in a historical debt from this building company, which is involved in building State-funded affordable and social housing? If that is the case, are we not in a mad situation in this country where vulture funds are literally handed, for little or no money, profitable land and housing? They have gobbled up nearly everything that remained from the crisis through NAMA and they are being given more and more each day. Now, it appears their actions are halting the much-needed building of social and affordable homes. This is like another Carillion, except that this time it affects people who have been on housing waiting lists for long periods in places like Cherry Orchard, Rialto and Wicklow. How do we justify this?

We need answers and, more importantly, action. While the local authorities are doing their best, as stated by the Department, what does that amount to when 36 families are anxiously waiting to move in and a whole set of residents have been discommoded because there is no capacity to move the mounds of earth surrounding their estates or reopen their park? All of this is happening. Days go by, rumours spread and the community is losing hope. They do not deserve that. With all of his plans for a housing development agency, the Minister, Deputy Eoghan Murphy, must take action. We also need answers as to what has happened here.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I thank Deputies Ó Snodaigh and Bríd Smith for raising this matter which I am taking on behalf of Minister, Deputy Eoghan Murphy. It is unfortunate and regrettable for all concerned that MDY Construction Limited is experiencing financial difficulties and has ceased work on a number of construction sites. It is the main contractor for a number of social housing projects with Wicklow County Council, Kildare County Council, the FOLD housing association and Co-operative Housing Ireland. In all, there are around 190 new social housing units across these projects and they are at different levels of advancement. The contracting body in each case is either the local authority or the approved housing body responsible for the project delivery, and they are therefore dealing directly with the issues arising from the main contractor discontinuing construction work on these sites.

Without question, these projects will be completed in full and as soon as possible. Despite the risk of delays arising, we have seen in situations where this has happened with social housing projects before that local authorities and housing associations have done all the due diligence needed and completed the projects. That is what will happen with these projects. At this early stage, it is a matter which local authorities and approved housing bodies are handling and the Department will continue to keep in close contact and work continuously with them to facilitate the earliest possible recommencement and completion of all the projects. The necessary steps have been taken by the local authorities and approved housing bodies to secure their sites and, as I speak, the legal and financial issues are being addressed. It would be inappropriate for me to pre-empt the appropriate decisions and actions to be taken by the contracting bodies. It is important they secure the sites, as they have done, and take the correct next steps as early as possible to support the earliest possible completion of the projects.

Regarding media reports which have suggested that these developments will become ghost estates, I note that this is simply not the case. As I have said, we intend that these projects will be completed as soon as possible and that the social housing homes will be made available to the people who need them, fully complete and built to the usual high quality we have seen with the social housing developments completed each month. The provision by the Minister of the funding and support necessary to complete these projects will not be an issue. Local authorities and housing associations know that and they are taking the necessary steps to handle the challenge as a matter of urgency and to move the projects forward.

Deputy Aengus Ó Snodaigh: MDY did not cease building, rather the subcontractors ceased to build because they had not been paid. They have removed scaffolding and all of their equipment from the sites because, once again, subcontractors have been screwed by a bigger company which would not pay them what was due. The other people who have been screwed in this instance are the tenants, in particular those in Cherry Orchard. The reason I focus on them is that the houses in Cherry Orchard were ready to be occupied. I have visited quite a number of them in the past month and I note that they are in walk-in condition. They are of a high standard. The families have visited them and been told what number they will have. A woman I

spoke to yesterday was in floods of tears because she is due to leave her rented accommodation on 3 October. She had managed to get an extension from May on the basis that she would be in by July. That is what people were told originally. A significant number of the other tenants who will be moving in have children with autism and other disabilities and have been looking forward to homes with gardens. They have enrolled their children in local schools and, while they remain away from the vicinity, they have had to make travel arrangements for the past two months to Ballyfermot and Cherry Orchard.

Dolphin Park is next to an existing facility for senior citizens, which it is to replace. That is 43 houses. There is also a primary care centre. Communities are asking what assurance they can be given that there will be no undue delay. I want the Minister of State to provide a commitment, in particular in the case of Cherry Orchard, that people can move in this week. The houses which have not been handed over are within a day of being finished.

Deputy Bríd Smith: We have to take seriously the urgent need to complete the projects and move people into their homes in Cherry Orchard. One of the subcontractors says it is disgraceful how things have gone with Ireland's housing crisis. He says it is not MDY's fault, but is rather something in the background we do not know about, which is having a knock-on effect with every supplier and subcontractor. He says that while MDY wants to fulfil the contracts, it cannot for whatever reason.

I ask again. Is a vulture fund involved in pulling MDY's money and pursuing a historical debt? If so, will we eventually do something about the use of vulture funds in the property market in this country? It is causing untold misery for all of these families in Cherry Orchard and beyond. I say to those in Cherry Orchard, Rialto and everywhere else who have been affected that the best thing they can do is be outside the Dáil on 3 October for the national housing demonstration to call on the Government to end once and for all the use of the private market to deal with the public housing crisis. The Government must build social and affordable houses on public land and stop using private markets where companies are themselves being caused hardship when vulture funds pull out. Will the Minister of State answer the question on vulture funds and provide a commitment that the houses will be occupied?

Deputy John Paul Phelan: I have provided the commitment that the houses will be occupied as soon as possible. I am not familiar with the financial situation of MDY but I will try to find out and ascertain if I can the reasons for its financial difficulties. They have not been brought to my-----

Deputy Bríd Smith: Will the Minister of State email us?

Deputy John Paul Phelan: I will get the officials to respond, if they are in a position to do so, on the financial difficulties of MDY. The issue raised by both Deputies on subcontractors is a valid one and the subject of at least one Private Members' Bill. There may be others. There have been other examples nationally in recent times where subcontractors have been left high and dry following the collapse of larger construction businesses.

On the points Deputy Ó Snodaigh makes about Cherry Orchard, I note that of the 72 units to be constructed, 36 are completed and 36 are under construction and due, originally, to be completed by November 2018. I cannot give a commitment that they will be occupied this week, but I can try to establish from the local authority and the approved housing body when it is expected they will be occupied. As someone who has been involved in politics for 20 years, I

understand the sense of hope for a family who have been on a housing list for a long time. They know the house they are supposed to get, but this suddenly happens and they do not know when they can move in. It is certainly not a position the Government supports in any way. Those 36 houses should be occupied as soon as possible. We will revert to the Deputies with specific answers to the questions.

An Ceann Comhairle: Is the Minister of State, Deputy Finian McGrath, taking Deputy Donnelly's matter?

Deputy Aengus Ó Snodaigh: Tá sé as láthair. We could have used this time.

Deputy Finian McGrath: It is an important health issue, namely, an update of the health budget.

An Ceann Comhairle: As the Member who tabled the next matter is not present, we will proceed with the Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018. Do we have a Minister to deal with the matter?

Deputy John Paul Phelan: We do not have one, a Cheann Comhairle.

An Ceann Comhairle: I suggest someone needs to wake up and realise there is a responsibility to have people here.

The House stands suspended for five minutes, pending the arrival of whomsoever may deign to join us.

Sitting suspended at 6 p.m. and resumed at 6.05 p.m.

An Ceann Comhairle: As we still do not have a Minister, does Deputy O'Callaghan, as the only Member present, wish to propose that we suspend for a further five minutes?

Deputy Jim O'Callaghan: That is probably suitable. I think the Government and, indeed, all Members of the House are anxious that this legislation be dealt with expeditiously. It is unfortunate that others are not here yet.

Sitting suspended at 6.05 p.m. and resumed at 6.07 p.m.

An Bille um an Seachtú Leasú is Tríocha ar an mBunreacht (Cion a aisghairm arb éard é ní diamhaslach a fhoilsiú nó a aithris) 2018: Ordú don Dara Céim

Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018: Order for Second Stage

Bille dá ngairtear Acht chun an Bunreacht a leasú.

18 September 2018

Bill entitled an Act to amend the Constitution.

Minister for Justice and Equality (Deputy Charles Flanagan): Tairgim: “Go dtógfar an Dara Céim anois.”

I move: “That Second Stage be taken now.”

Cuireadh agus aontaíodh an cheist.

Question put and agreed to.

An Bille um an Seachtú Leasú is Tríocha ar an mBunreacht (Cion a aisghairm arb éard é ní diamhaslach a fhoilsiú nó a aithris) 2018: An Dara Céim

Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018: Second Stage

Minister for Justice and Equality (Deputy Charles Flanagan): Tairgim: “Go léifear an Bille an Dara hUair anois.”

I move: “That the Bill be now read a Second Time.”

I apologise to the House, to the Ceann Comhairle and Deputy O’Callaghan. I did not realise that matters were running as they were.

I am always pleased to come to the House to advance new legislative proposals, many of which have the capacity to impact, often in a most significant way, on the lives of those who live in our country. It is an even rarer privilege to be in a position to propose legislation which, if passed by the Oireachtas and agreed to by the people, will result in an amendment to our Constitution. The Constitution is at the heart of our legal system. It is a document which has withstood the test of time but, as time has passed, it has also gradually evolved to reflect our country and its people as together we have moved from the 20th into the 21st century. Fundamental values are timeless, but some concepts are deeply rooted in a particular time and a particular view of what is socially appropriate. Blasphemy is one such concept, and it is with the removal of the reference to blasphemy from our Constitution that we are concerned this evening.

Before proceeding further, I express my gratitude to the House for agreeing to deal with this Bill in the first week of its return. It was inevitable that some discussion of the Bill would have to take place during the month of September. This is because under the referendum Act 2004, polling must be not earlier than 30 days and not later than 90 days after the polling day order, which can only be made by the Minister for Housing, Planning and Local Government when the necessary referendum Bill has been passed by both Houses. As it is intended that the referendum on blasphemy will take place on the same day as the presidential election, which is 26 October, I am sure that the timing constraints in respect of the passage of the Bill are apparent to everyone.

The Bill I introduce this evening is the Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018. This is a somewhat lengthy Title for what is undeniably a short Bill. However, the Title describes in precise terms the purpose and intent which underlies the Bill. The Bill consists of two sections. The key section is section 1, which sets out the terms of the amendment proposed. The proposal set out in the section is for the substitution of the word “seditious” for “blasphemous, seditious” in paragraph i of subsection 1° of section 6 of Article 40 in the English text. If this amendment is approved by the people in the forthcoming referendum, the relevant part of Article 40.6.1°i of the Constitution will read as follows: “The publication or utterance of seditious or indecent matter is an offence which shall be punishable in accordance with law.”

Section 2 is a standard citation provision, citing both the name of the amendment and the name of the Bill. One of the problems in addressing this topic is that in a modern society it is very hard to reach a common understanding on the precise meaning which attaches to the concept of blasphemy. A simple definition is perhaps one which focuses on the act of expressing contempt or a lack of reverence for God or sacred things. That apparent simplicity is, however, misleading in terms of the complexity which in reality underlines this subject. From presentations made at the Constitutional Convention and other analytical work, it is clear that the understanding of the concept has evolved greatly.

Within the Irish context, the analytical work suggests our legal understanding of blasphemy essentially derives from the common law as it prevailed in England and Wales over the centuries. Thus, in the late 17th century, the rationale for maintaining blasphemy laws was inextricably linked with the need to protect the Anglican religion as the established church. In other words, there was a fundamental link between protecting the state, on the one hand, and the religious system of belief which sustained that state on the other. However, as individual rights came more and more to the fore in social thinking, a new rationale, that of protecting the religious sensitives of believers, became more prominent. By the time the Constitution was adopted, it seems that the focus of our blasphemy laws was very much directed towards speech likely to cause gross outrage to such sensitivities. In addition, by virtue of the various equality provisions in the Constitution, it also seems that the perceived protection offered by the blasphemy provision was not confined to any one church.

The law on blasphemy has been invoked rarely. For example, it appears that the last recorded prosecution for blasphemy in Ireland took place back in 1855 and even that resulted in an acquittal. The public appetite, therefore, for entertaining blasphemy prosecutions does not seem to be that significant. In recent times the position and particulars of the offence of blasphemy in Irish law were considered by the Supreme Court in the case of *Corway v. Independent Newspapers* which involved an application by an individual to institute a prosecution for blasphemy. During the course of that judgment the constitutional framework which guarantees freedom of conscience, the free profession and practice of religion and equality before the law to all citizens was under discussion. It was noted that it was difficult to see how the common law crime of blasphemy, related as it was to an established church and an established religion, could survive in such a framework. The judgment placed particular emphasis on the fact that, while the crime of blasphemy existed as an offence in Irish law because the Constitution said so, existing legislation had not adapted the common law crime of blasphemy to the circumstances of a modern state. The court, therefore, concluded that, given the current state of the law and the absence of any legislative definition of the constitutional offence of blasphemy, it was impossible to say of what the offence of blasphemy actually consisted. This analysis and the implied criticism

18 September 2018

of the Legislature it contained are essentially what led to the much maligned provisions which were set out in sections 36 and 37 of the Defamation Act 2009. Section 36 sets out the elements which characterise the statutory offence of blasphemy. Section 37 concerns powers of entry to premises by An Garda Síochána and related powers for the search and seizure of blasphemous statements. It is fair to say the offence created under the Act is quite difficult to prove. I am not aware that any prosecution under it has taken place. However, Members will probably have read in the newspapers, as I did at the time, that a member of the public had made a complaint to An Garda Síochána about comments made by Stephen Fry in an interview with Gay Byrne on his television programme “The Meaning of Life” in 2015.

Deputies will be aware that a general scheme has been published on my Department’s website setting out the measures which will, in the event of the amendment being approved, be drafted in a formal Bill. While the scheme will be subject to change during the formal drafting process, the core provision it contains - the repeal of sections 36 and 37 of the Defamation Act 2009 - is one to which the Government and I are fully committed. This proposal is not being brought forward in a vacuum. There have been a number of reports in which the constitutional provision on blasphemy has been considered. All of the reports have recommended that the provision be deleted. In 1991 the Law Reform Commission published a report. In 1996 the Constitution review group came to the same conclusion. In 2008 the Joint Committee on the Constitution also concluded that the specific reference to blasphemy should be deleted from the Constitution, as did the Convention on the Constitution in 2014.

I am not going to deny that the proposal before the House is modest. However, there are good reasons for removing the reference to blasphemous matter from the Constitution. One relates to the fact that, for as long as it remains in the Constitution, we have in being a constitutional offence of publishing or uttering blasphemous matter. The provision must be operable. It is clear to me that, for as long as the existing constitutional provision remains, the offence of blasphemy must also remain on the Statute Book, even if it is viewed as being obsolete and alien to the minds of many within our society.

Another reason relates to our international reputation. An outsider looking in sees Ireland as a country with a blasphemy law not just on its Statute Book but also in its constitution. Even if the view is ill-informed, it marks us out as a country which keeps company with those who do not share the fundamental values we cherish such as belief in freedom of conscience and expression. Not only may there be misapprehension about the nature of our blasphemy laws and how they are applied in practice but the very existence of such laws in this jurisdiction gives comfort to other jurisdictions that can use it to justify the more extreme regimes they apply. At a minimum, therefore, there is considerable merit in putting distance between ourselves and such illiberal regimes.

In a society where there is a wide diversity of beliefs, it is simply not possible for the State to guarantee that from time to time individuals will not be hurt and possibly outraged because a form of expression which they might regard as deeply offensive is considered by others to be no more than comment which is humorous or, oftentimes, satirical in nature. Furthermore, notwithstanding the high threshold which must be met if there is to be a successful prosecution of blasphemy, it is not in keeping with best international practice that there should be even the most remote possibility that a criminal prosecution would be taken in such circumstances.

