



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Déardaoin, 20 Meán Fómhair 2018

Thursday, 20 September 2018

Chuaigh an Leas-Cheann Comhairle i gceannas ar 10.30 a.m.

Paidir.

Prayer.

Ceisteanna - Questions

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Affordable Childcare Scheme

1. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs the status of the roll-out of the affordable childcare scheme; and if she will make a statement on the matter. [38163/18]

Deputy Anne Rabbitte: I welcome the Minister, Deputy Zappone, back and look forward to working with her again this year. I welcome the children in the Public Gallery. This morning's session relates to children and youth affairs, so it is great they are present.

I find myself repeating this question on the status of the roll-out of the affordable childcare scheme. Will the Minister make a statement on it?

Minister for Children and Youth Affairs (Deputy Katherine Zappone): I thank the Deputy. It is great to be back and working with her also. I welcome also the children in the Public Gallery.

My Department is working hard to develop the new national affordable childcare scheme and I am pleased to say we are making good progress. The scheme will establish and provide financial support for parents and will also provide a sustainable platform for investment in the childcare sector for generations to come. Deputies will be aware that legislation establishing the new affordable childcare scheme, the Childcare Support Act 2018, was enacted before the summer recess. This will be underpinned by detailed secondary legislation and formal policy

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guidelines, both of which are currently in development, along with the regulations to provide for the registration of school-age childcare services by Tusla. These regulations will be introduced in advance of the affordable childcare scheme to allow school-age childcare services to register and thereby participate in the scheme from the outset.

Following a full open tender public procurement process, the contract for the development of the scheme's ICT system has been awarded. Now that a contractor is in place, my officials are finalising a detailed project plan and I will shortly confirm and communicate our plans for the launch of the affordable childcare scheme to Government, and more widely. Work is also progressing on several other fronts, including the preparation of timely and user-friendly information, resources and supports for parents, providers and other stakeholders. Alongside this, I am committed to ongoing consultation and engagement with all stakeholders in the run up to the introduction of the scheme.

Finally, the interim measures which I introduced last September to fast-track some of the benefits of the affordable childcare scheme have already supported more than 84,000 children and will remain in place until the new scheme goes live.

We are turning Ireland's childcare system from one of the most expensive in the world into one of the best. This is a massive challenge and I am delighted that we are well on the way to delivering the childcare supports that Irish families need and deserve.

Deputy Anne Rabbitte: I thank the Minister and welcome her update. It is regrettable that the ICT system has taken so long to put in place but I welcome the announcement that the contract has been awarded. Can the Minister indicate the timeline for this? Can she see us having the affordable childcare ICT system in place this time next year? Will it be up and running? A conversation the Minister and I have all the time is on 9,000 families who will possibly not make it due to the fact that they are so close to the €47,500 qualifying income level. Will other families be in this position this time next year? Can the Minister explain the secondary legislation needed to secure the roll-out of the affordable childcare scheme? How can we work with her on that?

Deputy Katherine Zappone: The delay in the ICT system is regrettable at one level, but it is really important to get this right as it will provide a sustainable platform for generations of families to come. It is one of the most ambitious ICT projects the Government is currently undertaking and will provide a model for future approaches to new ICT platforms, including the one my colleague in the Department of Employment Affairs and Social Protection is anticipating regarding pension reform. It is very important that we get this right.

Notwithstanding this unanticipated delay, as the Deputy is aware, we have fast-tracked a number of measures from this September onwards, where families are receiving more money. The Deputy referred to the possibility that 9,000 families may not be included given the fact we are not into the absolute affordable child scheme. That was an estimate at the time. We do not expect the figure to be as high as that. We know that there are huge numbers of families and children who are receiving substantially more money as and from this September.

Deputy Anne Rabbitte: In terms of the affordable childcare scheme, and this is something I flagged with the Minister earlier this summer, where children are currently availing of the early childhood care and education, ECCE, scheme in normal settings but need to attend special care units as well, can the system administer services to both? If a family has a child

with Down's syndrome, can the child attend the special needs unit in the morning and an affordable childcare setting in the afternoon or later on in the day, so the child integrates fully? It is something that has been raised with me a lot during the summer. In Grovelands Childcare, a crèche in the Minister of State, Deputy Moran's constituency, there are four children attending a particular setting. How are we going to integrate children with disabilities?

Deputy Katherine Zappone: That is a very important question and I am sure it influences and impacts many other children inside as well as outside of the Deputy's constituency. As the Deputy is fully aware, there are three primary objectives to this radical approach to childcare. Our ambition is that it will be accessible, affordable and of high quality. It is the accessible aspect about which the Deputy is speaking. As she is also aware, we have invested hugely in measures within early childcare settings in the light of the access and inclusion model, AIM, programme that support the children in participating in what are now mainstream services. On the specific issue to which the Deputy refers, it is important and if my officials are not already looking at it, I will ask them to look at it again. We have time to plan for this and given the importance of the accessibility aspect of our objectives, I am certain that we can find ways to ensure it will be accommodated.

Childcare Costs

2. **Deputy Denise Mitchell** asked the Minister for Children and Youth Affairs her plans to reduce the cost of childcare in the coming years; her views on the Economic and Social Research Institute's recent report which has found that high childcare costs are a major obstacle to many women re-entering the workforce; and if she will make a statement on the matter. [38070/18]

Deputy Denise Mitchell: My question is to ask the Minister for Children and Youth Affairs her plans to reduce the cost of childcare in the coming years, her views on the Economic and Social Research Institutes's recent report which has found that high childcare costs are a major obstacle to many women re-entering the workforce, and if she will make a statement on the matter.

Deputy Katherine Zappone: I welcome the ESRI's report which highlights the challenges childcare costs present for families in Ireland, particularly for women who wish to return to or remain in work. Providing a childcare infrastructure that enables accessible, affordable and quality childcare is a cornerstone of my work as Minister for Children and Youth Affairs. I have stated on numerous occasions that the cost of childcare is not a problem that can be fixed in a single budget. Ireland has seen low levels of investment in this area for many decades, trailing the levels of investment across Europe and the OECD. We have started to address this underinvestment in the past three budgets, with the level of investment increased by some 80% since 2015. I acknowledge, however, that there is still a long way to go. To fully address the cost of childcare, we need continued investment in childcare infrastructure. This investment will, in turn, reap dividends for the country by enabling women who wish to work to do so, in so doing boosting the economy.

Just before the summer recess I was delighted to be able to put the entitlement of families to financial support for childcare on a legislative footing for the first time in the history of the State. This came about with the passing of the Childcare Support Act. The affordable childcare scheme will mark a major turning point in the subsidisation of childcare in this country.