In our current society maintaining the criminal offence of blasphemy in the Constitution and, as a consequence, on the Statute Book has less to do with the protection of religious values

and more to do with an unnecessary and anachronistic check on freedom of expression. It is time for us to move away from the inhibiting effect which a blasphemy law has on our fundamental freedom, even where the effect might be subliminal rather than to the forefront of our minds. It is timely that we affirm our belief in a more inclusive society where communication between those with different belief systems can take place on an equal basis, with tolerance and respect as guiding principles. I acknowledge that the removal of the offence of blasphemy from the Constitution is, on the face of it, relatively small. Nonetheless, it would be deeply symbolic and, in a very tangible way, confirm our status as a modern democratic society where free speech is valued and multiculturalism is embraced. I commend the Bill to the House.

Deputy Jim O’Callaghan: I welcome the opportunity to speak in this debate. Fianna Fáil will be supporting the expeditious passing of this legislation in order that a referendum can take place on 26 October. The purpose of that referendum, if this legislation is enacted, will be to amend Article 40(6) of the Constitution. As people may be aware, that article contains one of the most important rights Irish citizens and others in Ireland have, namely, the right to freely express opinions and convictions. Like every other right, that right is subject to restriction and can be affected when conflicting rights are at stake. However, what we are dealing with specifically in the legislation before the House is a specific restriction of the right to freedom of expression contained within the article. It states the “the publication or utterance of blasphemous [...] matter” shall be an offence. It is clear from the Constitution that there is no ambiguity about it. In 1937 the people made a decision that blasphemy was to be an offence.

The Minister mentioned the decision in 1999 in the case of *Corway v. Independent Newspapers*. It was a very important judgment, as a result of which - I would have thought even before it - it was apparent that the Legislature would have to give effect to the offence set out in the Constitution. It was for that reason that in 2009 the Oireachtas enacted the Defamation Act, in particular sections 36 and 37 which included a specific offence of blasphemy. Had that not been done, it would have left the public in an invidious position. There would have been a common law and constitutional offence of blasphemy, yet the citizen and the public would not have known how that offence would be committed. Neither would the citizen or the public have known the penalty for the commission of the offence. It was for that reason that it was thought appropriate, as well as it being constitutionally necessary, to enact within legislation a specific section dealing with the crime of blasphemy. At the time, the then Minister who brought the legislation through the House was heavily criticised for the fact that it was presented as though he was introducing to Ireland the crime of blasphemy, which was incorrect. The crime existed in 1937 as a result of the enactment of the Constitution. It existed in 2008 and 2009 at the time the Defamation Bill was debated. It exists today as a result of the constitutional provision.

It is important to note that the crime of blasphemy has had a lengthy history. Originally, it was dealt with in the Star Chamber and the ecclesiastical courts. It subsequently developed from the mid-17th century as a common law offence. As the Minister indicated, in Ireland it was very much associated with blasphemy against the established religion. Some of the cases to which the Minister referred, the most recent being in 1855, were examples of people burning bibles. In 1855, when a Redemptorist priest accidentally burned a bible, he was prosecuted but acquitted. The truth of the matter is that no one has been prosecuted for blasphemy since 1855. When the Free State Constitution was passed in 1922, there was no reference to blasphemy in it. The right to freedom of expression was contained in the 1922 Constitution, but there was nothing about an offence of blasphemy. However, the drafters of the 1937 Constitution did see fit to specifically include an offence of blasphemy. Sometimes people are critical of the drafters

of the 1937 Constitution. I am not as it has served the country extremely well. However, like all documents generated in the 1930s, parts of it are outdated, anachronistic and sexist. We will discuss the latter point tomorrow when we will examine the constitutional article in respect of a woman's place in the home. Notwithstanding that, it is inappropriate for the Constitution to set out offences. It is there to set out the fundamental political and constitutional structures for the State. It should not set out what offences are, whether it is the offence of manslaughter or murder, which are not there. Obviously, owing to the *mores* of the 1930s, it was thought appropriate that the specific offence of blasphemy should be included in the Constitution.

The Constitution respects and values the right of individuals to express freely their religious convictions. In a republic it is important that we respect and recognise the rights of individuals to express their religious beliefs. However, that right is contained in Article 44 which expressly states, "Freedom of conscience and the free profession and practice of religion are, subject to public order and morality, guaranteed to every citizen". Religions have had a successful history in Ireland. However, I believe they are now strong enough to survive the abolition of the crime of blasphemy. They should be able to withstand criticism, ridicule or abuse in the same way many other institutions in the State are subject to ridicule and abuse, yet survive perfectly well. If the people remove the crime of blasphemy, it does not mean that they have disrespect for religions. Irish people have respect for religions. However, religions are entitled to be ridiculed. In many respects, that will also liberate religions. For too long the State has provided a support for religions that they do not need in a modern society. They are strong enough to survive on their own two feet without unnecessary anachronistic crimes being contained in the Constitution. If we remove the offence of blasphemy from the Constitution, there will be nothing to stop the Oireachtas in 50 or 100 years from deciding to include the crime of blasphemy in the Statute Book.

People might think the role of the church and the State is at the heart of this debate. It is unquestionably the case that, when drafted in 1937, the Constitution was influenced by members of the Catholic Church. The Jesuit priest Fr. Edward Cahill had a significant say in it, as well as the future archbishop John Charles McQuaid. We should also be aware that it was not that unusual in the 1930s for the Catholic Church to seek to influence the primary document of the State when one considers the history of this island back to the time of the Tudor conquest. However, that is a debate for another time. What is worth noting is that it is wrong to simply present the drafters of the 1937 Constitution as being in thrall to the Catholic Church. History does not support that argument. We know that the Catholic Church had an influence in respect of Article 44, within which the drafters included a reference to the special position of the Catholic Church. However, that was not satisfactory to the church in Rome. We know that the then Cardinal Eugenio Pacelli, later Pius XII, thought it was of no use. Many in the Catholic Church in Ireland also believed Mr. de Valera did not go far enough.

The great achievement of the Constitution is not in those areas on which we now concentrate a lot but in the fundamental rights section. It was not inspired by any Catholic teaching or doctrine but by the 1919 constitution of the Weimar Republic. We need to recognise that the Constitution of 1937 is a much richer and more complex document than is sometimes presented by those who seek to suggest it was a Catholic document for a Catholic people during a Catholic time. When one looks at other constitutions around the world, one can see the value of the Constitution. America cannot change its constitution because of its constitutional framework. That is why so much energy is invested in the appointment of Supreme Court judges whose function is to interpret the constitution. In Britain sovereignty does not reside with the people but

with parliament. Part of the problem in Britain at present is due to this confused constitutional make-up. The great point about the Constitution is that it invested sovereignty in the people. The people can change it if they want to and their elected representatives decide legislation is appropriate. They have done this many times in the past and are able to do it readily through legislation being enacted. That is the great value of the Constitution. It is not frozen in the 1930s. It can be changed readily. It needs to be updated and modernised, but the fundamentals are strong. That is why we have such a successful political system and society.

Deputy Donnchadh Ó Laoghaire: Ba mhaith liom buíochas a ghabháil leis an gCeann Comhairle as an deis labhartha seo a thabhairt dom. Gabhaim buíochas freisin leis an Aire as an reachtaíocht seo a chur os ár gcomhair. Beimid ag tacú leis an mBille ós rud é go bhfuil sé ciallmhar, réasúnta agus ag luí leis an tsochaí atá againn sa lá atá inniu ann.

I welcome the opportunity to speak to the Bill which deals with the removal of the offence of blasphemy from the Constitution. It is an outdated piece of the Constitution. This is an important step forward in a society where the fundamental belief in freedom of speech must be a central tenet and valued by all. The removal of the offence of blasphemy is welcome. I am confident that the people will wholeheartedly endorse this come referendum day with a strong majority, recognising that it belongs to a time and an Ireland long since gone and completely out of place in the Constitution of a modern state.

Unfortunately, partition created two conservative and reactionary states on this island, both dominated in different ways by an attitude which saw a particular religious affiliation or faith privileged. In many instances, it was an extreme interpretation of those faiths. The closeness of the church and the state in both jurisdictions led to the dominant religions abusing their privileged position to the detriment, in particular, of those who failed to conform to the theocratic ideals championed by both the church and the state.

The place of the church in the 1937 Constitution further enshrined the power of the Catholic Church as it filled a power vacuum that existed in the aftermath of the Civil War. It was no doubt held high in the esteem of the people, and their belief in it and its utterances were strong. It was a different Ireland where the church and the State moved hand in hand, and it is difficult to say which had more sway. Unfortunately, it was also a time of book bans, censorship and control and it is clear that blasphemy fits in with this censorious attitude and philosophy.

Tá an sochaí ina bhfuilimid inár gcónaí inniu difriúil go maith. Níl an bhéim chéanna, nó an t-ardú stádaís céanna, ag creideamh amháin thar chreideamh eile, nó ag daoine le creideamh thar dhaoine nach bhfuil aon chreideamh acu. Tá sochaí níos oscailte, níos réasúnta agus níos measartha againn faoi láthair. The society we live in today is much more diverse and more open in its thinking, analysis and beliefs. The need for a referendum is reflective of that and is something that could and possibly should have happened decades ago. Deputy O'Callaghan made points regarding the choices faced by a former Minister, Dermot Ahern, and his belief that he considered legislation was required. It would have been open to him, in the same way as it is open to the current Minister, to bring forward a constitutional amendment, and he should have done so.

That this motion is before us is in part down to what we have seen emerge in the past few decades in the form of scandals concerning mother and baby homes, Magdalen laundries, industrial schools and the significant number of public cases of child sexual abuse which were covered up by the hierarchy of the Catholic Church. It was the hand-in-glove relationship that

allowed such abuses to prevail and blurred the line between the public and private sphere, between church and State and between right and wrong.

However, this is a step towards recognition of a new Ireland, one that is diverse, culturally, spiritually and otherwise, and one that is accepting of all within it, from all faiths and none.

The recent visit by Pope Francis happened in a very different atmosphere from the previous papal visit. The church establishment was challenged and criticised in a way that would have been unthinkable in 1979, much less long before that. This is a healthy development. No institution or body should be immune from challenge or criticism. However, it is important that this does never extend to religious intolerance or prejudice against any particular faith or creed. If there was intolerance by those of religious faith against those without any in the past, and doubtless there was, that by no means should lead to the reverse taking place now.

I want to be clear in stating I have no problem whatsoever in anyone holding religious beliefs. An inclusive Ireland must recognise the entitlement to everyone's own beliefs. Religion is deep and personal to many, and plays a huge role in people's daily lives. It is something in which people find much solace and strength. It can often motivate many to selfless acts of charity and sacrifice in service of the common good. However, what it cannot do is define the laws of our land, something which I believe is wrong and ill-fitting in a modern society. It is in that context that this provision must be deleted from our Constitution.

The next steps in defining a new and better relationship between church and State should ensure decoupling of the State and church from the areas of health, education and public services. The focus should be on developing systems that represent modern Ireland as a whole in all its parts, moving away from an overwhelming religious ethos informing all services towards one which embodies an ethos that is accepting of all creeds and institutions that gives people options and choice.

This is also an important question in terms of the future of this country, not only the country that we are but that we want to become. It is a fact that the issue of Irish unity has become much more widely discussed in recent times. It is my view that in any united Ireland, any new republic, no religious faith could be privileged over any other. An important statement that the State and political parties should make is that this must be the case in any constitutional change and in a united Ireland.

I am a republican; my party is a republican party. We want to build a real republic, representative of all, regardless of religion or any other factor. We want to see a republic, as envisaged by Wolfe Tone, for Protestant, Catholic and Dissenter.

This referendum is representative of an intention to move forward and embrace an ever-changing Ireland. I hope the people endorse this important step but we must also build on it and continue to move in the direction of building a modern, secular, republican State that respects people of all religions and none.

Deputy Sean Sherlock: I think we are all republicans here.

The sentence in paragraph (i) of Article 40.6.1o currently reads, "The publication or utterance of blasphemous, seditious, or indecent matter is an offence which shall be punishable in accordance with law." As I understand it, as amended, the sentence will read, "The publication or utterance of seditious or indecent matter is an offence which shall be punishable in accor-

dance with law.”

I want to refer to the *Corway v. Independent Newspapers (Ireland) Ltd.*, case of 1999. In that case the Supreme Court pointed out the difficulty in prosecuting the offence of blasphemy. The case arose out of an attempt by Mr. Corway to bring a private prosecution against the newspaper for publishing what he claimed was a blasphemous cartoon. The difficulty for the court was that neither the Constitution nor any legislation provided a definition setting out the ingredients of the offence of blasphemy.

At common law, blasphemy consisted only of attacks on the doctrines of the established church, Anglicanism, by way of vilification, ridicule or irreverence. The Minister has alluded to this previously. Mr. Justice Barrington gave the lead judgment and stated:

In this state of the law, and in the absence of any legislative definition of the constitutional offence of blasphemy, it is impossible to say of what the offence of blasphemy consists... The task of defining the crime is one for the legislature, not for the courts.

The question for the Government is whether we could not make exactly the same criticism about at least one of the two offences the Government is proposing to leave in the Constitution. Is the Minister for Justice and Equality satisfied that he could provide a clear and comprehensive definition of the offence of indecent publication? None of the rest of us could. Is the Internet, for instance, covered by the Constitution? Although we still have laws that prohibit indecency-obscenity in various circumstances, there is no constitutional or statutory definition of either indecency or obscenity.

However, this is precisely the problem the Supreme Court identified in regard to blasphemy. As Mr. Justice Barrington stated: “The task of defining the crime is one for the legislature, not for the courts.” Therefore, what was the thinking behind the decision to keep some offences in Article 40o while deleting this one, given that all three give rise to the same difficulties?

Deputy Richard Boyd Barrett: I will share time with Deputy Coppinger and we will each have five minutes.

Solidarity-People Before Profit will be supporting this legislation and the plan to remove references to blasphemy from the Constitution. It should be obvious why we must do it. It is a relic of an old Ireland that we need to leave behind because the special relationship - to use a phrase the Taoiseach used recently - between the Constitution, the political institutions of the State and a particular morality, that of the Catholic Church, has left a bitter legacy for huge numbers of people. For the sake of writers such as James Joyce whose literature was banned in the newly founded State because of this morality and these notions of blasphemy and, more seriously, the Magdalene women, those who suffered in mother and baby homes, the Tuam babies, children who were separated from their mothers, those who were the victims of forced adoptions, LGBT people generally who were persecuted by the State for so many years, single mothers who were stigmatised and vilified because they did not fit in with the morality of the church, for all of the victims of that draconian and supposed morality that was inflicted on so many and which caused so much suffering, it is critical that we leave all of that behind and take the morality of a particular religious view out of the Constitution and our laws and remove any special position it might have in the State and the political system in our society generally. It is long overdue that we would do this and we will support it wholeheartedly, but we must go further.

18 September 2018

Reference was made to seven reports and the recommendations that we not only remove references to utterances of blasphemy but also to seditious or indecent matter. Perhaps the Minister might explain why the Government ignored these recommendations. One person's blasphemy is another's robust criticism of a viewpoint with which he or she does not agree. That is also true of sedition. One person's sedition is another's completely legitimate criticism of the institutions of the State, society or particular laws. With regard to indecent matter, the work of many of the best writers of this country was considered to be "indecent". *Ulysses* was considered to be indecent and something that could not be read by certain people. Dr. Noel Browne's mother and child scheme was considered to be indecent, subversive and seditious according to the prevailing morality of the State. I do not know why this constitutional amendment does not also remove those references.

More broadly, I believe that simply changing words in the Constitution, while not giving real and tangible effect to the need to separate church and State more generally, potentially leaves us open to legitimate criticism of tokenism. Why does the Catholic Church continue to control schools and hospitals, to refuse to pay its debts under redress schemes, to have an influence over the curriculum taught in schools and to have influence over procedures carried out in hospitals? All of that is unacceptable. While this measure is to be supported, it is tokenism, unless we move to give full effect to the complete separation of church and State, particularly in the education and health sectors.

Deputy Ruth Coppinger: Solidarity supports the Bill and will campaign for a "Yes" vote in the referendum. We formally proposed the removal of the offence of blasphemy in our Bill in July 2017.

The 1937 Constitution which is being amended was designed in a Catholic state where the Catholic Church held a privileged and special position. There are multiple references specifically from a Catholic or Christian belief. There are religious freedoms contained in the Constitution, but the tone is very much that of a Catholic state that permits or tolerates other religions, rather than people having religious freedom as a right.

While supporting the removal of blasphemy as an offence, for reasons I will go into, I am very disappointed that our proposed amendments to the Bill were ruled out of order. It was an opportunity to go much further. The amendments would have given the House the opportunity to allow voters to move beyond the offence of blasphemy and remove all archaic religious based references from the Constitution. I shall give some examples.

The preamble to the Constitution refers to "our Divine Lord, Jesus Christ". Article 6 of the Constitution states "All powers [derive] under God ...". That is a ludicrous assertion for the many people who do not hold to it, or that we in this House must subscribe to one God. There are also religious oaths for the Judiciary and the Presidency which inhibit non-believers or those with non-Christian beliefs from taking these offices. Article 44 states, "The State acknowledges that the homage of public worship is due to Almighty God". There are provisions that give the green light to the State to impose and favour religion in public services and public spaces. We see this every day in the health and education sectors and the Dáil recently. I put it to the Minister that this was a chance to delete something as ludicrous as "Humbly acknowledging all our obligations to our Divine Lord, Jesus Christ, Who sustained our fathers [nothing about our mothers, of course] through centuries of trial". We proposed that this be deleted from the English text of the Constitution, but, unfortunately, that opportunity was not taken. It smacks of tokenism following the historic and momentous referendum on the repeal of the eighth amend-

ment which was driven from outside the Dáil by young and working people.

The reference to blasphemy curtails free speech and acts as a chilling effect on debate. Atheists who appear on television or radio programmes can be warned not to stray into blasphemy. While the last prosecution was in 1855, the offence is still in place. The case of Stephen Fry is pertinent; it is both well known and recent. Nothing he said could have been considered to be offensive. They were his honestly held views, but the Garda still spent time investigating him to state the 2009 Act had been contravened. In the end he was not prosecuted, but the case serves as a warning. Under the Constitution, the Oireachtas can legislate to allow people who question religion or God to actually be prosecuted.

It also says a lot that the Green Party and Fianna Fáil in government saw fit to bring forward not even ten years ago the Defamation Act 2009, which shows us that it is a sign of the times. It includes the provision, “A person who publishes or utters blasphemous matter shall be guilty of an offence and shall be liable upon conviction on indictment to a fine not exceeding €25,000”. That provision is still in place. For example, it has been cited that Pakistan’s blasphemy law was taken from Ireland’s. This is an attack on people who are religious. People who are religious can be convicted for blasphemy, as they are in other countries. A person who is a Muslim could be deemed to have blasphemed a Hindu’s customs or mores. This is about freedom of religion, but it is also about freedom not to be forced to profess a religion.

With the massive support achieved in the marriage equality referendum and also in the repeal referendum, we see that the establishment is keen to be seen to be moving on very symbolic matters. While I welcome this, we should be going much further. It is past time that we separated church and State. The mass indifference shown by the public to the Pope’s visit speaks volumes about where people believe society should be going. It was obviously expected, including by the State, that there would be 500,000 or 600,000 people in attendance. Roads in Dublin West like the Navan Road were shut down. The State was out of step again, and this Bill should go much further than it does.

Deputy Mattie McGrath: I am happy to speak on this Bill. I acknowledge that the issue of removing the offence of blasphemy is a source of deep concern for a very significant proportion of the population. I share those people’s view that respect for authentically held religious values has been on the decline for decades. Anti-Catholic rhetoric in particular is rampant. Indeed, some have even described such views as the last acceptable public prejudice. That said, I support the Government’s Bill to repeal the blasphemy clause from the Constitution. As Our Lord said: “Render to Caesar the things that are Caesar’s; and to God the things that are God’s”.

Ever since the 1996 Constitution Review Group found that the contents of the offence of blasphemy “are totally unclear and are potentially at variance with guarantees of free speech and freedom of conscience in a pluralistic society”, the end has been coming for this particular clause in Article 40.6.1o. The issue also received a substantial and detailed analysis in the sixth report of the Constitutional Convention, which was established by the then Government in 2012. As I understand it, however, the convention voted in favour of including a new constitutional provision against religious hatred, with 53% of members in favour, 38% against and 9% undecided.

I am aware that many people will see the position I am taking as some kind of concession to those who want to remove even the mention of God or the sacred from our culture and society. That is emphatically not the case. I simply hold the view that it is not tenable for the State to

involve itself in the making of theological judgments, much less enforce specific theological or philosophical judgments by any one particular creed or church. I believe in the separation of church and state. I do not believe, however, that that separation should become a division, which some people would like it to be. The church has a vital role to play in our society and it works effectively in a spirit of collaboration with the State on many issues. That role needs to be respected and protected. It is not appropriate for the State to act as the guard dog of any particular church. Such a position harms both church and State, an outcome that is in no one's interests. Gabhaim buíochas leis an Aire.

Minister for Justice and Equality (Deputy Charles Flanagan): Through the Ceann Comhairle, I thank the Deputies for their contributions and co-operation in facilitating the passage of the Bill. I acknowledge the broad welcome they have given to the proposal to proceed along the lines suggested.

The background to the proposal has already been explained. It has been emphasised that, if the offence of blasphemy is to be removed from the Statute Book, a constitutional amendment is an essential first step. This is because, as Deputy O'Callaghan has stressed, the inclusion in the Constitution of the blasphemy provision in its current form requires the retention of an offence that merits that provision in the Statute Book. It does matter that there have been no successful prosecutions of the offence in living memory of anyone here or in the memory of our parents, grandparents or perhaps even great-great grandparents.

The provision identifies Ireland, however incorrect and misleading that might be, as a country that does not value freedom of expression and one that gives constitutional protection to a concept that many would regard as completely outmoded. Its very existence gives further comfort to those in other countries where the concept of blasphemy has a real meaning, one that can entail considerable suffering for those who run foul of the law that supports it.

Deputies Boyd Barrett and Coppinger spoke about the need to amend the Constitution so as to remove religious references and religious-based oaths of office. This is a much broader question than that which is the subject matter of the Bill before us, but the intervention made by the Deputies undoubtedly touches upon matters that are of public interest. In its ninth and final report, the Constitutional Convention proposed five issues for constitutional reform that it felt could be considered by a future convention or otherwise. Included in those issues was one directly related to the separation of church and state. As the report made clear, there was a mix of submissions on this point and not all submissions favoured an amendment to the Constitution. Furthermore, among those submissions that favoured an amendment, it would seem that there was a variety of views as to the nature of the amendment. This underlines the point that, prior to any constitutional change in this area being embarked upon, the wider engagement of civic society will be required. Given the extensive programme of legislative and constitutional reform that is in prospect over the next 12 months or so, I do not have any immediate plan for legislative intervention in this particular matter.

Deputies Sherlock and Boyd Barrett queried the retention of the references to seditious or indecent matter. I agree that this language rings somewhat oddly to our modern ears. However, unlike the reference to blasphemous matter, these matters are covered by various statutory provisions. We can all agree that it is right and proper that there would, for example, be an offence relating to the production and distribution of child pornography. Equally, we can see the logic behind offences intended to criminalise acts aimed at attacking the constitutional order or the institutions of state. The same imperative to amend the Constitution does not exist in terms of

these matters as it does in the context of blasphemy.

I acknowledge a point that was adverted to by Deputy O'Callaghan. The removal of blasphemy from our Constitution, should that proposal be approved by the people, is not in any way to be construed as an attack on our belief or unbelief. Nor is it intended to privilege one set of values over another. It is a simple acknowledgement that a concept that it is agreed is uncertain in meaning and rooted in a past where fealty to the State was conflated with fealty to a particular religion has no place in a Constitution that must provide shelter for all who live in this Republic. As Deputy Ó Laoghaire stated, we are a country of increasing diversity. The right to express differing viewpoints in a forceful and critical manner is one that must at all times not only be upheld, but be cherished.

I acknowledge the support of Deputy Mattie McGrath, which allows me to say how heartened I am that no Deputy has spoken in favour of retaining the offence of blasphemy in our Constitution. I also acknowledge the importance of cross-party support in the House for the action that the Government is taking. I hope that, when the people vote on this proposal, they will see the merits of the proposed deletion. I acknowledge that it may have taken more time than many of us would have wished to introduce the necessary proposal. However, we now have the opportunity to deal with this issue in a way that reflects the values we espouse as a modern democratic society.

Deputy Jim O'Callaghan: Great.

Cuireadh agus aontaíodh an cheist.

Question put and agreed to.

7 o'clock

An Bille um an Seachtú Leasú is Tríocha ar an mBunreacht (Cion a aisghairm arb éard é ní diamhaslach a fhoilsiú nó a aithris) 2018: Céim an Choiste agus na Céimeanna a bheidh Fágtha

Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018: Committee and Remaining Stages

An Ceann Comhairle: Amendments Nos. 1 to 5, inclusive, in the names of Deputies Coppinger, Barry and Paul Murphy are out of order.

Níor tairgeadh leasuithe Uimh. 1 go 5 a huile.

Amendments Nos. 1 to 5, inclusive, not moved.

Aontaíodh alt a 1.

Section 1 agreed to.

An Ceann Comhairle: Amendments Nos. 6 and 7 in the name of Deputies Coppinger,

18 September 2018

Barry and Paul Murphy are out of order.

Níor tairgeadh leasuithe Uimh. 6 agus 7.

Amendments Nos. 6 and 7 not moved.

Aontaíodh alt a 2.

Section 2 agreed to.

Aontaíodh an Réamhrá.

Preamble agreed to.

Aontaíodh an Teideal.

Title agreed to.

Tuairiscíodh an Bille gan leasuithe, glacadh é chun an breithniú deiridh a dhéanamh air agus ritheadh é.

Bill reported without amendment, received for final consideration and passed.

Ráiteas faoi Eolas do Vótálaithe: Tairiscint

Statement for Information of Voters: Motion

Minister for Justice and Equality (Deputy Charles Flanagan): Tairgim:

GO nDÉANFAR an ráiteas atá leagtha amach sa Sceideal a ghabhann leis an Rún seo a fhorordú mar eolas do vótálaithe, de bhun alt 23 d’Acht an Reifrinn, 1994 (Uimh. 12 de 1994), i ndáil leis an togra chun an Bunreacht a leasú, atá ar áireamh sa Bhille um an Seachtú Leasú is Tríocha ar an mBunreacht (Cion a aisghairm arb éard é ní diamhaslach a fhoilsiú nó a aithris), 2018 agus is ábhar do reifreann bunreachta.

An Sceideal

Ráiteas mar Eolas do Vótálaithe

An Bille um an Seachtú Leasú is Tríocha ar an mBunreacht (Cion a aisghairm arb éard é ní diamhaslach a fhoilsiú nó a aithris), 2018 – Páipéar Ballóide Uaine

Fiafraítear díot sa reifreann seo an aontaíonn tú leis an togra chun Airteagal 40 den Bhunreacht a leasú chun an cion a aisghairm arb éard é ní diamhaslach a fhoilsiú nó a aithris.

Má thoilíonn tú leis an togra, cuir X os coinne an fhocail **Tá** ar an bpáipéar ballóide.

Mura dtoilíonn tú leis an togra, cuir X os coinne an fhocail **Níl** ar an bpáipéar ballóide.

Is féidir teacht ar chóip den Bhille ar an idirlíon ar www.oireachtas.ie.

I move:

THAT the statement set out in the Schedule to this Resolution be prescribed for the information of voters, pursuant to section 23 of the Referendum Act 1994 (No.12 of 1994), in relation to the proposal to amend the Constitution which is contained in the Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018 and is the subject of a constitutional referendum.

Schedule

Statement for the Information of Voters

Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018 – Green Ballot Paper

You are being asked in this referendum if you agree with the proposal to amend Article 40 of the Constitution to repeal the offence of publication or utterance of blasphemous matter.

If you **approve** of the proposal, mark X opposite the word **Yes** on the ballot paper.

If you do **not approve** of the proposal, mark X opposite the word **No** on the ballot paper.

A copy of the Bill may be viewed on the internet at www.oireachtas.ie.

Cuireadh agus aontaíodh an cheist.

Question put and agreed to.

Business of Dáil

An Ceann Comhairle: Private Members' business is a motion in the name of Sinn Féin Deputies on the future of the post office network. We need Sinn Féin Deputies in the House. We will suspend the sitting for five minutes while awaiting the arrival of the Deputies.

Sitting suspended at 7.02 p.m. and resumed at 7.07 p.m.

18 September 2018

Future of the Post Office Network: Motion [Private Members]

An Ceann Comhairle: Private Members' business is a motion on the future of the post office network. I note, given some of the events of the day, that many of the personnel from our Whips' offices must have decamped to the ploughing championships because they are certainly not paying much attention to what is going on here.

Deputy Timmy Dooley: It is shocking.

An Ceann Comhairle: We are delighted to have Deputy Stanley.

Deputy Brian Stanley: I am delighted to be here even though the ploughing is happening down on my own patch.

Deputy Timmy Dooley: That is dedication.

Deputy Denis Naughten: Plough ahead.

Deputy Brian Stanley: I move:

That Dáil Éireann:

recognises that:

— the recent announced closure of 159 post offices across the State will have a devastating effect on many rural communities;

— post offices form a vital part of communities, and have suffered long-term neglect by successive Governments, with hundreds of closures since 2000;

— successive Governments have allowed the post office network to decline and have not allowed alternative services to be established and expanded;

— postmasters and postmistresses are entitled to accept retirement packages, however, the criteria used by An Post in such instances, to retain post offices and advertise a new contract, are flawed; and

— A Programme for a Partnership Government commits to protecting the postal network; and

calls on the Government to:

— prevent the closure of 159 post offices across the State by advertising new contracts, offering alternative services and allowing the potential for co-location of post offices;

— reinvigorate the network of post offices by extending the services which post offices provide, and by retaining existing services such as social welfare payments;

— implement proposals contained in the *Final Report of the Post Office Network Business Development Group* (Kerr Report) from 2016 which included post offices providing alternative services such as financial services and Government services before closing post offices; and

— commit to a new model of community banking through the post office network.

This is important because it is about rural Ireland and the future of services in rural Ireland. Today, we had representatives of postmasters protesting outside this building about this important issue. We should not see the post office as something just to have in the community but rather something that is needed in a community. It can be if we have sufficient Government action. We need to see the post office in the community, as part of it, providing important services for the benefit of local people. It can be with long-term vision where additional services are provided.

A previous motion was passed two years ago, which was moved by the Rural Independent Group, but little or no action was taken. There was a lack of follow-up on the Kerr report from 2016 and an Oireachtas committee report from 2013. The progress made has been a little like a slow bicycle race. These all stressed the need for additional services to be provided through our post office network, which is key. Instead, successive Governments have allowed it to limp along.