It will enable us to pass on to parents whatever investment the Exchequer can make available to lower childcare costs. Now that the legislation for the scheme is in place, we are focusing on the development of the IT and administrative infrastructure for the scheme and this work is continuing apace. I hope to report to the Government shortly on a timeframe for the project. To assist parents and families in the interim, as I referred to, I put measures in place last September to provide a non-means-tested subsidy of up to €1,040 per year for children aged between six months and the time at which they are eligible for the early childhood care and education, ECCE, scheme. We have also enhanced subsidies for families that need it most by 50%, up to €145 per week for children up to 15 years of age. These and many other measures support the objective of ensuring more women will be able to return to work.

Deputy Denise Mitchell: In recent weeks we have seen a number of surveys taking place on the cost of childcare. Childcare costs have risen by 5.5%. I recognise that the Minister has said this is a problem owing to the lack of funding by the State over many years. The cost of childcare is crippling working families who are paying the equivalent of a second mortgage, which puts huge pressure on family life. Despite the subsidies, childcosts are still going up. At the end of August the Minister said the investment levels identified by the Irish Congress of Trade Unions, ICTU, in its budget submission were necessary. Will she confirm that the Government's investment in the ECCE scheme will meet the figure of 0.7% of GDP in the short term and 1% by 2027, as advised by ICTU?

Deputy Katherine Zappone: The primary focus of the question is on where Ireland is in relation to other countries in terms of investment in childcare and, therefore, reducing the cost. It is a critical question. I support research that demonstrates that we are not yet there. That is really important as it helps me in my negotiations with the Government to increase the level of investment, even though, as I have indicated, it has increased by more than 80% in the past three years. It is also important for ICTU and other advocates to identify that we still have a long way to go with our investment in order to reach what would be more appropriate levels when we compare Ireland with other countries in the OECD. The level of investment compares poorly with that in other European countries. The OECD average is 0.8%. The level of investment falls short of the UNICEF-recommended level of 1% of GDP. Every increase of 0.1% in public expenditure in Ireland, however, will cost an additional €300 million. That identifies the length of time involved. I am right in the middle of my negotiations with the Minister for Finance, Deputy Paschal Donohoe, and determined to get as much as I can to deal with the issue this time around.

Deputy Denise Mitchell: I was surprised by some of the Minister's Government colleagues talking about the so-called granny grant, rather than investment in the childcare system. I was glad that many of us in the Chamber were of the same opinion as the Minister. We will support her in any way we can in that regard. As women, all of us present know that a barrier to returning to work is childcare costs. Does the Minister have targets when she enters discussions with the Minister for Finance? On average, is she looking at reducing the cost by 50% over two or ten years, for example, or will she give some indication of what she is considering?

Deputy Katherine Zappone: I am not at liberty to say exactly how much money I am looking for from the Minister for Finance, but what I will say - this is an equally important response to the Deputy's question - is that the two main barriers to women re-entering the workforce include not only childcare costs but also capacity in the school-age sector. As the Deputy knows, there are now two years of free preschool, but it does not move into after-school care. Of course, if women want to return to work, even part-time work, sometimes not having the

required after-school care support gets in the way. We need to build capacity. The lack of transport from schools to after-school facilities prevents women who wish to do so from returning to work. I have these two key practical issues in mind in considering what is required. While we need money, we also need to decide what the money is for. There is a focus on some of these issues to ensure the concern about women returning to work will be addressed.

Early Childhood Care and Education Programmes

3. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs if her attention has been drawn to the considerable shortages within the ECCE system; and if she will make a statement on the matter. [38164/18]

Deputy Anne Rabbitte: I welcome the Minister's comments. My question asks the Minister if she is aware of the considerable shortages within the ECCE system; and if she will make a statement on the matter.

Deputy Katherine Zappone: I understand the Deputy's question refers to capacity under the ECCE scheme, the fact that service providers may prioritise full-time children over ECCE scheme-only children and that service providers do not always guarantee a childcare place in the second year of the ECCE scheme. From September this year, the annual number of ECCE enrolments will be approximately 114,000. Given that more than 118,000 places were filled in the last programme year, no significant overall capacity issues are anticipated for those expected to register for the ECCE scheme from September 2018. This is endorsed by preliminary data to be published before the end of the year from the annual Pobal sector profile related to ECCE places. My Department will continue to monitor the position as registrations are received for the 2018-19 programme year. Notwithstanding this, I recognise that there can be pressure in some localities. I urge anyone experiencing difficulty in securing an ECCE place to contact his or her local city or county childcare committee for assistance. From September 2018, the ECCE programme reverted to one single entry point only, with eligible children entitled to two full years of ECCE provision for the first time, fulfilling a commitment made in the programme for Government. I believe we have sufficient places to deliver on this important improvement.

On the general capacity in the system, my Department provided a total of €4.61 million in capital funding in 2018 specifically for the creation of new childcare places. This represents the creation of some 1,950 additional early years childcare places of which 1,253 are for ECCE. If a gap in capacity is objectively identified, we can consider a range of measures to address those in collaboration with local childcare committees.

Deputy Anne Rabbitte: Replies to recent parliamentary questions revealed a serious shortage of ECCE places, particularly in the commuter belt of County Meath and in Cork. There seems to be a shortage of 1,050 places in Meath and 2,460 places in Cork. I am glad the Minister acknowledged that settings offering full day childcare will be prioritised because the issue needs to be addressed. Recently, I was contacted by a parent who was informed she could only enrol her child in an ECCE scheme if she signed up for a supplementary one hour and 15 minutes of care per day, at an additional cost of approximately €100 per week. Parents facing this choice believe their options are being limited. I acknowledge, however, that the Minister addressed this issue.

When parents sign up to the scheme, would it be possible to guarantee a place for the second

year, rather than having them sign up for only one year? Is there a way to write into the script, as it were, a requirement on childcare providers to offer an ECCE place for two years?

Deputy Katherine Zappone: I wish we could do that. What we can do is call for it and encourage childcare providers, who generally do an excellent job in providing quality childcare places across the country, to do so. Decisions on prioritising full day places and guaranteeing places for a second ECCE year are primarily matters for the service providers who are free to set their policies in these areas. The Department actively seeks to ensure there is sufficient capacity available to allow service providers the latitude to accommodate all children. We are in constant contact with the providers, not only through the county and city childcare committees but also directly in the different ways we gather the stakeholders together. The Deputy raises important points. We have allocated and invested capital and we are in consultation with providers. The Deputy cited some statistics and if she identifies further gaps, I ask that she bring them to our attention. The Department, working with county and city childcare providers, wants to ensure there are no gaps at local level and we will do what is necessary to fill them when they arise.

Deputy Anne Rabbitte: We are in the pre-budget period and I am sure the Minister will not tell me what her capital funding plans are today. Some childcare providers are fully subscribed and there is a capacity issue coming down the tracks in the ECCE scheme. The Minister successfully allocated capital funding in recent years. Is this funding sufficient? Could more capital funding be found to address capacity, which is a serious concern? I raised previously with the Minister the problem faced by a crèche in Mountbellew, which offers full-time childcare and required another room. I have encountered similar cases in Clarinbridge and other parts of my constituency, but the problem is not unique to Galway East. Full-time childcare providers face capacity issues and would like to be able to access funding to expand. Is the Minister considering increasing capital expenditure in next year's budget to fund the expansion of childcare facilities?