Previous Governments viewed the post office network as a burden. From 2000 to 2010, under a previous Government, 732 post offices closed their doors. There have been Garda station closures and 542,000 households are still waiting for high-speed broadband. This is the situation in rural Ireland. Post office masters and mistresses are entitled to retire, but this does not mean the post office has to retire or cease operation. We need a long-term vision and interest in the service from the Government when it comes to rural Ireland. Some 390 post office masters and mistresses were offered exit packages recently and not offered new contracts. Of those, 159 post masters and mistresses are retiring, and have the right to do so. The remaining 231 were not offered new contracts due to falling incomes.

We need to address the criteria used by An Post to define a settlement, which are that there must be 500 or more people. Many of these villages have up to 600 or 700 people living on the outskirts. I can name plenty of them. It does not take into account the true population in the rural area. We have a dispersed population and clusters of houses on the outskirts of villages and small towns. We have one of the most dispersed populations in Europe. Everyone will have examples in their constituencies where they know the true population is not reflected. Much has been made of there being one within 15 km and nobody having to travel more than 15 km. For someone on a pension of €220 a week, that could mean the first €30 or €35 could be gone on a taxi fare to get to the nearest post office to collect the pension.

Co-location is another important issue. It is something I have supported from the outset, although I accept that others have opposed it at various times. Sinn Féin believes co-location is a real option, but it is not being considered or sufficiently promoted. The Government and An Post need to support co-location. There are many places where a post office could easily be combined with a local shop or other business, thus giving an additional income and providing for the continuation of postal services, as well as new services. We need additional services, including Government services such as motor tax renewal. Having a State service in the community will benefit and contribute to communities.

Given that banks have withdrawn from rural Ireland, we must consider the introduction of community banking. There was a commitment in that regard in the programme for Government, specifically for the German Sparkasse model. In Germany, there are 390 individual local-authority owned banks. Another option is the New Zealand Kiwibank model, which now has a

20% share of the banking market and 25% of all bank customers in that country.

The post office is the last remaining service in many areas. Communities need services in order to stay alive. In addition to a postal network, communities also need broadband and rural transport services, which many areas do not have. Rural areas will become barren places if post office services are stripped from communities. I ask the Government to recognise that in many cases the post office is similar to the last man standing. We must retain services in rural areas by channelling them through the local post office, thus keeping local villages alive and maintaining vital services in rural areas.

Deputy Martin Kenny: I bring greetings from the National Ploughing Championships where I spent most of the day. Rural Ireland is alive and well-----

Deputy Denis Naughten: Good.

Deputy Martin Kenny: -----and working very hard. People from various rural communities throughout the country are angry about the situation. I know that the Minister is aware of this because he comes from a rural community. People are angry because they believe the Government has let them down. As my colleague just said, in many small towns and villages where post offices are due to close, other services have been withdrawn in recent years. We are not in this situation because of what happened in recent weeks or months but because of what happened in the past 20 years. The post office service has been run down. In fairness to the Minister, he was not in office while that was happening, but others have allowed it to happen.

The harp over the door in the post office is meant to symbolise the State providing services for the people. Thirty or 40 years ago the Department was known as the Department of Posts and Telegraphs. What happened to it? Communications was considered to be a vital service the Government provided for the people, but that is no longer the case. It is something to be chopped and changed, privatised, hived off, cut back and made smaller and more compact. Government is getting smaller. Two weeks ago at a committee meeting, I said I felt it was part of a corrupt political system. I was not being personal towards the Minister or the Department but the entire system in this country. We have a political system that is about small government, government shrinking and stating to the public that it will not interfere too much in people's lives. Such a model was championed by Maggie Thatcher and Ronald Reagan in the 1980s. That is the model people are experiencing throughout the country and unless we change it, there is no hope for rural areas because the places that will be impacted first by such a model of governance are those that are under the most pressure, namely, places such as my community in Aughavass where the post office has closed and where there is little prospect of getting a new contract in place, although the post office would be co-located with a bar and a shop. The same situation is evident in the town of Killeshandra and Ballinphull and Gorteen, County Sligo where the post office is closed and people are seeking to take it over. That is happening all over the country. These communities deserve to have post offices. Other individuals want the contracts and are prepared to apply for them to run the post office for the benefit of the community. It is not too much to ask that the Government which represents the people, who are the messengers of the people and who are elected into government do what they need to do and provide a vital communications service for the public. The post office is a public office with a harp over the door to where people can go to avail of a service in their community.

I wish to focus on the core of the issue for communities. When people were told that their post office was to close, they were told the community could seek a review of the decision.

The review was to look at the criteria used to close each post office. Reference was made to the number of people in a community. It was said no community with fewer than 500 people being left without a post office. When we get into the detail, it appears that the reference is to no settlement with fewer than 500 people would be left without a post office. I teased out the issue at the recent committee meeting, which the Minister also attended. It was acknowledged that An Post was using the definition of a settlement in the 2016 census, namely, 500 people living in at least 50 occupied houses, none of which was more than 100 m apart. Anyone who knows anything about the country knows that the vast majority of rural communities live in dispersed rural settlements with scattered dwellings. That is the way we have evolved over centuries, possibly for thousands of years, yet we use the stupid model I have outlined to decide whether we will keep vital post office services in place. The first thing the Minister needs to do is go back to An Post and tell those involved in the review of postal services that in order to make decisions about putting post offices in place, they must change the criteria used. They need to accept that, for example, in my parish when people speak about the community or the settlement, they speak about the entire parish. In other areas, they speak about a village and a reasonable distance around it from which people commute to avail of postal services. The definition of a settlement is totally anti-rural and destroys everything those who stand up for rural Ireland should support.

I spoke privately to the Minister about the issue and will not divulge the contents of a private conversation. The Minister said post offices such as my local post office in Aughavass should have a fair chance of survival because they had a pub, a shop and other services located there. Post offices in Killeshandra, Gorteen, Ballinphull and other places should have a fair chance of survival if they can be co-located, but that option seems to have been turned on its head by the managers in An Post. The challenge is for the Minister to stand up to An Post and make sure he stands up for rural areas and provides postal services for everyone who deserves them.

Deputy Mary Lou McDonald: Táim buíoch as an deis labhairt ar an rún tábhachtach seo. Ba mhaith liom mo chuid buíochais a ghabháil leis an Teachta Brian Stanley as ucht an rún a chur faoi bhráid na Dála. Iarraim tacaíocht ó gach aon Teachta don rún atá os ár gcomhair.

The programme for Government contains a number of commitments on the postal network, principally in respect of providing additional services through post offices such as motor tax services, which would assist in safeguarding the future viability of the post office network. The announcement three weeks ago of the closure of 159 local post offices, however, flies in the face of repeated pronouncements that the Government is committed to the post office network. As the Minister well knows, post offices form a vital part of local communities. The fact is that their closure will have a devastating impact on many communities, mostly rural and in many cases isolated. That is a direct result of Government inaction which has resulted in the decline of the post office network and has not allowed alternative services to be established and expanded, as promised in the programme for Government.

Members of Fianna Fáil, despite the rhetoric, are as complicit as those on the Government benches. Between 2000 and 2011, Fianna Fáil closed 732 post offices; therefore, it is a little galling to listen to Fianna Fáil representatives talking tough about post office closures when the reality is that they will do nothing to prevent it from happening. Sinn Féin, however, has a motion before the Dáil. It is a common-sense motion, practical in its approach and calls on the Government to prevent post offices closures by advertising new contracts; to reinvigorate the network by extending the services post offices provide and retaining existing services such as social welfare payments; to implement proposals contained in the Kerr report from 2016 which

included post offices providing financial and Government services; and to commit to a new model of community banking. These are meaningful actions which would go a long way to ensuring the future survival of the post office network. Mar sin, iarraim ar gach Teachta, Teachtaí Dála de chuid Fhianna Fáil san áireamh, tacú leis an rún atá roimh an Dáil anocht.

Deputy Pearse Doherty: Táim fíorbhuíoch as deis a bheith agam labhairt ar an ábhar fíorthábhachtach seo. Tréaslaím leis an Teachta Kenny a chuir an rún ós comhair na Dála seo le síniú. Shínigh mé féin agus mo chuid comhghleacaithe é. Cuireann sé isteach go mór ar mo chontae féin ina bhfuil 17 d'oifigí poist atá le druid mar gheall ar an neamart a bhfuil an Rialtas ag déanamh orthu. Is ionsaí millteanach é ar cheantair tuaithe, agus go háirithe ar cheantair Ghaeltachta ina bhfuil go leor de na hoifigí poist sin lonnaithe. Mar a dúirt an Teachta Mary Lou McDonald, tugann an Clár Rialtais gealltanas go mbeadh an Rialtas ag caomhnú agus ag cothú na n-oifigí poist seo.

A Programme for a Partnership Government contains a commitment to protect the postal network, but, far from protecting it, the Government is decimating it and driving a knife through the heart of rural Ireland. It is very clear from the meetings I have attended in recent weeks that the people of rural Ireland will not stand for it. They are on their feet, attending meetings and making clear that they will not stand for another cut in services in their local communities.

It was announced that 159 post offices were to close. However, all Members know that post offices and the services they provide have long been a symbol of rural Ireland. These services have been part of the fabric of almost every aspect of community life, both economically and socially, for many years. We also know that that fabric and those institutions has been under sustained attack since the 2000s. As Deputy Mary Lou McDonald stated, 732 post offices were closed over 11 years by Fianna Fáil-led Governments. On average, those Governments oversaw the closure of a post office every week. Closures were made in my parish, affecting communities such as those in Crolly and Gweedore, places where people wanted to keep their post office and postmasters wanted to ensure there was a service, but they were closed down. The Government then closed the closest post office to Gweedore, that in Dunlewey. It was trying to sell a pup to the public and state they could go to the post office in a place such as Bunbeg or wherever the nearest one might be. However, the Minister now plans to close those post offices.

Last night I attended a meeting in Gortahork. The 3,500 people who live there will be left without a post office. The Minister of State at the Department of Culture, Heritage and the Gaeltacht, Deputy Joe McHugh, tá sé ag caint ar straitéis 20 bliain. Cad é an maith atá le straitéis 20 bliain muna bhfuil seirbhísí curtha ar fáil ó thaobh na Gaeilge de? Ba chóir go mbeadh seirbhísí ar fáil i nGaeilge sna ceantair sin. Nil sé ceart nó cóir go bhfuil daoine sa cheantar is láidre Gaeltachta sa tír ag fágáil an cheantair. Tagann sé salach ar an méid atá an Rialtas ag déanamh.

Is féidir leis an rud ceart a dhéanamh. Is féidir leis éisteacht le glór phobal na tuaithe. The Government can still do the right thing. It can listen to the voices of rural communities. It can listen to the voices of the people who have taken to the streets and sent the clear message for us to deliver to the Government that they will not take this lying down because they have seen what the closure of a post office means for communities. They saw this when Fianna Fáil closed 732 post offices, many of which were located in small shops in rural Ireland; the shops were next to close, followed by the withdrawal of bus and other services. They are saying there can be no more such closures. It is time for the Government to do the right thing. It is time for Fianna Fáil to apologise for what it did, stand with Sinn Féin and support the motion and stand

with the people of rural Ireland and defend the services they have available.

Deputy John Brady: The decision to close another 159 post offices across the State is a continuation of the flawed policy perpetrated by Fine Gael's co-partners in government, Fianna Fáil. However, rural communities across the State will not take this lying down. They are mobilising and planning on fighting back for their survival. It is planned to close the post offices in Donard and Coolboy in my constituency of Wicklow. However, the communities in those areas have other plans because they are fighting for their existence. The local Garda station in Donard has already been closed by the Government's friends in Fianna Fáil. It seems that there are plans to reopen it, but they have been shelved while plans to reopen Stepside Garda station progress. Those living in rural parts of the State such as Donard are genuinely concerned. The people of the area mobilised and held a massive public meeting which was attended by over 120 people who vowed to fight these flawed plans in order to ensure their own survival.

The plans are flawed because the criteria laid down by An Post refer to settlements. According to census 2016, the settlement area of Donard has a population of 196. However, I do not refer to settlements but, rather, to communities, which is what Donard is. It has a wide geographical area, rather than one small settlement area. That community which includes the Glen of Imaal comprises more than 1,500 people, well exceeding the criteria laid down by An Post for a population or settlement area of more than 500 persons not being left without a service. It is a flawed plan. The criteria laid down by An Post state no person will be more than 15 km from a local post office. However, 33% of the 1,500 people of the Donard community who use the post office there on a daily basis live more than 15 km from Dunlavin, which is where the closest post office will be located under this plan. I spoke to an elderly lady in Donard last week when there was a community mobilisation involving 800 people who signed a petition opposing these plans. She is an independent lady of 93 years of age who will not be able to get to Dunlavin. There is no public transport service and she does not drive. She has her pride and does not wish to be a strain on her neighbours or family. What would the Minister say to this elderly woman? She is one person, but many thousands like her across the State will be affected if the plans go ahead. Rural Ireland is fighting back. It is doing so not for the sake of it but to ensure its survival.

Minister for Communications, Climate Action and Environment (Deputy Denis Naughten): I move amendment No. 3:

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

"recognises that:

— post offices provide crucial economic, administrative and social services to communities all around Ireland, especially to those in rural and isolated areas;

— technological and societal changes have presented significant challenges to the existing post office business model and, as a result, the post office network is in need of modernisation to build, maintain and protect a service that meets the needs of communities across the country, both rural and urban, for the medium- and long-term;

— the announcement by An Post of 159 voluntary closures stems from an agreement reached in May with the Irish Postmasters' Union (IPU) Executive, which was endorsed by 80 per cent of IPU members;

18 September 2018

— in its negotiations with An Post, postmasters sought both the modernisation of the network and a voluntary redundancy package for those who wanted to leave the business;

— postmasters throughout the country have given dedicated service to rural and urban communities over many years and individual decisions to exit the business, for whatever reason, must be respected;

— the agreement between An Post and the IPU represents an important first step in reinvigorating our national post office network and in making it a viable, sustainable and modern network for the future;

— the Programme for a Partnership Government is committed to revitalising the An Post network through the introduction of new services; and

— it is longstanding Government policy that postal services will not be directly subsidised by the State, a policy which has been supported by successive Governments;

notes that:

— the Minister for Communications, Climate Action and Environment has taken significant action to ensure the future viability of An Post and secure the future of the post office network, and these actions have resulted in a restructuring of the company, expansion of services in the post office network and have protected thousands of jobs in the postal sector across the country;

— a Government investment of €30 million was secured for An Post in order to safeguard the 5 days a week mail delivery service (€15 million) and to protect post office counter services (€15 million);

— Government action has enabled An Post to stabilise its financial position, develop and begin to implement a strategic plan which has seen the company split into two distinct business units:

- (i) An Post Mails and Parcels; and
- (ii) (ii) An Post Retail;

— as part of its strategic plan, An Post announced a renewed vision for the post office network which centres on the availability of new services in a modernised, revitalised network, and critical to the implementation of this vision is the deal secured with the IPU;

— An Post is committed to investing €50 million in growing and modernising the post office network over the next few years, which is the equivalent of €45,000 per post office across the country;

— the Government continues to provide significant business to An Post through the Department of Employment Affairs and Social Protection social welfare contract and National Treasury Management Agency business;

— An Post has confirmed that it has implemented 17.5 of the 19 recommenda-

tions of the Final Report of the Post Office Network Business Development Group (Kerr Report) which relate to An Post, and arising from the recommendations of the Kerr Report, Government funding of €80,000 has been allocated to roll out a pilot scheme called ‘Digital Assist’, which will see 10 post offices being equipped to help citizens with online Government interactions;

— the Government has also approved the establishment of an interdepartmental working group, which will report to Government by the end of the year, to identify options, including procurement frameworks, for delivering services to those citizens who do not wish to use, or are unable to use digital services;

— the Government has recently published its report entitled ‘Local Public Banking in Ireland’, and on foot of this report, an independent evaluation of local public banking will be carried out alongside a stakeholder forum;

— in line with the terms of the agreement with the IPU, a voluntary redundancy package was advertised by An Post and 159 postmasters and postmistresses have elected to avail of this package, as in the majority of cases the business is simply no longer sustainable due to declining footfall;

— while the voluntary redundancy package will result in post office closures, An Post has given a commitment that there will be a post office in every community of over 500 people and within 15 kilometres of 95 per cent of the rural population and 3 kilometres of the urban population;

— a protocol specifically sought by the Minister for Communications, Climate Action and Environment ensures that any closures are on a voluntary basis, and where a closure is due to occur An Post will make an assessment on the future provision of services within the locality by reference to specific criteria;

— individuals, groups or representatives can apply to have decisions reviewed through a new independent review process which will determine if An Post has correctly applied the criteria outlined in the protocol, and any retailer in the locations earmarked for closure can apply to An Post to be considered to take over some or all of the services of that post office and may appeal an unfavourable decision; and

— by facilitating those that wish to exit the business, neighbouring offices will be further supported, thereby ensuring a sustainable network for the future; and

calls on the Government to:

— ensure Government services continue to provide the backbone of a sustainable nationwide post office network;

— support An Post in the roll out of new services and the delivery of its strategic plan to ensure the financial viability of An Post and the continued fulfilment of its mandate to deliver a mail delivery service and a viable post office network; and

— ensure that An Post engages fairly with the 159 communities where postmasters are retiring, to ensure post office services are appropriate to the local area and take into account the potential for co-location.