Deputy Katherine Zappone: We are making plans for capital investment in 2019. While the amount of funding is important, of equal importance is what we do with that money and the way in which we target it to best meet identified needs. Pobal and the Department are engaged in ongoing research and monitoring. The Deputy and other Deputies also do great work in letting us know where gaps exist and where there is local need, so that we can match what we have to invest with those needs. We are on target to identify the plans for 2019 and we have some idea of figures.

I remind the Deputy that childcare was identified as a strategic priority in the national development plan, NDP. I have negotiated €215 million to be provided for additional capital investment over the lifetime of the plan, particularly in its mid to later years. The NDP provides us with an opportunity to increase the scale of our investment.

Child Poverty

4. **Deputy Denise Mitchell** asked the Minister for Children and Youth Affairs the progress made in tackling childhood poverty; her views on whether this progress is on track to reach the 2020 targets outlined in the national policy framework for children and young people; and if she will make a statement on the matter. [38071/18]

Deputy Denise Mitchell: I ask the Minister to indicate what progress is being made in tackling childhood poverty, whether it is on track to reach the 2020 targets outlined in the national policy framework for children and young people, and if she will make a statement on the matter.

Deputy Katherine Zappone: I have a strong personal commitment to reducing child poverty. It is a key priority for the Government. When we set ourselves a target, in 2014, of reducing consistent poverty in children by two thirds of the 2011 level, it was a challenging ambition. It would have meant lifting 70,000 children out of poverty by 2020. This baseline target against 2011 means that today we need to lift 102,000 children out of consistent poverty by 2020.

Consistent poverty means that these children are living in households with incomes below 60% of the national average income and experience deprivation according to official Government poverty indicators. We have made some modest progress. From a peak of 152,000 children in consistent poverty in 2014, we have seen a 9% decrease in 2015 of 13,680 children living in poverty. This downward trend continued with an 11.1% rate of consistent poverty in 2016, a further reduction of 6,320 or 4.5%, with a total of 132,000 children deemed to be in consistent poverty. Figures for 2017 will be available in November. However, it will be extremely difficult to reach our ambitious target of lifting more than 100,000 children out of poverty by 2020.

My Department works closely with the Department of Employment Affairs and Social Protection, which has the lead role in co-ordinating strategies on poverty and the national action plan for social inclusion. With the support of the advisory council on Better Outcomes, Brighter Futures, which worked with non-governmental organisations and a range of Departments, we published a valuable paper on a whole-of-Government approach to tackling child poverty last October. This identifies six priority areas for action, namely, providing universal access to general practitioner care for those aged under 18 years, reducing the cost of education, housing, affordable childcare, labour activation and the provision of in-work benefits. My focus has been on affordable childcare.

Deputy Denise Mitchell: The Better Outcomes, Brighter Future policy document sets a target of lifting 70,000 children out of poverty. The key to reducing childhood poverty is delivering effective services and supports. Despite the economic situation, Barnardos recently reported that many families and children continue to seek its support. Barnardos estimates that 138,000 children in the State live in poverty. It is very upsetting and shameful that 138,000 children are living in consistent poverty. Clearly, the work being done in this area is not enough. What discussions are taking place between the Minister and her Cabinet colleagues on this issue? Will she elaborate on her vision for addressing child poverty?

Deputy Katherine Zappone: To have a comprehensive and sustainable impact on child poverty, future strategies must, in conjunction with cash transfers, also focus on improving service provision.

That comprises much of my vision. Doing what I describe can have a meaningful impact on reducing the cost of living for families with children. Our radical new approach to childcare is benefiting families in poverty and those at risk of falling into poverty.

Let me give the Deputy two examples from my Ministry that demonstrate how we are trying to achieve what I describe. Family A includes parents with three children and a household

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income of €35,000. The children are aged one, three and five. Supports provided through our new measures are a universal subsidy of €1,040 for the one year old, €2,451 for the two year old, through the free preschool scheme, and a further €2,451 for the five year old following the decision to extend the scheme to cover two programme years. Therefore, each year the value of the supports is €5,942. That is a significant benefit. It reduces the cost of living and it provides the family with more opportunity to move beyond poverty.

Deputy Denise Mitchell: I welcome what the Minister is saying but we cannot ignore the elephant in the room, namely, that there are 138,000 children in this State living in poverty and 4,000 homeless children. We all know that the better the start a child has in life, the better his or her prospects.

In the upcoming budget, we seriously need to focus on children. We need to see a budget that is proofed for child poverty and that will break the cycle of poverty. We need to see the supports the Minister talks about in place and working to prevent more children from being added to the list of children in poverty. I am confident that the Minister is a voice going into the discussions, but I sometimes wonder whether her colleagues are on the same page.

Deputy Katherine Zappone: The design and implementation of the affordable childcare scheme are rooted in the fundamental principle of reducing children's poverty and its impact on households. That underlies the objectives of having affordable, accessible and quality childcare. We can see the result of our investment. It is not a question of how much money is spent but of where it goes. When talking about children in poverty or in consistent poverty, we are talking about children in families in which an individual earns 60% of the median income. This amounts to €12,227. This is tough.

I will give the Deputy another example of what we have brought forward through our initiatives. It is that of a lone parent with two children in receipt of various payments, including the one-parent family payment. That payment comes from colleagues. The family holds a medical card. For the two year old, the family receives a subsidy of €145 per week. The family has a six year old and it can avail of the after-school payment of up to €80 per week. In essence, this lone parent family with two children, aged two and six, receives €12,320 in subsidies to support its childcare costs. That is what is going on right now. That reduces children's poverty right now in the country.

Question No. 5 replied to with Written Answers.

Ceisteanna Eile - Other Questions

Childcare Services Funding

7. **Deputy Brendan Smith** asked the Minister for Children and Youth Affairs the progress to date in progressing a new childcare capital grant scheme to assist in the provision of new childcare facilities in cases in which there is an identified need for additional places and in which the maximum level of grant aid under the present scheme would be inadequate to help a community childcare organisation to provide such accommodation; and if she will make a

statement on the matter. [37999/18]

21. **Deputy Brendan Smith** asked the Minister for Children and Youth Affairs her plans to introduce a new childcare capital grant scheme to assist childcare providers to extend or provide new childcare facilities in cases in which there is an identified need for additional places; and if she will make a statement on the matter. [38000/18]

Deputy Brendan Smith: The Minister will recall that I raised with her on a number of occasions the need for a substantial increase in the grant aid to assist with the provision of additional childcare places. This is particularly important for the community childcare sector. The Minister mentioned to me in July, when we discussed this matter, that she would be discussing it with stakeholders, and she hoped to achieve a substantial increase in her funding for 2019. She might give us an update.