18 September 2018

I thank postmasters the length and breadth of the country for the dedicated service they have given to rural and urban communities over many years. As Members are aware, some postmasters have taken the difficult decision in recent weeks to leave the business. I will return to that issue.

Some people have mischievously given the impression that I do not understand or care about the issues of rural Ireland. As many Members are aware, I represent the most rurally dispersed constituency in the country and have consistently raised the issue of the post office network in Dáil Éireann over many years. I have first-hand experience of the concerns and issues involved. I understand the concerns of older people and that this is an anxious time for many of them. I have watched the gradual demise of the post office network over many years. More than 500 post offices closed during the economic boom between 2002 and 2007, while people sat on their hands and allowed the post office network to fall into decline. There was no new investment in the network or services provided. I do not want that to continue. My objective is to keep as many post offices as possible viable and open across the country.

As I have previously pointed out, some post offices have minimal numbers of transactions. One particular post office issues 11 social welfare payments a week. We all know of places the length and breadth of the country where people are voting with their feet, bypassing the local post office and going elsewhere. That is the reality which cannot be ignored. The postmasters of this country and the communities they serve deserve a clear future and a plan to be put in place for the development of and investment into the post office network and its services. Such action was not taken by a series of Governments through the decades. Although Government after Government promised to do something, nothing was done. We have now set out a clear path and a future for the post office network and by the middle of next year, every single post office in this country will have access to high-speed broadband.

As a Member of Dáil Éireann, I have for many years put forward constructive solutions to bring new business into the post office network. I am now in the lucky position that I can implement some of those solutions. I point out to Members here, some of whom have been Members of this House for a considerable number of years, that I was one of only five Members of Dáil Éireann or Seanad Éireann to make a submission to the Kerr report. I want to take this opportunity to thank Bobby Kerr for his meticulous work on this issue. An Post has confirmed that it has implemented just over 17 of the 19 recommendations appropriate to that company in the Kerr report. In addition, the Government has recently agreed to look at a new offline avenue for all Government online services. This work has started and the Government will be updated on progress before the end of the year. We want to have a sustainable post office network that is available to all our citizens, both urban and rural, in the medium and long term. Although I accept that the closures will have an impact on the communities served by the post offices in question, the background to this issue has not been well represented.

It is important to put the An Post announcement relating to the changes to the post office network in context. Ninety-eight weeks ago, I was presented with a future for An Post and the post office network that was uncertain and very bleak. I was determined that the company would not go under and there was a real possibility that would happen because of the failure by successive Governments to act. The potential for a complete shutdown of postal services with the loss of thousands of jobs was undeniable. Immediate action was needed to ensure the survival of An Post. We also needed to safeguard the post office network. That was necessary to protect thousands of jobs across the country. Nine thousand people work in An Post. Those imperative requirements needed decisions. I can tell the House that those decisions have been forthcom-

ing. I did not shirk my responsibility as Minister, as my predecessors did. We have worked tirelessly to restructure the company to save it. I am sure members will recall the urgent need to introduce legislation to facilitate the increase in the price of a stamp. That was an essential first step to avoid a cash crunch for the company and give An Post time to construct a plan for a sustainable future. The challenges facing An Post were recognised across all political parties. I acknowledge the support I received from colleagues on all sides of the House to put that legislation in place and provide a much-needed window for An Post to put its strategic plan in place.

I also worked hard on securing Government investment of €30 million in An Post to safeguard the five days a week mail service and collection service and to protect the post office counter services. Two years later, critically important decisions have been made. An Post has been stabilised because of the action that has been taken, and it is now one of the few mail services in the world that is expanding its service from a five-days-a-week letter service to a six-days-a-week parcel service. The fabric of services An Post delivers has been strengthened.

The company is changing from a 19th-century model to one that has relevance and resonance in the 21st century in both rural and urban areas. In fact, the current postmasters' contract dates back to 1907, and we all accept that things have changed dramatically since then. While the future is not as bleak for An Post, the underlying challenges remain. Mail volumes continue to decline. E-substitution and the move to online payments and online banking continue to have an impact on the post office network. There is widespread acceptance that the post office network requires modernisation to build, maintain and protect a service that meets the needs of communities throughout this country. An Post's strategy for the post office network centres on the availability of new services in a modernised, revitalised network. These services must include a better range of Government services, financial services and e-commerce services for shoppers and small businesses.

Since taking office, I have been driving the offline avenue with my officials, my Cabinet colleagues, the management team in An Post, the Office of Government Procurement and other agencies. I recently received Government approval to look at an offline avenue for all Government online services. This work has started and Government will be updated on progress before the end of this year. Investment of €50 million in the post office network will now take place, which is equivalent to €45,000 per post office, and is based on getting communities to use the enhanced services their local post office will provide through a modernised network.

These measures are meaningless unless the public use the service An Post provides. Key to the survival of the network is the willingness of all to use it. Government funding of €80,000 has been allocated to roll out the Digital Assist programme. Ten post offices are being equipped to become digital hubs to help citizens navigate online Government services and access other online goods and services.

Essential to delivering on a renewed vision for the post office network is the agreement reached with the Irish Postmasters Union, IPU. This agreement followed months of intensive negotiations which were overseen by Turlough O'Donnell at my invitation. I take this opportunity once again to thank Mr. O'Donnell for his work, time and commitment to this process.

In its negotiations with An Post, postmasters and postmistresses sought the modernisation of the network and a voluntary redundancy package for those who wanted to leave the business. It is important that the decision of those who wish to leave the business is respected. The decision on whether to accept the package was an individual one for each postmaster. All closures

have been on a voluntary basis and the IPU has publicly confirmed that.

It is also important to remember that when a post office closes, 70% of that business will transfer to the neighbouring office. The reality is that by facilitating those who wish to exit the business, neighbouring offices will be further supported, thereby ensuring the sustainability of the network as a whole. Deputies will be aware that an independent appeals process has been put in place to enable communities to review the decision of An Post. Retailers have the opportunity to look for those new and additional services and that can be independently reviewed as well.

An Leas-Cheann Comhairle: I call Deputy Dooley. I understand the Deputy has an arrangement with colleagues.

Deputy Timmy Dooley: My time is shared. The time slots were submitted. The Minister has taken the wrong approach to this debate from the very start. He has taken the position of An Post and based the closure of post offices around viability. We know that 159 post offices, and a far greater number, are not profitable. We accept that. People have changed the way they live their lives. Some people do their transactions online. Some people email. They do not use the services of the post office, and the Minister thinks the solution is to embarrass more people into using the post office. There are more services that can be delivered but there is no guarantee that if the Minister follows this profit and loss approach he seems to have bought into, these locations will ever be financially viable, but their closure and their elimination go to the ruination of the communities they serve. The Minister should be looking at the viability of the communities and the services the people need.

Nowhere have I ever heard a Minister with responsibility for transport say that if a road is lightly trafficked and there is not enough traffic on it, we will not fill the potholes unless more people use it. They have never said it because it is an essential public service. Equally, the post office is an essential public service to elderly and vulnerable people who cannot make the ten or 15 km to the nearest service. That might make the neighbouring post office viable in that, with more transactions, it breaks even. What about the people who have to make that trip? They have to pay for taxis, as Deputy Stanley said, or get relations to bring them to collect their social welfare payments. That is an unfair encumbrance on them. It is an intolerable burden. The hollowing out of the social welfare payments from that community will have a cascading negative effect. It will take money away from the local shops and other businesses and we will see a further denigration of services in those communities.

I accept that previous Governments allowed post offices to close. In many cases, the contract was re-offered and other businesses did not take them up because the demand had deteriorated.

Deputy Pearse Doherty: That is an insult.

Deputy Timmy Dooley: I will get to that in a minute. Never before was there such a wholesale thing-----

Deputy Pearse Doherty: Fianna Fáil turned its back on rural communities.

Deputy Timmy Dooley: With respect, I have tried not to be drawn by Deputy Pearse Doherty and I will take no history lesson from Sinn Féin Deputies. I will avoid the temptation to remind them how they treated postmasters and postmistresses in the past. I will pass on that but I will not take the lecture.

The reality is that on many occasions when post offices closed, there was no alternative and nobody took the business up. There was no attempt made by a Government at that stage to do a wholesale closure. If services can be identified that will generate more income for the businesses where a post office could be co-located, there is an opportunity, but I would not hang my hat on that solution or say it would bring the remaining post offices up to the viability threshold. What we have to get over as a State is being prepared to provide a level of subvention to support the delivery of postal services in those communities. It does not have to be a stand-alone post office.

I have sat in meetings the same as everyone else over the last months and heard it said that we could put the post office into a local shop. We do not need a postmaster or postmistress; we do not need concrete ceilings and roofs. The lads in Sinn Féin will appreciate that some of those threats we were talking about do not exist any more because of decommissioning and so on.

There is an opportunity to deliver the social welfare payments through the PostPoint platform. That has the capacity to ensure that social welfare payments are retained within communities and it would probably cost significantly less than the older model. At the community meetings that I attended, the people on those nights were more than happy to put forward ideas like that and would be happy if that service could be accommodated. The Minister has given some hope by suggesting the PostPoint platform could be expanded. So long as it can be expanded to deliver social welfare payments, there is the capacity to meet the needs of the communities.

However, this should not be allowed to take from the other villages that are now expecting to get the windfall from the closures because that is robbing Peter to pay Paul, which does not work either. That would be making big of one community and destroying another, and we should not be about that, in truth. We need to see a policy coming forward from the Minister's Department. I am sure he will get support from my side of the House and, based on the motion Sinn Féin has put forward tonight, it seems largely to be of a similar mindset to support the idea of State subvention for the smaller post offices that would not be viable no matter what business model the Minister came up with.

The Minister knows the small communities. I will name the post offices that are for closure in County Clare. Cooraclare post office almost closed but the village managed to retain its post office through a deal with the local postmaster. Doonbeg, Cree, Kilfenora, Lissycasey and Fanore are places where we absolutely need to retain the post office service. They are synonymous with similar villages throughout rural Ireland. The post office network cannot be condensed any further. I am of the view that we should protect what we have. For sure, there might be a fall-off in business in future years but just because there is a fall-off in demand does not mean we should eliminate a service for the elderly and vulnerable that is so much needed.

Deputy Marc MacSharry: I welcome Tom O'Callaghan from the Independent Postmasters Group and representatives of Save Ballinfull Post Office in north Sligo, who are in the Gallery and represent the many protestors who were outside the House today.

Increasingly, the Minister and his colleagues look more like chairmen of a GAA club. They get to stand in for the photo on ceremonial occasions and say a few words but they really have nothing to do with running the club. Increasingly we hear the refrain: "That is a matter for An Post, the HSE, HIQA or Transport Infrastructure Ireland, a matter for everybody but me." I am beginning to wonder - as the presidential election begins to kick off for that ceremonial role -

about the 15 ceremonial positions the Minister and his Cabinet colleagues are adopting.

We know An Post has a commercial mandate and has to balance the books and there are ways and means of achieving that. One of them is not to sub-contract out to companies or to the Irish Postmasters Union, as a private trade union representing members. Good luck to the IPU - it does a good job - but it does not represent communities.

Deputy Mattie McGrath: Hear, hear.

Deputy Marc MacSharry: We represent communities. We decide on their behalf what services they are provided with and where they are provided. That is the Minister's responsibility and he has abdicated it. He talks of a 19th-century model being modernised. What is his plan? Is it to put everybody into a city? We have a culture in this country where people live in communities. Our responsibility in this House and what we are all paid good money for is to provide them with services, but no, the Minister is obsessed with the cost of everything and the value of nothing. It was a community that elected him and his father before him and everybody else that represented anybody in this House in the past. We have a responsibility to communities. I ask the Minister to remember who elected him and why he is here. It is not for the photo call; he is here to provide services. He must reverse this decision.

Deputy Pat Casey: I welcome the motion and fully support Fianna Fáil's amendment, which brings a degree of realism and ambition to an issue that is causing great hardship to rural communities in Wicklow. Rural post offices should not be held to the same profit and loss margins that other businesses are bound by. The Bobby Kerr report rightly outlined the social capital character of post office services in rural Ireland.

In Wicklow, the latest post offices to be closed by the Fine Gael Government include Donard and Coolboy and there are many more to follow. In the case of Donard, the minimum distance requirements determined by An Post are being breached with many rural customers of Donard post office living much further than the minimum distance of 15 km. On that condition alone, I ask the management of An Post to review the decision and accept the business proposals from the community of Donard. However, I am not confident the Government or senior management of An Post will take their responsibilities seriously.

Nearly two years ago, my local post office in Laragh closed even though the Laragh-Glendalough area receives more than 1.2 million visitors a year. Our locally-led campaign was successful in achieving a review of that decision and two credible, sustainable and enterprising alternative business plans were sent to An Post. The response from An Post in two years has been that the review is still taking place and no decision has been made. To have 24 months of inertia in any business is nonsense but in this case it indicates An Post's total lack of interest in seeking alternatives to closures throughout rural Wicklow and Ireland.

Our public service obligation model would save post offices in rural Wicklow and allow the State to provide these needed services to many rural areas. Rural pensioners, farmers, businesses and families pay the same taxes and obey the same laws and they expect equal treatment by Government services. Today's protest from ordinary people must be listened to. Rural Wicklow deserves equality in service delivery.

Deputy Michael Moynihan: Our postmaster in Kiskeam refused to take voluntary redundancy and we must pay huge tribute to him for trying to hold the post office in our community. Although we have the matter of commercial sensitivity and all the rest of it, An Post is a social

contract with the people. We have to fundamentally understand that. Every community that loses a post office loses the heartbeat of the community and its social contract. We have to make up our mind as a people as to whether we are going to make sure that these rural communities are vibrant into the future. If we start losing services, we will curtail their ability to be relevant. I know many of my colleagues want to speak on this and I will give them as much time as possible. We need to make sure the social contract is in place. That underlines the reason we are in favour of having a public post office in each and every community.