Deputy Katherine Zappone: I propose to take Questions Nos. 7 and 21 together.

Supporting the childcare sector through the provision of capital funding where it is most needed continues to be of the utmost priority for me as Minister for Children and Youth Affairs. As part of this commitment, I have allocated significant grant funding in recent years for the creation of new childcare places in areas of need. This year, from a total budget of €6.86 million, my Department's early years and school age capital programmes allocated €4.62 million in capital funding for the creation of new childcare places. This funding was targeted specifically where evidence of demand for new places exists. The maximum grant available under the 2018 programmes was €50,000 for early years services and €20,000 for school age services. I am pleased to note that the awarding of these grants is expected to result in the creation of 2,757 new early years and school age places across 130 childcare facilities nationwide. Some €1.16 million of this was specifically awarded to community services, resulting in the creation of 628 new childcare places in 34 services.

Officials in my Department are engaged in planning for capital spending in 2019. The details of this are to be made available to childcare providers later this year. I assure the Deputy that the needs of childcare services, both community and private, are of foremost concern in the development process. Ireland benefited from much larger-scale capital investment under the equal opportunities childcare programme and the national childcare investment programme. These programmes provided individual grants of more than €1 million in value for some community services.

I am delighted to have ensured that childcare was identified as a strategic priority under the national development plan, as I mentioned to Deputy Rabbitte, with an emphasis on the later years covered by the plan. That is how large-scale capital funding will inform our early years strategy, due to be published later this year.

Deputy Brendan Smith: I thank the Minister for her detailed response. We all support the provision of additional childcare places. It is great that there is demand for such places and the refurbishment and upgrading of some facilities that have been in use for some time.

The Minister mentioned the €1 million grants. I spoke to her privately about a certain project. I had the privilege of approving €1 million when I was Minister with responsibility for children and youth affairs. I am thankful the initiative has been very successful. It is in a medium-sized town in my constituency. The facility has a capacity of almost 170. It is full to capacity. There are children attending on alternative days to try to reduce the waiting list. In

the small town in question, there is a waiting list of 40 children who need to gain access to the services in the good childcare facility. The service providers had to open a second facility in another premises in the town, where nearly 40 children attend. This project, which I am sure is replicated throughout the country, has been very successful in providing childcare facilities. The community project to which I refer needs a very substantial increase in accommodation. The levels of grant aid available - €50,000 and €20,000 - are not nearly adequate enough to ensure the service providers can provide the facilities to meet the demand in their town and the rural catchment area. I hope that, after the Minister's consultation with the relevant stakeholders, there will be a substantial increase in the grant aid available for such facilities.

I spoke to the Minister privately and appreciate the fact that I had the opportunity to meet her. Might she have the opportunity to meet the people on the ground providing the services and note the pressure on them as they try to meet local demand? We might have a further meeting on that specific request.

Deputy Katherine Zappone: I fully appreciate that the Deputy understands this so well, not just because he is a Deputy representing his people now but because he also had my job. Therefore, he understands what is happening from the inside. He also realises the impact larger-scale grants can make. I accept his points, therefore.

I indicated in my response to other Deputies that the Department will consider the need for greater investment by way of capital grants and consider the research required to ensure the grants are provided at the appropriate scale in each local area. My understanding is that this is probably something for which we will have to wait a little longer based on the commitments I received regarding the national development plan. In the meantime, however, we are trying to ensure the capital funding we make available provides the necessary increases in places, in appropriate geographical spreads, in both community and private services to meet the needs of the people. The Deputy's people are in conversation with my officials, and that is important in respect of our planning for the future.

Deputy Brendan Smith: I thank the Minister of State for her response. The last day we discussed this issue during Oral Questions the Minister used a phrase indicating it was her absolute priority to get enough moneys for capital provision to increase childcare infrastructure. I support fully that strong commitment. I appeal to the Minister to ensure there is a strand within the capital budget of the childcare provision grants to enable community childcare providers, in areas where there is a huge demand for accommodation for such facilities and no private providers in the catchment area, to continue the excellent work being done in those facilities. I refer to ensuring that no child is denied the opportunity to access a childcare facility.

Deputy Katherine Zappone: That is fine, yes.

Deputy Brendan Smith: We can meet and discuss it.

Deputy Katherine Zappone: I support fully the sentiments that Deputy Brendan Smith is outlining. We have got significant investment. As the Deputy knows so well, we make decisions on what is current and what capital we will need taking into account demographic changes and what the gap might be. All of that analysis is going on and is informed by research but also through conversations with people in the local communities and what is going on there. Deputy Smith has raised this issue a few times as he said. There is a significant need as there is in other areas. I cannot commit at the moment to large scale capital funding in the near future. We hear

what Deputy Smith is saying and I am willing to meet with his people to understand the needs more fully.

An Leas-Cheann Comhairle: I propose we take Question No. 6 from Deputy Maureen O'Sullivan. Agreed? Agreed.

Quality and Capacity Building Initiative

6. **Deputy Maureen O'Sullivan** asked the Minister for Children and Youth Affairs the specific details regarding the €1.2 million innovation fund; and if she will make a statement on the matter. [29220/18]

Deputy Maureen O'Sullivan: I am asking for details of the €1.2 million innovation fund. I apologise for not being here earlier.

Deputy Katherine Zappone: The quality and capacity building initiative, QCBI, funded under dormant accounts, aims to take a co-ordinated approach to enhance capacity, knowledge and quality in prevention and early intervention for children, young people and their families. It focuses on those at risk of developing poor outcomes. At the core of the initiative is a desire to foster persistent curiosity among those working to improve the lives of children and young people in Ireland. The QCBI aims to support key groups working with children, young people and families to know what works, how it works and to provide an evidence supported approach to the application of this work. The QCBI innovation fund, with a total budget of €2 million, was developed by my Department to support prevention and early intervention innovations that build on existing data and evidence. Applications were made by organisations working with and for children and young people under one of two strands, SCALE or SEED.

The Deputy refers to the SCALE strand, with a budget of €1.2 million, which supports building on existing programmes, models or approaches which have shown promising outcomes for children and young people. The SEED strand, with a budget of €800,000 supports less proven, new and creative approaches to problems facing children and young people experiencing disadvantage in Ireland. On 4 April 2018 my Department launched the QCBI innovation fund. A total of 239 applications were received under this funding measure, of which the majority were for the SCALE strand. An assessment process followed the application period. This process was conducted by an expert evaluation panel which scored each applicant based on the transparent criteria outlined in the guidance document. Final decisions also had regard to ensuring a spread of funding across diverse organisations and geographical and disciplinary boundaries.

Deputy Maureen O'Sullivan: I thank the Minister. I am very much in favour of any focussed intervention working to eradicate disadvantage and to give those who are at a disadvantage that step up that could make life much more of a level playing field. I think of my constituency in Dublin Central and the appalling conditions and circumstances affecting two groups in particular. I refer to older people, who are not within the remit of the Minister, Deputy Zappone, and younger people and children. This is all to be welcomed but we have had this discussion before. Sometimes I feel we do not look at what is there and what is best practice in what is there already. Quite some time ago we had the young people's facilities and services funding, YPFSE, to tackle those areas that were most at risk. I know that was in respect of drugs and drug addiction but I think there was a model there. Sometimes we throw out the baby with the bath water. It is a pity we have not gone back to that model to see if we can build

on it. That is my reasoning on this.

Deputy Katherine Zappone: I appreciate Deputy Maureen O’Sullivan’s sentiment and reasons. I understand exactly what she is saying coming from my own background and work over the years in my constituency. On the QCBI, it was an opportunity I saw to support organisations and communities in perhaps a new way and in addition to other investment going on. Part of the design was first of all to provide some moneys for what we call the SEED funding. I believe passionately that there is much creativity going on in communities that have less but want more for their children so that was what the SEED money was for. The SCALE money was for projects that were working and had demonstrated some effective outcomes. It was to increase their capacity and the extent of what it is they were doing. That was part of the underlying philosophy. We need to do that and perhaps we can reach people who have been working at the projects for a long time and are looking to increase what they are doing.

Deputy Maureen O’Sullivan: I am also thinking of current schemes I know where there was a shortfall in funding or where there were difficulties for a variety of reasons. I refer to them continuing their work with young people within early childhood care where it is difficult to do so. There was an issue around some of the family resource centres where some of the newer ones were on a different scale of funding. I was also thinking of this question in respect of those, where shortfalls were preventing the work and then another fund is found. That is to do very valuable work and I do not take from that at all but the ones that are there and are in difficulties also need to be supported.

Deputy Katherine Zappone: I agree with Deputy O’Sullivan. It is at times challenging to make decisions about investment given the parameters and contours of the existing schemes. I accept what she is saying and that is why there is an opportunity within the QCBI scheme to do something different and new to complement the investment that is going into communities. Deputy O’Sullivan indicated the family resource centre as an example and we do still need to look at the kind of investment going on, if it is sufficient, how it is awarded, if there are enough people working in a particular family resource centre given geographic and demographic needs etc. That is something that is also on my radar, that I am concerned about and hope to do something about in the near future as well.

Adoption Registration

8. **Deputy Denise Mitchell** asked the Minister for Children and Youth Affairs if she plans to broaden her Department’s scoping exercise into the illegal adoptions scandal; the progress of the scoping exercise to date; and if she will make a statement on the matter. [37916/18]

Deputy Denise Mitchell: My question is to ask the Minister for Children and Youth Affairs, Deputy Zappone, if she will outline the number of records being examined as part of her Department’s scoping exercise into the illegal adoption scandal, the progress of the scoping exercise and if she will make a statement on the matter.

Deputy Katherine Zappone: Following the discovery of clear evidence of illegal birth registrations in the St. Patrick’s Guild records, I directed that an analysis of adoption records be carried out to establish whether there is sufficient reliable evidence of the practice of illegal registration that can be extracted from the records of adoption agencies. The analysis of records is being carried out by Tusla and the Adoption Authority of Ireland, AAI, and is overseen by

an independent reviewer who is a former deputy director of social services in Northern Ireland. Representatives from other agencies and the reviewer have met regularly since June. The work to date has focused on agreeing the sampling methodology in consultation with a statistician, addressing the data protection issues, identifying the specific records to be reviewed and agreeing a template to be applied by social workers reviewing the records.

There are an estimated 150,000 adoption records in existence and approximately 100,000 of these are currently in the custody of the State, either in the form of Tusla or the Adoption Authority of Ireland. The review is focused on those records and a targeted sampling exercise is being carried out in the first instance owing to the volume of records involved. This targeted review will help to establish the extent of usable information that can be found in these historical records. The review will provide information to assist me in identifying more fully the scale of illegal birth registrations and in determining any necessary next steps. Tusla and the Adoption Authority of Ireland are working hard to extract and examine the records. This is a very complex task, and issues have arisen concerning data protection and the general data protection regulation, GDPR. These issues mean that the estimated timeline for the independent reviewer's report is now mid-December.

I want to get to the truth. The further analysis which has commenced, together with the ongoing work of the Commission of Investigation into Mother and Baby Homes, will be extremely important in helping us to shape the further steps to be taken.

Deputy Denise Mitchell: Before the summer break, the revelations that tens of thousands of people in Ireland had potentially been illegally adopted, and the fact that they were unaware that they were adopted, caused widespread public commentary. Illegal adoptions have been raised by many survivors' groups for years. The Minister outlined that a scoping exercise was being undertaken by her Department. Since that time many campaigners have come forward, saying they have been met with a brick wall when they try to access information. Many have called for a full audit of adoption records. Will the Minister commit to a wholesale investigation and audit of all adoption records and the seizure of any records currently not in her possession?

Also, recent media reports suggested that much of this documentation has been in the Department of Children and Youth Affairs for years. If this information has been in this Department for years, why has it taken so long to initiate an investigation?

Deputy Katherine Zappone: The Deputy asked many questions. I will start with her last one, with the preface that I am deeply concerned about the issue of illegal registrations. I am in regular communication and contact with those who are in the position of having been adopted and I listen to the concerns that they raise. I am in contact with advocates of those who are in that position and subsequent to authorising this current audit and targeted sampling of the records, I had the opportunity to meet some of them face to face. I understand what the Deputy is speaking about, and I am in regular communication with the people affected. I am deeply concerned.

As to the Deputy's last question on why action is being taken now when we knew about this for years, it is true that the Adoption Authority of Ireland, AAI, has previously spoken publicly about cases on its files in which it suspects an illegal registration. So far, however, it has not had sufficient information on file to confirm this. As I said in my press statement of 29 May, the authority is examining these unconfirmed cases to see if any further facts can be established. It is very difficult to prove these cases in the absence of good records. However, if the AAI, fol-

lowing this validation exercise, reaches the high level of certainty that I have spoken of, these cases will be added to the 126 that I have already confirmed and announced. It is true that those cases were identified earlier and were communicated by my Department. However, it is also true that the AAI is trying to determine whether the same level of certainty applies in these cases as to the 126 cases. The commitment is there and we are continuing to examine this.

Deputy Denise Mitchell: I understand why people are frustrated. People have been shouting about this for years. The *Irish Examiner* has been highlighting this scandal for years. Has the Minister considered a redress scheme as part of her plan to deal with this scandal? I raise this issue because it is clear that it has caused distress to many people who have suddenly found out that they have been illegally adopted. However, serious legal issues also arise in respect of their rights and the entitlements, for example, with regard to parents' wills and property. Will the Minister give this matter serious consideration given that we may face serious legal issues down the line?