Deputy Pat The Cope Gallagher: Tá áthas orm deis a fháil chun labhairt ar an rún fíorthábhachtach seo maidir le na hoifigí poist. The current plan for rationalising post offices is an extremely blunt instrument. No consideration has been given to rural proofing, social and economic grounds, the exact and central locations of post offices or those who do not have transport available to them. Even the population calculations are based on settlements rather than population. Like Deputy Pearse Doherty, I attended numerous meetings in County Donegal in the past few weeks that were attended by hundreds of people. There are a lot more than 500 people in each and every one of the areas affected. It was contrived. The settlement pattern was used to try to ensure all of the post offices could be contracted based on a figure above 500. The majority of areas in my county have a population well in excess of 500.

The timing of the announcement was despicable. The Minister may not know but An Post decided, in conjunction with someone else, to make it when the Dáil was in recess. It was a time when there would be the least publicity, which meant that it might have gone under the radar, but my goodness, it did not. County Donegal has been extremely hard hit. Who took the decision? It was not made according to any objective analysis. It forced postmasters and postmistresses to take a decision. I believe we must go back to the drawing board. My party is happy to support having a public service obligation that might cost in the region of €8 million to ensure we will have a continuation of the excellent services that have been provided during the years. Those who have been made an offer it are quite entitled to take it, but a decision must be taken on co-location and to immediately reduce many of the overheads that are part of the losses by 50%.

Deputy Margaret Murphy O'Mahony: In the past few months 12 communities in County Cork, four of which are in my constituency of Cork South-West and one of which is in a neighbouring constituency, were dealt a devastating blow. The areas include Allihies, Ballineen, Desertserges, Drinagh and Minane Bridge. As I worked in the post office for many years, I know first hand the economic and social benefits provided for a community by a post office. If someone collects his or her social welfare payment, he or she will spend the money in the locality. He or she will do his or her grocery shopping, have his or her hair done or have a cup of tea. If we take that money away from the community, we will take away business from it. What have not been mentioned that much are the post offices which encompass sorting offices. Businesses built around these post offices will have to wait far longer to receive their post. Ballineen is one, if the Minister is asking what they are. On the one hand, we are trying to encourage people to set up businesses and, on the other, taking away a lifeline.

I have heard the Minister say many times that nobody was forced into this as if it was a feather in his cap. That may be the case, but at the same time, communities are at a loss. A contract to provide a service in the area should be given to someone else. The Minister has often spoken about being one of the five people to make a submission to Mr. Bobby Kerr. That is grand and well done, but Deputy Denis Naughten is now Minister and the buck stops with him.

Deputy Brendan Smith: I refer to the remarks made by Deputy Margaret Murphy O'Mahony when she spoke about how she learned about the economic and social benefits of post offices provided for local communities through her work in the post office during the years. None of us should ever ignore the fact that most postmasters and postmistresses went beyond the call of duty during the years in assisting people who might not have had good numeracy or literacy skills. As a society, we are being abusive to people who do not have those skills, may not have access to technology or are not technology-friendly. We should be able to provide a service to ensure people will not be left behind because of a lack of numeracy or literacy skills or an inability to travel a distance by car to receive their pension.

Deputy Pat the Cope Gallagher referred to the fact that the wrong measurement of the population of an area had been used. People are going by the last census. We know that the entire population of a town might not be included in a census. Two of the streets in Killeshandra where the post office is closing have not been factored in in the number of people who use that post office.

Deputy Denis Naughten: That is why there is a review mechanism.

Deputy Brendan Smith: It is very important that there be a realistic measurement to take the entire catchment area into account. I said this at a public meeting last Saturday in Kilnaleck where I saw people from a wide catchment area who would not have been factored in in the population taken into account.

Deputy Niamh Smyth: Seven post offices across the constituency of Cavan-Monaghan are set to close. Of course, the Minister has a responsibility to ensure viability, but the most important reason should be the social conscience and social fabric of communities. In the areas in question those who will be hit hardest will be the elderly and the most vulnerable. The Minister spoke about the changing era and technology being the cause of all of this. I can assure him that most houses across counties Cavan and Monaghan and the rest of rural Ireland do not have broadband; therefore, it is not the case that they can turn to technology to compensate for the loss of their post offices. The issue of broadband provision would need to be well sorted out before we consider closing any post office. The towns and villages where it is proposed to force post offices to close have already lost their banks, have no ATMs and have perhaps seen the closure of Garda stations. This may be the last financial institution standing in those towns and villages. Last year I held a public meeting in Shercock that was attended by over 200 people. There was a public meeting in Killeshandra that was attended by hundreds of people. Last Saturday hundreds of people attended a meeting in Kilnaleck. People do care. It is not an issue that will go away. Deputy Timmy Dooley made a very valid point about the public service obligation, at which the Minister should look.

Deputy Eamon Scanlon: Eleven post offices in my constituency, part of which was included in the Minister's constituency at one stage, will close. I know that post offices will close and that there is nothing we can do about it, but there are post offices that are viable. I speak of those in Gorteen and Ballinfull, County Sligo and Newtowngore, County Leitrim. These post offices would be well able to survive if they were given an opportunity. People must apply to the review. I believe in the public service obligation where needed. Bus services are run in Dublin where there is no problem with the public service obligation. We need money to run these services for the elderly people with whom we are trying to deal because they are being discriminated against.

Deputy Sean Sherlock: I am amazed that the number of post offices to be closed in my county is 12. Where capacity has reached a low ebb in the context of activity levels in some of these post offices, I can understand a postmaster or postmistress making a decision to exit the market. That is understandable and the reasons are very personal. The Kerr report was published in 2016. The Minister tells us that in 2018 An Post has implemented just over 17 of the 19 recommendations made. I put it to him and An Post that many of the post offices affected in County Cork were never contacted or had no engagement on the recommendations made in the Kerr report. Their capacity was reduced to such an extent that they decided to exit the market.

8 o'clock

There was no meaningful engagement on the Kerr report in regard to e-payments, motor tax or community hub pilots in respect of many of the post offices in Cork, such as at Minane Bridge, Lackaroe, Drinagh, Carrigadrohid, Ballynoe, Ballyclough, Ballineen and Allihies. It may not seem a long distance but for the people of Allihies to drive to Eyeries is a distance of approximately 11 km and from Lackaroe to Youghal is 5 km. While this does not seem a long distance, it is the loss of an essential service.

The Minister will not convince me that those making the Kerr recommendations, of which the Minister said An Post has accepted 17 of the 19, visited these post offices in any way, shape or form in order to allow these communities at least a fighting chance if they decided they wanted to retain the service in their area. We need a further analysis of some of the postulations of the Minister in terms of his speech to the House. When we stood here in 2017 to reluctantly agree to facilitate the increase in the cost of the stamp to €1, we did so in good faith on the basis that the revenue generated would allow An Post a fighting chance. We did not do it on the basis that 159 post offices would be closed as a result. I do not know if the Minister sold us a pup-----

Deputy Denis Naughten: I was given a pup when I went into the Department.

Deputy Sean Sherlock: -----but if the revenue increase as a result of that increase in the cost of the stamp was used to buy out contracts or pay part of a redundancy, then I believe we should demand absolute transparency in regard to that process.

Deputy Mick Barry: This is a real blow to rural communities, to pensioners and to people who are dependent on social welfare. It is the biggest cull of post office services in the history of the State - 159 closures, effectively in one fell swoop. The post office in Allihies has been mentioned as one of the post offices in County Cork that will be closed. The nearest post office to people living in this area is now 10.9 km away, which makes it difficult for people with disabilities or people who do not drive to avail of the postal service.

The media tonight are trying to say that the movement to resist post office closures is on the wane and they are pointing to the size of the protest outside Leinster House today. The protest outside today was not at all insignificant, given it is a working day, given the ploughing championships and so on. A more accurate picture of the level of resistance to these post office closures is shown by the size and scale of the protest meetings being held in communities throughout rural Ireland. I received correspondence from a community campaigning to save its local post office in Gurteen, County Tipperary. Some 500 people attended the public meeting in opposition to that closure, which is an indication of the level of resistance.

There is talk of a general election in the air: “Will Leo roll the dice?”, “Will Leo not roll the dice?” and so on. There are a number of issues the Taoiseach would need to be mindful of if

he is considering going down that road. The biggest one nationally is housing, whereby people will vote for change and vote against the Government. In rural Ireland, however, the post office issue is a real issue which poses dangers for the Government and it will ignore those communities and their wishes at its peril.

Post office services, first and foremost, should be provided on the basis of the needs of communities and the people who live in those communities, rather than on a break-even basis. That is my belief; it is a socialist, left opinion. It is clearly not an opinion that is shared by the Government but it is also not shared by other parties in this House because the decline in the post office infrastructure has taken place under both Fianna Fáil-led and Fine Gael-led Governments - right-wing government that turns its back on the idea of providing a service for a community and instead looks at it in terms of pounds, shillings and pence.

To look at post office services a little more broadly, but in a way that is very relevant to this debate, back in 2011, after examining the effects of opening the postal service to the free market in mainland Europe, the Communication Workers Union was able to predict widespread job losses, a severe strain on the universal service obligation and a decline in the quality and level of postal services. What is happening at the moment has to be seen in light of those points. I would also make the point that in addition to recent closures and job losses, An Post employees have also experienced wage reductions over the last few years which have resulted in savings of €100 million. We need to learn from the experience in this country and internationally. Cut-backs in postal services and privatisation of essential services are a total failure for customers, for working people and for the communities they serve.

Deputy Catherine Connolly: As an Independent Deputy for Galway West, and with Galway being the county picked out to have the highest number of closures, I am trying to avoid despair at the decisions that were made. There are 18 closures in Galway city and county, from the Gaeltacht to east Galway, including Indreabhán, where the criteria do not match the population on the ground, which is way in excess of 500.

Deputy Denis Naughten: That is why the review process is there.

Deputy Catherine Connolly: The Minister might say that. Tonight I do not want to thank the Minister but to acknowledge the work done by the Public Banking Forum of Ireland, the Independent Postmasters Group and the International Small Business Alliance for their oral and written submissions to the Oireachtas committee on 4 September, their letters to Deputies and their letter of 27 June. I specifically mention it because all of that has been done on a voluntary basis. They have done it to educate us and what they have done, thankfully, has changed the narrative from the very limited debate of saving our post offices to one that envisages the transformation of our post offices into a network of thriving, profitable community banking services and multi-service providers. They have given us all of this language and all the statistics, and they have moved on to point out the intrinsic link between the future of the post office network and the future of Ireland's indigenous economy and indigenous companies, which are the backbone of our economy.

They have pointed to the crucial difference between funding the productive economy, which is very important, and the funding of speculative bubbles, and the role of the post office network in assisting the transformation of the Irish socioeconomy. They go on to give us examples from New Zealand and Germany. Indeed, the programme for Government committed to looking at a community banking model and I have read the report prepared for the Minister on local public

banking in Ireland. Extraordinarily, it highlights exactly what those organisations have said. It points out the advantages and the returns to the community of these types of models but it goes on to say there is no case for rolling them out in Ireland because it would involve the spending of public money, and some €170 million is mentioned.

Coincidentally, I am on the Committee of Public Accounts and tomorrow we will be examining the billions of euro paid to the banks with absolutely no return or pay-off to the economy. This is a model with huge pay-off on every level. It will keep our rural areas thriving and will be the backbone of indigenous industry, yet the Minister has rejected it. I ask him to review that.

Deputy Thomas Pringle: Across Donegal, there are 17 post office closures. Galway and Donegal have the greatest number of closures nationally. In Donegal, one has Dunkineely, Brinlack, Bunbeg, Burtonport and numerous others will close. It is the responsibility of the Minister and An Post that those closures are taking place and they are doing nothing to ensure the survival of the remaining post offices. There will be further closures over the coming years in response to which the Minister will wring his hands and say he did his best to roll out services. I do not believe he has done his best or that the best has been done for post offices.

Deputy Connolly outlined how An Post could be an alternative banking model. It is perfectly feasible and could be done if An Post was willing. I sat on the committee last week when the head of An Post said no one came to him. Why did he not go out and speak to people? He is responsible for maintaining the service and he should be going out and speaking to people. The Government has divided itself from An Post in order to keep a separation which allows it to say there is nothing it can do because its role relates only to governance, not to day-to-day operations or the closure of services. The Government has failed An Post and the service will be failed further because it will not be allowed to develop.

Fianna Fáil presided over the closure of 460 post offices. The least we can say for the Government is that it has put together a plan, although it is a failed one. Fianna Fáil simply closes post offices. Both parties are cut from the same cloth because as long as An Post is required to be independent and to tender services on a financial basis, we will see the decline of rural Ireland. We have to make our post offices a centre for communities. Only then will we see post offices developing. That is what is important.

Deputy Joan Collins: While post office closures constitute an issue which will massively affect rural communities, they are also an issue in my own urban constituency in Rialto where I have worked with people to prevent the closures. We heard recently that Bluebell post office could be under threat with the retirement of a postmaster. I have been in contact with An Post, which is trying to get that out for tender now. There is always the difficulty of rent prices. The question therefore arises as to how the Government should supply services according to need and what sort of intervention should take place to provide those services. Many of our vital local services are under threat today, whether it is post office or bus services, in rural and urban areas. We have a Government which is fixated on the notion that market forces, the private sector and profits constitute the only way to provide the services people need for a decent life. We need only look at the housing crisis to see where this fixation has led.

It is now ten years since the great financial crash of 2008 when a banking system obsessed with huge profits, speculation, bonuses and favoured clients, such as big property developers, brought the country to its knees. Another crash is entirely possible and being spoken about

internationally. I do not feel confident at all that things have changed in the world of “too big to fail” private banks. That is the reality. We need an alternative way to do things which acknowledges a right to housing and affordable and efficient public transport. There is a right to live in viable and sustainable communities in urban and rural settings. Central to such an alternative must be the idea of public not-for-profit banking. This is where the failure is. I saw the statement from the Irish Postmasters Union saying that community banking is not a panacea for the challenges faced by the post office network, but in my view it would play a crucial role in maintaining the post office network if public banking were brought into it. Public banking is a sensible and completely workable proposal for an alternative banking system. It has been working successfully in Germany as we know, having had representatives from the German community banking sector in Leinster House speaking to Members in committee.

I ask Fianna Fáil what its criteria were for closing almost 752 post offices during its time in power. The party has challenged the Minister here as to what his criteria are. We must maintain these services in our communities. This issue is the needs of our elderly and people who want to use alternative banking. That is what we should be addressing. It would work successfully and I hope the Minister will introduce it.

An Leas-Cheann Comhairle: The Rural Independents have a total of six minutes for four speakers. Deputy Michael Collins is first.

Deputy Michael Collins: I had hoped the Government had learned from the errors of its predecessor but the fact that we are here tonight fighting to save our post offices shows that nothing has changed. I have seen five post offices targeted for closure in my west Cork constituency, including a three-generation post office in Allihies, which will close in January, Drinagh post office, which will close in October, and Minane Bridge post office. Ballineen and Desertserges post offices have already closed their doors. I sincerely thank the O’Driscoll family in Ballineen for 44 years of service and Hannie Crowley in Desertserges for 43 years of service to the people.

The Government is continuously letting down the people of rural Ireland. For years, postmasters and postmistresses have had to put up with living on the minimum wage and being treated terribly by the Government. In the last two weeks in west Cork alone, I have seen the closure of Lisgriffin national school, Ballineen post office, Hickey’s foodstore in Kilbrittain and Lordan’s butcher shop in Ballinspittle. Rural Ireland is suffering every day as our community amenities close. We have seen the closure of schools, banks, post offices, Garda stations and local shops. Where does this end? The Government promised rural proofing during talks to form an Administration. Rural proofing is meant to be a commitment by the Government to review and examine all public policy to ensure it does not disadvantage rural areas. Where is the rural proofing here? How many more post offices will the Government close? No new services were injected into rural post offices. The only Government policy was to get rid of them.