Deputy Katherine Zappone: The short answer to the Deputy's final question is "Yes". That will potentially be in the mix and I would not rule it out at this stage. At the same time, the first task that we are working on is to see if we have evidence of more illegal registrations. We need that evidence to go down the route the Deputy spoke about.

To go back to one of the Deputy's earlier questions, we are looking at a sample in the first instance because of the sheer volume of the records involved. This is an extremely complex task. Those who are advocating this work are aware of that. I read the *Irish Examiner* as well and I am grateful for the work of Mr. Conall Ó Fátharta, as well as others who write for other newspapers, in lifting up these issues for us. What we are doing is appropriately responding in a targeted, strategic and intelligent manner. We are moving in a new direction and trying to determine whether we have other cases. There are some 150,000 people who have been adopted and 100,000 records are in the public domain. We are taking an intelligent and targeted approach to try to find any other cases where there is evidence of illegal registrations. We want early answers. We believe the quickest way to get them is to do the targeted exercise and on that basis to make the decision to move forward and do a wider piece of research for the persons affected, if necessary.

Mother and Baby Homes Inquiries

9. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs the status of the Commission of Investigation into Mother and Baby Homes; the date by which she anticipates it will make its final report; and if she is satisfied by the progress of the commission to date. [37970/18]

13. **Deputy Maureen O'Sullivan** asked the Minister for Children and Youth Affairs the status of the work of the Commission of Investigation into Mother and Baby Homes; when the next interim report is due; and her views on whether it will be more informative than the previous interim reports. [37991/18]

Deputy Anne Rabbitte: I ask the Minister to outline the status of the Commission of Investigation into Mother and Baby Homes, the date on which she anticipates it will have a final report and whether she is satisfied with its progress to date. I also ask her to make a statement on the matter.

Deputy Katherine Zappone: I propose to take Questions Nos. 9 and 13 together.

I thank Deputies Rabbitte and Maureen O'Sullivan for their questions. I know they are very interested in the work of the commission of investigation and supportive of former residents. Deputies will be aware that the commission of investigation is independent in the conduct of its statutory investigations. For this reason, I am not in a position to provide detailed progress updates on its work. Any available updates will be posted by the commission directly to its website.

The commission of investigation has prepared three interim reports to date, in July 2016, September 2016 and September 2017. I published all three reports and the commission is continuing with its work under the leadership of Judge Yvonne Murphy, Dr. William Duncan and Professor Mary Daly. It is open to the commission to provide interim reports at intervals of its choosing, although there is no specific requirement for it to do so. Should the commission provide further interim reports, I will similarly make these available as soon as possible after their consideration by the Government.

The commission confirmed the tragic discovery of juvenile remains interred on the site of the former home in Tuam in February 2017. A number of technical and legal reports have been examined by the interdepartmental group working to assist the Government in identifying an appropriate course of action in respect of the site. This work is at an advanced stage and I will bring my recommendations to the Government in the coming weeks. I visited Tuam again in July to meet former residents, their families and local residents. I was privileged to have been able to hear their views and concerns on this most sensitive matter directly. While there, I also visited the former site of the home. At the commission's request, the Government agreed to extend its timeline for reporting to February 2019. I am satisfied that the commission is effectively using this additional time to listen to the personal experiences of former residents and to ensure crucial questions can be fully addressed. I know that many former residents are eagerly awaiting the completion of this work and I can assure them of a comprehensive Government response to the findings of the commission. In the interim, I have initiated a number of processes to complement the commission's work. The principals of transitional justice inform my approach to these measures. In this regard, I am working with my colleagues in government, and in collaboration with former residents, to advance solutions to the issues that have already emerged from the work of the commission. I believe this is the best way forward in our response to what are hugely complex and sensitive matters. I have established an inclusive and representative collaborative forum so that former residents of these institutions can directly engage on the issues of concern to them and their families. I was happy to meet with the forum at its first meeting in July. I understand that it has made further progress by establishing sub-committees at its second meeting earlier this month. I have requested an initial report within six months and I await the outcomes of their deliberations.

Deputy Anne Rabbitte: I thank the Minister for her reply. Fianna Fáil and I welcomed the commission on the mother and baby homes when established. We recognise the vital importance of the commission in delivering justice and accountability for all those affected by mother and baby homes in Ireland. The third interim report of the commission on mother and baby homes requested an extension of the deadline for its report on its finding on the institution being investigated. As rightly said by the Minister, the deadline has been extended to February 2019. I am glad the Minister has met with the commission. She has been very supportive of former residents of the mother and baby homes, and their families, in Tuam but they are incredibly frustrated at this point. This is a very sensitive matter. During the Pope's visit, they held a

silent protest in Tuam in recognition of the hurt of the past. They need supports.

The Minister referenced transitional justice and counselling services provision. People who are trying to avail of these counselling services are experiencing difficulty accessing the financial support to enable them to do so. I know that the Minister is aware of this. Former residents of the mother and baby home in Tuam want to know the status of the report, if additional information will be released prior to the publication of the report, if we are on target in respect of the final report, and the Minister's intentions regarding the treatment of the remains found at Tuam.

Deputy Katherine Zappone: Counselling services for the survivors and families in respect of the Tuam and other mother and baby homes is a key concern for me. It is an issue that is being examined by one of the sub-committees established by the collaborative forum. I indicated at the end of my initial reply that I expect to receive a report from the representative stakeholders within six months. I have also told them that if they want to come forward with a report sooner than that I will be happy to receive it. I am particularly anxious to hear from the representative stakeholders what would work best in terms of psychological and wellbeing supports and how best to access it. We know what we need to do. What we are working on is how best to do it in order that people can access what they need.

On the question regarding my intentions for the treatment of the remains found at Tuam, we are working hard on a memo to be brought to Government to make decisions in that regard. I hope it will be ready within the coming weeks.

Deputy Maureen O'Sullivan: My experiences come from knowing and being with the ladies from the Magdalen laundries. Common among them is the sense of hurt, physical, mental and emotional, which they experienced. In the case of the Magdalen laundry ladies, the main concern is their ages and the timeframe in terms of progressing their issues in a speedy way. I understand the need for balance between indepth study and investigation, but there is a timeline issue. I understand from those with whom I have met recently that the fear is that this will be a kick-to-touch exercise and that it will not really get to the nub of what is needed and what they have been waiting on for so long. Much of the information coming out is extremely difficult for them to process. There was disappointment with the interim report in terms of a lack of information. Is the Minister confident that the next report will be more informative?

Deputy Katherine Zappone: Am I correct that the Deputy's reference to a kick-to-touch exercise relates to the work of the collaborative forum?

Deputy Maureen O'Sullivan: Yes.

Deputy Katherine Zappone: As previously indicated, the selection of a representative group of people for the collaborative forum was a complex and difficult task and it took some time to complete. We wanted to ensure we have a representative group with the authority to identify what is needed. If the forum wants to come forward next week with recommendations as to what would work best I would welcome that. I do understand the age factor and timeline issue. I have met the people concerned. It is a terrible thing that has happened, especially to women, in terms of the issues that we are speaking about. I do understand the experience of shame, although not in that context. I am committed to moving as quickly as possible. I hope the report of the forum will be forthcoming as quickly as possible, particularly its recommendations in terms of wellbeing and health supports.

In regard to the commission, I anticipate that it will deliver its final report in early February,

as indicated. On the Deputy's remarks regarding the age factor, I sought to do other things to complement the work of the commission to ensure we can hear, understand and try to move forward in relation to their concerns.

Deputy Maureen O'Sullivan: I wish the three sub-committees well. I note that chairs have been appointed to each of them. I was pleased to note that two of the representatives from the mixed race group are chairs of committees. I have tabled other questions which may not be reached today but are related to this issue. I refer to the private cemeteries, for example, Sean Ross Abbey. There is a tremendous amount of hurt among families whose babies are buried in such plots and they are fearful that the integrity of these plots will not be recognised. Also, people who were in other institutions feel their issues are not being addressed.

Deputy Katherine Zappone: On other sites and the possibility of the remains of other children being buried etc., this is a matter for the commission. We are where we are in terms of Tuam because the commission did that investigation, produced its findings and brought them to Government. I have to respect the independence of the commission. As part of its terms of reference it is examining and investigating all mother and baby homes and county homes.

I agree with the Deputy that there are lots of different examples of experiences within institutions, be that the Magdalen laundries, the industrial schools, the orphanages or mother and baby homes, where terrible things have happened. We have a terrible, shameful history. There may be more to be done in response to this than is currently being done. Like Deputy O'Sullivan and others in this House, I am very conscious of that.

Deputy Anne Rabbitte: I will continue in the same vein as Deputy O'Sullivan in speaking about Tuam because it is my constituency and I hold my clinics there. Owing to the age factor, these people require an awful lot of supports. There are ways in which we can assist them. The counselling service and the wellbeing programme are essential but people are not able to access them or get feedback on the funding because they cannot afford it. Not all of the small towns around the county offer the opportunity for these people to access these services so they have to avail of taxis. I ask the Minister that she at least place a dedicated person within each of the various CHOs, someone to whom people could be directed to go so that we can streamline matters and facilitate these people with some quick wins. This is what they need because they do not believe that anyone is listening. They do not believe that their voices are being heard. The helicopter view of this is so big that people have to be able to look to themselves. They have to be able to talk about it. They are glad that everybody else is talking about it and recognising their hurt but they feel that they now need the opportunity to tell their own story. This could be through the well-being programme, which I strongly welcomed at the time. We need to fast-track this opportunity and we also need to fast-track housing, as some of these people are not living in the best of conditions. They need the county councils to work with them to fast-track matters, be it through programmes for older people with disabilities or for people who have resided in mother and baby homes or in various other institutions. Perhaps the Minister will work with the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, to find a solution to this.

Deputy Katherine Zappone: I agree with the Deputy on this matter. As she knows, I have been to the site in Tuam many times. I have spoken to those affected both as a group and individually and I have met them at the site. Through these experiences I have come to a deeper understanding of the hurt and shame suffered as the years are passing, as Deputy Rabbitte so eloquently described. She has clearly also had that kind of conversation and she has ably rep-

resented her people in that regard.

In response to the question on fast-tracking or speeding things up, I have at this stage placed this matter in the hands of the collaborative forum. My personal view is that I would like to do this as quickly as possible. As we well know, however, the question is how to do this in the best possible manner so as to get people what they actually need, process the information and have the payments made. All of these practical issues have to be looked at as well, which is the reason I hope those involved in the collaborative forum will come to me. I would love it if they could do so before the six months have passed and make those recommendations. We can then see how we can follow up on this.

General Data Protection Regulation Implementation

10. **Deputy Mick Wallace** asked the Minister for Children and Youth Affairs her views on the fact that no data protection impact assessment or policy was prepared prior to the unveiling of a new information technology system by Tusla, the national child care information system; her further views on whether Tusla is in breach of statutory data protection requirements; if she has communicated these views to Tusla; and if she will make a statement on the matter. [38008/18]

Deputy Mick Wallace: Tusla recently launched its new national childcare information system. This new centralised system may well improve quality and efficiency through improved sharing of information, but Tusla has admitted that it did not complete a privacy impact assessment prior to the launch. When asked about this, Tusla responded on one of its social media platforms that a data protection policy would be prepared on this as soon as is practicable. In correspondence with solicitor and privacy rights expert, Rossa McMahon, Tusla stated that a privacy impact assessment, PIA, had been conducted during the project and that a final PIA would be conducted in due course. This is a breach of the general data protection regulation, GDPR, and the Data Protection Act 2018. It also completely ignores the notion of privacy by design which is fundamental to the GDPR.

Is the new centralised IT system live and operational? Was the Minister aware of the absence of a completed data privacy impact assessment prior to its launch?

Deputy Katherine Zappone: When the national childcare information system, NCCIS, was being developed, Tusla carried out a privacy impact assessment in 2013. This preceded the requirements of the general data protection regulation, GDPR, which came into effect in May of this year. The system was also the subject of design and security considerations prior to its national launch last July. Following the original privacy impact assessment, Tusla is now progressing a data protection impact assessment, in line with best practice. It is hoped to complete this by the end of the year.

The NCCIS is an extremely important technology solution for social workers in child protection and welfare services. The system allows social workers to record the case history of every child who is the subject of a child protection or welfare concern, from the point of referral to case closure. I regard it as a vital part of Tusla's work to protect children.

The NCCIS has the capacity to facilitate the integration and sharing of information on child protection and welfare cases between Tusla areas where appropriate. The development and

national roll-out of the NCCIS has enhanced working systems for those working in child protection and welfare services. I am happy to have secured the funding for the introduction of this system.

Tusla is prioritising the progression of its ICT strategy, and the NCCIS is the first step in realising a modern, efficient and integrated service for children and families throughout Ireland. The principle of a data protection impact assessment in the GDPR is for organisations to consider data protection risks in the design of new systems. I am pleased that Tusla is carrying out the assessment at the earliest opportunity but I believe the priority is to ensure the NCCIS is fully operational in order that it can help to protect vulnerable children.

Tusla has advised that future modules of the NCCIS, when developed, will be subject to data protection impact assessments. As part of the training provided on the introduction of the NCCIS, Tusla staff have been trained in the use of safeguards in the system in order that appropriate data security and processing is maintained.

I want to ensure that we meet our obligations under data protection legislation, but I make no apology for prioritising child protection measures. The safety and best interests of children come first.