Deputy Michael Healy-Rae: I refer first to a communications consultant who issued a statement this evening on behalf of the IPU. The IPU should have been outside the Dáil to protest with the rest of us, including the independent postmasters led by Mr. Tom O’Callaghan. We should all be on the same side in this argument to keep as many post offices open as possible. I thank Sinn Féin for its motion. However, while its heart is in the right place, its motion does not go far enough. What is needed is the implementation of the 2016 motion voted on by every Deputy here, including the members of Sinn Féin. If that were implemented, it would solve our problem and save as many post offices as possible. I am very sorry that County Kerry is being

hit very severely. It is not just a matter of the current wave of 159 closures, but what is coming after. The other post offices are not safe. People who have not been issued with a contract to close will not necessarily survive. We are all in the same boat and going down the Swanee unless the Government wakes up. Unlike others, I do not lay this at the door of the Minister. However, I am looking for the Government to work with us. For God's sake, the Minister, above anyone else, knows the answers to the problem we have. We only want to save as many post offices as possible. That is what we are looking for.

Deputy Michael Harty: It is the Minister's responsibility to govern for all communities, not just the strongest or luckiest ones. That is what is happening now. It is the strongest and the luckiest that are retaining their post office services. Those which are neither strong or lucky are losing theirs. It is the Government's responsibility to ensure Ireland is not just an economy and to consider the fundamental societal issues this raises. It is not an issue which can be resolved through industrial relations and the retirement of postmasters and postmistresses. That is a very unfair way to deliver the Minister's plan. While 159 have opted to go and 231 have not, all 339 were encouraged to go and will continue to be encouraged to go until they are all gone. There is no guarantee that the 690 post offices which are being offered new contracts will take them up. It is a very unfair way to deliver a post office service.

A Programme for a Partnership Government committed to the exact opposite course to the one the Government is taking. There is no reference in that programme to the closure of 390 post offices. There was a commitment, rather, to support the post office network, provide it with extra services and develop community banking. However, the Government has gone in the opposite direction and against A Programme for a Partnership Government. We will table an amendment to the motion to propose that our motion of November 2016 be implemented.

Deputy Danny Healy-Rae: Post offices have been part of the fabric of rural communities since the foundation of the State. I thank Tom O'Callaghan for attending all the meetings in rural Kerry, where 12 post offices are to close, for his assistance and for attending meetings as far away as Ballinskelligs, way down in south Kerry. Nine post offices in one part of north Kerry are being closed. The Minister says rural communities can appeal and look for a contract to be issued to a new provider but he also says the appeal must be submitted before 26 September.

Deputy Denis Naughten: It is 31 October now. The deadline has been extended.

Deputy Danny Healy-Rae: I am asking the Minister to extend it much further than that - for at least one month.

Deputy Denis Naughten: Yes. It is 31 October. That is an extension of a month.

Deputy Danny Healy-Rae: People in rural communities have been shocked and are reeling at what is happening in their parishes. The Government says that by closing one post office it is saving two. How does the Minister explain closing nine in one part of north Kerry? What will happen is that people will get their pensions paid into their bank accounts. They will not go to the bigger towns or leave their own communities. The Government is going to close many more of them. I am very disappointed with this Government and this inaction. It is so easy to close everything, which is what seems to be happening; the trick is to keep things open. I am asking the Minister to work harder to ensure that communities-----

An Leas-Cheann Comhairle: Glaoim ar an Teachta Carol Nolan.

18 September 2018

Deputy Danny Healy-Rae: No one is begrudging the retirement packages postmasters such as Séamus McCarthy in Gneevullia-----

An Leas-Cheann Comhairle: An Teachta Carol Nolan, le do thoil.

Deputy Danny Healy-Rae: -----who gave 52 years behind the counter. No one is begrudging him of the money-----

An Leas-Cheann Comhairle: We must be fair.

Deputy Danny Healy-Rae: -----but the community of Gneevullia is entitled to a post office service.

An Leas-Cheann Comhairle: The Deputy must have respect for his colleagues.

Deputy Danny Healy-Rae: I am sorry, a Leas-Cheann Comhairle.

An Leas-Cheann Comhairle: I call Deputy Carol Nolan.

Deputy Carol Nolan: I welcome tonight's motion and support amendment No. 1, wherein we call on the Government to honour immediately its commitment in the programme for Government to support the establishment of a five-year post office network renewal process and to honour the Dáil motion on this very issue that was passed two years ago, yet here we are again.

Much debate on this topic over the past two years and many innovative solutions that could have been implemented by many stakeholders who put them forward were ignored. Post offices were denied opportunities to help them. The closure of 159 post offices in rural areas is nothing short of an abject failure of Government. I call on the Minister to acknowledge his failure and that of his Department and to respond effectively to and address the continued decimation of the rural post office network, which is a testament to his Government's inability to lead change or develop innovative delivery models for the post office and community banking services. If the Minister implemented the community banking services, it would reap benefits for our rural communities. Farming families are unable to access low-credit loans, which is a huge issue that is being widely discussed as we speak at the National Ploughing Championships in Offaly.

There are other issues, including small businesses, which are struggling. The Minister and other Government members have got up several times and spoken about the small businesses in our villages. A community banking system would benefit those businesses and our farming families, who are struggling. We need to look at these solutions. The solutions are there. It is now up to the Minister to take action.

Deputy Denis Naughten: The solutions are coming.

Deputy Carol Nolan: I hope so. When are they coming? Can we expect them-----

Deputy Denis Naughten: In the new year.

Deputy Carol Nolan: Okay. We do need them and we all need to ensure that fair play is given to rural communities. We do not want to be back here again in a year or two with the same issue.

An Leas-Cheann Comhairle: I call on An Teachta Seamus Healy, who has kindly given two minutes of his time to Deputy Michael Fitzmaurice. The Deputies have a total of eight

minutes.

Deputy Seamus Healy: I confirm my support for this Private Members' motion on the future of the post office network. This issue raises the whole question of democracy in this country and the relevance of this Dáil. The motion passed here in November 2016, agreed unanimously by the House, meant - or should mean - that the post office network would be supported and improved and that, as the motion stated, "a five-year holding plan will be put in place while these changes are being implemented or there will be no network left to salvage". The House unanimously agreed this motion in November 2016, including the Minister, the Fine Gael Party and every other party and every Independent in this House.

What is the relevance of Dáil Éireann if a motion unanimously accepted by the House is simply thrown aside and An Post carries on as if it never happened? Surely the Minister has something to say about that. Surely this Dáil has something to say about that. We are here as Teachtaí Dála, the messengers of the people, and we all voted here unanimously in November 2016 to support the post office network and to ensure that nothing would happen for a period of five years until the network was built up and established, yet no one takes a blind bit of notice of this, including the Minister, the Government and An Post. One would wonder what is the point of us being here at all.

I thank and compliment the postmaster in Kishkeam, who has refused to take the package, stood up for his local community and said this is a step too far. There is no question but that he is absolutely correct in that, and I applaud him for his leadership in the community. There is no financial necessity for the closures we are seeing, and it should be remembered that the closures are only the beginning. David McRedmond, the CEO of An Post, told us very recently that in 2018 it would make a minimum of €20 million profit and possibly closer to €30 million. This was on top of a profit of €8.4 million in 2017. There is therefore absolutely no reason whatever from a financial point of view for these closures.

The postal service is a public service, not a commercial operation. This means that making profit is not the priority of An Post; providing a public service is its priority. This in turn means that if An Post needs to be subvented by the State, that should be done because there is an obligation on the State to provide public services, including postal services, to local communities. There is no doubt but that it is time to cry halt to this. The Minister, the Government and An Post will not accept the will of the people, the will of this Dáil. We now have 159 post offices closing, and 390 will effectively close over a period if the plan goes ahead. In my constituency we have eight closures in Clogheen, Ballingarry, Templetuohy, Littleton, Newcastle, Coolbaun and Upperchurch. Many of these post offices have more than 500 residents in the area. As everyone here knows, the local post office is the heart and soul of the local community, of local towns and villages, not just from an economic point of view, but also from a social point of view, which is very important. Local communities look to the weekly visit to the post office to keep in touch with everything that goes on in the community. Many such towns and villages already have lost Garda stations and banks and if they lose the post office, there will be knock-on effects on the local shop, café and hairdresser because if people are not collecting their social welfare payments at the post office, they will not do their other business in the local village either. It is incumbent on the Minister and on this Dáil to ensure that this is reversed immediately.

Deputy Michael Fitzmaurice: First, I support the motion and the proposed amendment to it. Some 62% of all the closures are along the west coast, from Kerry right up to Donegal. Some 42% are in the west of Ireland. One in six post offices to be closed are in counties Galway

and Roscommon. One thing that needs to be debunked, which I hear day in and day out, is the idea that these people had a choice. The fact is they got a letter to state they no longer formed part of An Post's plans. Some of them were sick and some were elderly. Had they not a right? In every walk of life one has a right to take a pension. These people were trying to cling on for the simple reason that An Post would not give the offices to their sons and daughters in the towns and villages about which we are talking.

Every one of us here sat with Mr. McRedmond in the last few weeks. There has been no reply yet to a question he was asked, which was whether the 231 people would be given the new contract. If one of these 231 unfortunately gets sick or dies, will they be replaced? He has not answered that yet. Mr. McRedmond said no more post offices would be closing. I can tell the Minister that this evening I heard another one is to go in the constituency the Minister and I share. That is Mr. McRedmond. Everything he has said seems to have been untruths. He was asked whether there would be an extension made to the appeals process from 27 September or would the formula be changed. Each post office that is closing possesses a computer and a safe. If a business beside that office is willing to help those people and communities and to keep open a shop or a business, will the Minister make sure they are transferred?

Imelda Burke's name was mentioned. She has written to all of her people, as was rightly pointed out, and has got a great response. The Irish Postmasters Union has come out with a statement this evening. It should have been outside that door today because neither An Post nor the Irish Postmasters Union represents the people across rural Ireland. The Minister has to get involved in the appeals mechanism for the simple reason that its terms of reference absolutely will whitewash any hope of people getting a proper set-up.

There is one solution to this and it is a quick one. Deputy Dooley rightly asked whether, if there is a road in an area in which there are not many people, the potholes are fixed. He is dead right. The potholes need to be fixed. Deputy Dooley will be the driver of the lorry in the next few weeks when the budget is being put together. His party will be the one that can stand up under the confidence and supply agreement and either support the Government in closing the post offices or not.

Deputy Timmy Dooley: The same as Deputy Fitzmaurice did when he negotiated the programme for Government and then bottled it on the last day.

Deputy Michael Fitzmaurice: At least I did not go in under false pretences. I was not in in one way and out in another.

Deputy Timmy Dooley: He should take responsibility.

Deputy Michael Fitzmaurice: At least I was able to stay out.

Deputy Timmy Dooley: He bottled it.

An Leas-Cheann Comhairle: Deputies, please. There is plenty of room at the back of the Chamber. I call on Deputy Cullinane who has ten minutes and who I understand is sharing with Deputies Ó Caoláin, Adams and Ferris.

Deputy David Cullinane: I thank the Leas-Cheann Comhairle. First of all, I commend my colleague Deputy Stanley on tabling this motion. Three post offices in my own constituency are closing in Ballinamult, Kilmeaden and Lemybrien. It is true to say that if one does not nail

everything down in this State, either Fianna Fáil or Fine Gael will sell it off, privatise it or close it down. It is a bit disingenuous and hard to take when Fianna Fáil representatives come in here with pious words, empty rhetoric and crocodile tears when they closed hundreds of post offices. They have a bit of a brass neck to stand outside Leinster House today and say that what this Government is doing is a disgrace when their party closed hundreds of post offices. Deputy Dooley talked about potholes. There would not be a pothole big enough to be filled with the absolutely empty rhetoric which he spewed here today. His party is directly responsible for the closure of hundreds of post offices. The Deputy should own it.

Deputy Timmy Dooley: The Deputy's party disappeared many people into holes too.

Deputy David Cullinane: His party is keeping this Minister in office. He should own it. The Deputy talked about the ruination of rural Ireland. He should take responsibility for the fact that rural Ireland is ruined because of what his party did. Hundreds of thousands of young people are in different parts of the world today because of the policies of his Government, yet time and again the Deputy thinks it is okay to come in here, play politics with people's lives and pretend he cares when he simply does not. If he did care he would not come in here with the brass neck he brings every single time issues like this arise and point the finger at a Minister whom he is keeping in office. He then talks about post offices which are closing tomorrow, next week and next month when Fianna Fáil is responsible for hundreds of post offices closing.

Deputy Timmy Dooley: Would be better off having no government? That is what Sinn Féin perpetrated on the Six Counties. It has never taken responsibility for anything.

Deputy David Cullinane: He has absolutely zero credibility and the people in rural Ireland know it. He has zero credibility. The Minister with responsibility is gone. It is a pity he did not stay for all of the exchanges.

Deputy Seán Kyne: He will be back.

Deputy David Cullinane: He should be here for all of the debate because he is the Minister with responsibility for this area. He should be listening to all of the contributions. I will just say this, because other speakers need to come in. We have put forward solutions, as have others in this House. Independent Members and others, including Fianna Fáil by the way, have put forward some solutions in respect of this issue. One of the obvious solutions is to continue to allow, and to in fact encourage, social welfare recipients to use the post office. The Minister of State's party and Government, however, forced many of them to use banks. The policy of the Government was not just to encourage them but to force them to use banks and to move away from post offices. Again the Minister talks about the fact they are not viable and how they need to be profitable and all the rest while the Government systematically runs them down. I do not have confidence in either Fianna Fáil or Fine Gael to support rural Ireland. They have both failed it. There are towns and villages up and down this State that have lost post offices, Garda stations, schools and healthcare services because of the policies of both parties. I do not have faith in any of them, especially Fianna Fáil which, as I said, has an absolute brass neck to be talking about rural Ireland.

Deputy Caoimhghín Ó Caoláin: The Government has failed rural Ireland. This latest attack on post offices is unforgivable and I today applaud the good people of rural Ireland who have stood up in community centre meetings and in other fora all around the country in opposition to this most damaging measure. In the counties I represent of Cavan and Monaghan, we are

18 September 2018

facing nine closures, namely, Corranearry, Killeshandra, Kilnaleck, Mountnugent, Swanlinbar and Tullyvin in County Cavan along with Clontibret, Dartrey and Smithborough in County Monaghan. We should make no bones about it, this is totally unacceptable and is unnecessary. The smallest towns and villages in Ireland have seen their economic viability wiped out by the Minister of State's Government. The local bank, butcher, grocer, pub and, in some cases, schools and Garda stations have all disappeared under the Government's watch and under that of its predecessor Administration. The post office was the last hub of both social and economic activity. The local post office was the last stand and this is why we are seeing such resistance. These closures are happening as a result of determined inaction. It is said that these closures are happening because these particular offices are unviable. I put it to the Minister of State that they are unviable because his Government has, by its inaction, made them unviable.

Its programme for Government, in respect of post offices, has reference to an "ePayment Account" and "community banking" but it has sat on its hands. Its rural action plan, published in 2017, stated it would enhance local services "through support for the rural post office network to adapt to a changing business environment". The Cabinet was due to discuss the introduction of a public banking model last January. What was the outcome of these discussions? Officials from the German Sparkasse model offered to act as advisers. I fear the mainstream banks have scuttled this proposal. These are the very same banks that have also abandoned rural Ireland and, by and large, the people of Ireland; the very people who bailed them out when the crash occurred.

I will leave the Minister of State with this. Our most marginalised towns and villages need and deserve support, not closures. The Minister of State neglects them at his peril. I commend the Sinn Féin motion to the House.

Deputy Gerry Adams: I commend Teachta Stanley on tabling this motion. The closure of Garda stations, rural schools and transport systems have torn the heart out of rural communities. Is ionsaí é seo ar dhaoine atá ag brath ar sheirbhísí poiblí. The proposed closure of 159 post offices, including Annagassan post office in County Louth, makes this worse. In Annagassan, the local post office provides a vital social hub for local people, particularly older citizens. It is a vital public service and the Government has broken the social contract it made with these citizens.

Local services should be enhanced not destroyed. Additional services could and should be delivered to all post offices as the 2016 Kerr report outlined, such as extended financial services, Government services and motor taxes. This would keep jobs and services in rural areas. That is, of course, if the Government is really committed to doing this. Previous Governments have shut down the post office network with Fianna Fáil closing 732 of them. It can stop the Government which it supports from closing any more. The Government must keep to its commitment regarding post offices contained in the programme for Government.

Deputy Martin Ferris: I thank Deputy Stanley for bringing this motion forward. All rural Deputies are very taken by this debate because we know the consequences of the closure of a post office for a small village. If one closes the post office, then one effectively closes the village's only pub and shop. The knock-on effect is quite significant. This is all done in the name of viability with the claim these post offices are no longer viable. This wonderful word is being used by An Post and by the Government. What about social viability? What about viability for the elderly people who live in rural communities?

During the week I was with Deputies Michael and Danny Healy-Rae at a meeting about the closure of the post office in Ballinskelligs. It is 14 miles away from Cahersiveen on a peninsula. Nearly 400 people attended the meeting and they knew about the viability of their post office. The post office in Mastergeehy will also be closed, meaning the two post offices in the only Gaeltacht area in south Kerry will be shut. That is a nice statement to those trying to promote the Irish language and ensure it survives. They are also doing a good job at it. It was heartening to see the conversation at that meeting both as Gaeilge and through English. The closure of the post offices in Ballinskelligs, Mastergeehy, Ballylongford and Moyvane will have a knock-on effect. Up to 16 post offices are due to close in Kerry because of this great word “viability”.

Deputy Healy spoke about the motion on post offices passed in 2016. That motion is not worth the paper it is written on because neither the Government, nor its partner in government, Fianna Fáil, have done anything about its implementation. This is another failing of the political establishment in the State.

What can be done for the survival of post offices? Community banking and ensuring social welfare payments are paid out through the network have been mentioned. In 2011, Deputy Ó Snodaigh called on the Minister to use the post office network to pay for all 80,000 State community scheme payments. If this happened, it would have an effect on ensuring their survival.

It is in the hands of the Minister and Fianna Fáil to ensure our post offices are protected

Minister of State at the Department of Communications, Climate Action and Environment (Deputy Seán Kyne): Like many of the Deputies this evening, I pay tribute to the postmasters across the country for the service they have given over many years.

In April this year, An Post announced its renewed vision for the post office network which centres on the availability of new services in a modernised and revitalised network. The announcement was supported by an agreement reached between An Post and the Irish Postmasters Union, IPU, executive following months of intensive negotiations. It was subsequently endorsed by 80% of IPU members. The IPU agreement represents a necessary first step in reinvigorating our national post office network and making it a viable, sustainable, modern and vibrant network for the future, capable of adapting to the changing environment in which it operates by providing a service that meets the needs of communities across the country, particularly in rural areas.

In its negotiations with An Post, postmasters sought both the modernisation of the network and a voluntary redundancy package for those who wanted to leave the business. Some of those have now taken the decision to leave and it is important that these decisions are respected. They have not been taken lightly or without good reason. There are several reasons that postmasters across the country are availing of this offer including age and low population levels, as well as the fact that some postmasters are not even earning the minimum wage as a result of declining transaction levels and mail volumes.

An Post has advised that where a post office closes, 70% of the business transfers to a neighbouring office. The reality is that by facilitating those who wish to exit the business, neighbouring offices are further supported thereby ensuring a more sustainable network for the future. As part of its strategy for modernising the post office network, An Post has established a dedicated business unit within An Post, An Post Retail. Investment of €50 million in the network by An Post, which is equivalent to €45,000 per post office, is about getting communities to use the

enhanced services in their local post office that will be provided through a modernised network.

Additional services that An Post proposes to introduce through the network include a better range of Government services, financial services and e-commerce services for shoppers and small businesses. There is already a rapid expansion of banking services happening with the smart current account and enhanced foreign exchange facilities. Post offices will have credit card services and will be able to provide loans to small business and personal loans. An Post is committed to ensuring that our post offices will be equipped with the range of services that will attract and retain footfall. However, these measures are meaningless unless the public uses the services provided.

There has also been an expansion of postal services in the past two years. An Post vans can now be seen in rural communities on Saturdays. That is because An Post now provides a parcel service to every rural townland six days a week. There was a concern several years ago that we would not be able to retain the five-day service.

Agreement with the IPU removes a level of uncertainty that has existed as a result of the piecemeal approach associated with closures of post offices for the past 30 years. The IPU has publicly acknowledged that. An Post has given a pledge to retain a post office network right across the country. However, we must of course be cognisant of the declining transactions in recent years that reflect the reality of the world we live in today. We must equip post offices with a range of services that will attract and retain footfall. Those measures are meaningless, however, unless the public uses the service the post office provides.

Government business is the backbone of the post office network. The National Treasury Management Agency, NTMA, service in respect of State savings and the social welfare contract are the two big financial drivers for the overall network. In April this year, the Minister for Employment Affairs and Social Protection renewed her Department's contract with An Post to provide pensions, child benefit and other social welfare payments at post offices.

While the Government's policy is to offer Government services online, there will always be a segment of the population which is not comfortable or proficient accessing online tools or services. The post office network is the obvious choice as the offline gateway for citizens with its nationwide network and existing strong relationship with offline citizens. Government funding of €80,000 has been allocated to roll out a pilot scheme for digital assist which will see ten post offices equipped to help citizens with online Government interactions. Government approval has been secured to explore how further services might be made available to our offline citizens. This would be delivered via a centralised procurement framework. A working group comprising representatives across Departments will be established to consider this issue and will report back to the Government by the end of year.

Standing still is not an option. If, politically, we tread water or if we shirk decision-making, we will not have a stronger post office network. Instead, we will have a weaker one and, potentially, ultimately we will have no post office network at all. The Minister is determined to embrace change because change is required to deliver for post offices and a postal service for the future. Change is especially required in rural areas. There is widespread acceptance that the post office network requires modernisation to build, maintain and protect a service that meets the needs of communities across the country today and into the future.

While much has been achieved in An Post over the past two years, there must be a clear

focus on continued delivery for the future. That is critical to ensuring the long-term success of the national postal operator and a sustainable post office network to serve future generations. It is important also to restate that any individual, group or representatives concerned about a decision can apply to have An Post's decision reviewed through a new independent review process. It is a completely independent process. The closing date for receipt of appeals has also been extended to 31 October, which gives the groups, communities and businesses the maximum chance to put forward an appeal to allow it to be individually adjudicated on.

Having worked with the Minister, Deputy Naughten, for the past two years, I know the commitment he has to ensuring the viability of An Post. We have had darker days in terms of the future of the company. We have had debates in this House about increasing the price of stamps, etc., to ensure the viability of the business. We have seen that turned around to a degree with the parcel delivery service with six-day deliveries, when we were concerned we would not be able to keep vans on the road for five days to deliver ordinary mail.

An Post has a plan and a vision to secure its future and to secure the maximum number of rural post offices. That is what this is all about. We can have a scattering of very small post offices that are not viable and will never be viable or we can try to consolidate the network and ensure the viability of the maximum number of post offices in urban and rural areas.

An Leas-Cheann Comhairle: Sinn Féin has the final ten-minute timeslot to be shared among Deputies Tóibín, Stanley and Buckley.

Deputy Peadar Tóibín: Tóghfaidh mé dhá nóimeád.

I visited a number of rural towns in my constituency last week. The first one I was in was Kildalkey where secondary school children have to walk ten minutes along a windy road, wearing high-vis jackets, first thing in the morning because the Department of Education and Skills took their seats on the school bus from them.

I was also in Collinstown on the first day the post office was closed. I was told by the person in the only remaining shop in that village that their profits and turnover that day were radically down.

I was also in the village of Clonmellon. It has a lovely broad street with beautiful old houses but only one in three of them is currently occupied. One bus rolls into and out of that village every day but that cannot be guaranteed.

I then went to Rathmolyon where I had organised an An Post save our post offices meeting. It was really well attended. People told me it would cost them €35 to get a taxi from their village to the next shop to collect their pension. In one day they were going to spend nearly 20% of their income just getting their income. As I drove home in the dark from that meeting, I realised Fine Gael is ripping the fabric of rural Ireland apart. In 20 years' time we will have 50% of the population living in Dublin city. This is an outlier in European terms. I do not know of any other European country where its capital city is so dominant. We will have a city state in this country. That is not good for the people of Dublin because Dublin is overheating. People cannot get houses, they cannot get their children into schools and the streets are congested. The Government is even talking about taking water from the Parteen Basin on the River Shannon so that the people in Dublin can have water.

What we need in this country is proper spatial delivery, which we do not have. We are

18 September 2018

currently rudderless. It is incredible. A critical mass of footfall into these towns and villages is necessary so that other shops and businesses can function. If the post office is taken out of them, there is no way they can function. This is only the tip of the iceberg. The truth of the matter is that I met An Post and it told me that 500 post offices in this country were not economically viable. An Post sought 230 closures and it only got 159. It is a nonsense that the Minister would say that the pension decision of an individual postmaster should determine whether a whole town or village has a post office. A postmaster can make such a life decision and I am not questioning that but the Minister cannot let that be the decision of whether people can have a functioning rural society in which to live.

Deputy Pat Buckley: I commend Deputy Brian Stanley on bringing forward this motion, which I urge the House to support. The Minister, Deputy Naughten, and the Minister of State, Deputy Kyne, both surprisingly said that it is important to remember that when a post office closes 70% of the business transfers to a neighbouring office, but the knock-on effect of a post office closure is that 100% of that service is lost in the community. It simply does not make sense.

The 2011 census of population found that 40% of lone pensioner households in rural areas did not own or have use of a car. Closing local post offices for the sake of trying to save a few euro while forcing people to travel where there was virtually no public transport is a very cheap trick.

We are talking about 159 post offices. One such closure is one too many. Twelve post offices are to close in County Cork, the knock-on effect of which will be that 34 towns and villages in those areas will be directly affected. I find it ironic that the nearest post office for those living in Rockchapel in County Cork will be in Brosna in County Kerry. That is very strategic planning. It must be extremely frustrating for our elderly and disabled throughout the country.

This affects the people in rural areas but, in terms of the service a post office provides, in one's post office one talks to one's postmaster or postmistress. They help one with filling out forms. That is gone. Paying €5 off the ESB or any other bill is now gone. We are losing services.

Another issue is rural isolation. The post office was probably the last remaining local hub because the Garda station and the pub are gone and now the post offices and shops will possibly be gone. For some people living in rural areas, the post office might be the only point of one-to-one human contact they might have once a week, if they are lucky, or once a month. One does not realise the detrimental knock-on effect in terms of what will happen rurally when this service, which is a public service, ceases. The Minister mentioned earlier that one post office made nine social welfare payments. It does not matter how many it made. It was providing public services. That is what post offices are supposed to provide.

The Minister is closing down rural Ireland and I can tell him that the loneliness experienced by older people and those who are disabled can kill. He should remember that.

Deputy Brian Stanley: The Minister needs to get the message here tonight that he is not a bystander in or a commentator on these matters. He is the shareholder on behalf of Joe and Mary public, the citizens of this State.

Many proposals have been put forward on what should be done. Over the past two years, I, on behalf of our party, Sinn Féin, and my predecessor, the former Deputy Michael Colreavy,

have put forward many sensible proposals on the expansion of services, community banking and co-location. We have been very open in recognising the need for flexibility and change. However, the Government amendment calls for the Government services to stay in the network but it is not getting the additional services recommended such as motor tax renewals, rates payments, etc. It has ignored those. It also calls for an additional service to ensure the network's viability. The Minister said that 17 out of the 19 recommendations in the Kerr report have been implemented. I have some of them in front of me that have not been done. I refer to the network renewal, a basic payment account, motor tax, a financial service strategy and credit unions, with the exception of a pilot scheme.

Despite the commitment in the programme for Government, that has not happened. The political will has been lacking, and this is the key issue. In its amendment, the Government calls for a proposal to ensure that An Post services are appropriate in the areas where the 159 postmasters are retiring and to take into account the potential for co-location. I take it that the Government also questions the current criteria.

I made the point earlier today to the Minister that the issue of retirement should not equal closure. Just because somebody is retiring from a business or a job does not mean the factory should be closed down. That is just a convenient way of doing it.

I want to revisit the definition of a settlement with the Minister. I refer to settlement areas with a population of 500. What about the town of Geashill in County Offaly? That town has 500 citizens living within its environs or very close to them. Another such town is Ballybrittas in County Laois. Moneygall, on the southern tip of Offaly on the border with Tipperary, needs to be looked at again. Those are three post offices that are up for closure.

Deputy Denis Naughten: That is why we have the appeals process.

Deputy Brian Stanley: If the Minister is extending the deadline to 31 October, what happens to the post offices that are due to close before that date? What about those that have already been closed? In County Laois alone, we have Ballinakill and Ballybrittas. Crettyard was lumped in with Carlow but it is actually in County Laois. However, we will not split hairs on that. In Offaly, we have Geashill, Moneygall, Mount Lucas, Pullough and Walsh Island. They are substantial communities and these closures will be a huge loss to them.

The Minister has not committed to community banking.

The banks have withdrawn from rural Ireland and what the Minister is proposing will allow the pillar banks to use the post offices to provide limited services, but the pillar banks will withdraw the profits from them. These are the pillar banks we bailed out. We need to put in place either the Sparkassen or the Kiwibank model where the profits are reinvested in the local community or into government services in rural areas. The Kiwibank model is the option in New Zealand and the Sparkassen model is used directly by local government in regions of Germany.

The whole process of reform of the post office network has been like watching paint dry. It has been like a slow bicycle race over the last seven years. It has been grinding on and on.

9 o'clock
The Oireachtas committee looked at this early in the last term of the Dáil and it has been grinding on since then. I have to agree there has been inaction on this for decades. There was clearly a need for quick action in the years 2012 to 2014 but that did not happen. Here we are still watching the slow bicycle race taking place. We are looking at the definite closure of 159 post offices, with one more mentioned tonight, and

18 September 2018

there is the likelihood of another 230 post offices which have not been offered a new contract. This affects the most marginalised rural communities. The Minister must remember it affects the most marginalised people within those communities. It is those people who are elderly and those who are on the smallest incomes who will be hit hardest. I have heard people say someone can get a taxi and do a round trip to a post office within 15 km. However, that would be the first €30 gone out from a pensioner's income as a taxi would cost €25 or €30. That must be borne in mind.

I also ask the Minister to bear in mind that people over the age of 70 are having huge difficulty in getting car insurance and I know many older people in rural areas who can no longer drive. This matter requires a hands-on approach. The Minister is not a bystander in this but is representing the public in this regard. He is the sole shareholder and he needs to get a grip on this to stop these closures.

Amendment put.

An Leas-Cheann Comhairle: In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 20 September 2018.

The Dáil adjourned at 9.05 p.m. until 10.30 a.m. on Wednesday, 19 September 2018.