Deputy Mick Wallace: I realise that the project was in the making before the GDPR came into being, but is Tusla's privacy impact assessment now a box-ticking exercise? Rape Crisis Network Ireland, RCNI, immediately expressed concern at Tusla's statement about the absence of a PIA. The GDPR, and specifically section 76 of the Data Protection Act 2018, refer to data protection by design and by default. Section 35 of the GDPR and section 84 of the Data Protection Act 2018 specifically state that where a type of processing is likely to result in a high risk to rights and freedoms, data controllers should carry out a data protection impact assessment prior to carrying out the processing. Data protection safeguards must be designed into products and services from the earliest days of development.

I point out to the Minister that there are half a million children on these files. One might be forgiven for suspecting that Tusla is not taking this as seriously as the GDPR might recommend.

Deputy Katherine Zappone: To be clear, Tusla is not in breach of the GDPR in respect of the NCCIS. This system is fully compliant with the current legislation. The data protection impact assessment currently in progress was started in early 2018 and is due to finish by the end of this month. A total of 12.5 of the 17 Tusla areas were using the NCCIS system in advance of the GDPR coming into effect on 25 May 2018. The remaining 4.5 areas went live over the following two months, with all 17 areas fully live by the end of July 2018. As Deputy Wallace indicated, a data protection impact assessment is a requirement of the GDPR. Assessments are legally mandatory only for processing operations that were initiated after the GDPR implementation date of 25 May 2018, and are particularly relevant when a new processing technology is introduced. What I am indicating here is that Tusla began a protection impact assessment in early 2018 and this is due to finish by the end of the month.

Is the Deputy seriously suggesting that I put data protection requirements above the vital need to protect children at risk? Tusla began this process in early 2018, prior to the GDPR coming into place. The agency is continuing with this and that is good practice.

Deputy Mick Wallace: It is disingenuous to suggest that I would recommend putting children at risk in any form. Has Tusla learnt anything from the lessons of the HIQA probe that the

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Minister ordered on its disastrous handling of the allegations made against Sergeant Maurice McCabe?

With regard to the new IT system, Tusla's head of project management stated publicly that the agency intends to keep all the data in the childcare database "in perpetuity", and that it will then work out a new policy and remove data if necessary. The GDPR, however, has a clear storage limitation principle. The same principle applies in any case under the old data protection directive, and under the previous Data Protection Acts 1988 and 2003, that personal data should not be retained longer than is necessary. Can the Minister confirm that personal data that is no longer required will be deleted?

Deputy Katherine Zappone: I thank the Deputy. I will put those questions to Tusla or my officials rather than say that I can confirm that now because it is important to be exact and accurate. With due respect, I asked the Deputy the question whether it would be placing the protection of children at risk because that is what he is asking me. In terms of the GDPR I am indicating that they are not in breach and that they began the process of an impact assessment prior to finishing the final and full roll-out of this operational system which will enable the protection of children to be more effective as we move into the future. The way Tusla has responded on this is adequate. At the same time, in light of the HIQA investigation mentioned by the Deputy, serious issues and concerns were identified. The board, the chief executive and I have been working hard to put in place an action plan that will be implemented to ensure that the systems that need to be changed and reformed will be put in place as we move forward.

Homeless Persons Supports

11. **Deputy Denise Mitchell** asked the Minister for Children and Youth Affairs her plans to update or extend legal safeguards and redress mechanisms available to homeless children here; and if she will make a statement on the matter. [37918/18]

Deputy Denise Mitchell: My question is to ask the Minister for Children and Youth Affairs if she has any plans to update or extend legal safeguards and redress mechanisms available to homeless children in Ireland, and if she will make a statement on the matter.

Deputy Katherine Zappone: Children who are homeless are entitled to have the same level of safeguarding as any other child. Child protection concerns will be dealt with by Tusla with the same degree of diligence, care and promptness for any child in need, regardless of whether they or their family are experiencing homelessness. While ultimate responsibility for managing homelessness rests with the Department of Housing, Planning and Local Government, my Department and Tusla are determined to do their part to alleviate the difficulties experienced by children and families who are homeless.

My Department and Tusla have important roles to play in regard to a number of elements of the national action plan for housing and homelessness. In addition Tusla is represented on a number of key interagency fora, including the Homelessness Inter-Agency Group, along with the Department of Children and Youth Affairs, and the Dublin Joint Homelessness Consultative Forum alongside the Dublin Region Homeless Executive, DRHE.

Tusla has taken a number of steps to help keep children whose families are experiencing homelessness safe. These include the joint protocol agreed between Tusla and the DRHE,

which aims to promote interagency co-operation to address the specific needs of homeless families. As part of the protocol, Tusla provides support to the DRHE's one-stop shop assessment centres and Tusla's staff participate as required in issues involving child protection and welfare, educational welfare and domestic, sexual and gender-based violence services. Referrals received from case workers located in assessment centres are responded to as appropriate and, in addition, the Tusla homelessness liaison officer provides broad-based supports to the centres. Work is under way to replicate this interagency co-operation nationally and Tusla is working with the DRHE and the family resource centres, themselves part-funded by Tusla, to co-ordinate family support services for families in family hubs and other forms of emergency accommodation.

The key legislation relating to legal safeguards for all children, whether homeless or not, is the Children First Act 2015 and it provides for a number of child protection measures that benefit all children, including those who are homeless.

Deputy Denise Mitchell: I listened with interest to some of those speaking at the launch of the Mercy Law Report on children and homelessness. It makes some very good points on how we can help to tackle at least some of the difficulties faced by children who are homeless. What is worrying is that it noted that the insertion of Article 42A into our Constitution has done very little to increase protection for children. The report ultimately concluded that it is very clear that there is a legal gap in protecting our most vulnerable children.

Will the Minister be engaging with the authors of this report, perhaps to look at ways to close these gaps? Are there ways for her Department to work with other Departments, similar to the way it worked with the Department of Transport, Tourism and Sport to bring in the free travel pass for children in emergency accommodation? I do want to say, however, that it was very mean spirited that the pass was revoked over the summer.

Deputy Katherine Zappone: I thank the Deputy for her question in terms of the research and the authors. I know the centre well and I have the highest regard for its work. We are certainly reviewing that piece of research to which I will pay careful attention. The new article within our Constitution was a driving factor for me to ensure that child protection measures, particularly those that are included in the Children First Act 2015, were finalised and implemented, including the outstanding features, to ensure that we have mandatory reporting. The constitutional amendment was critical in motivating us to do that. It is something that is also the case for children who are homeless as well. In terms of my Ministry and working with Tusla, I have tried to find ways to mitigate the impact of homelessness on children in emergency accommodation. I will continue to commit to finding ways to do that as the Government as a whole tries to respond to that crisis.

Deputy Denise Mitchell: There are almost 4,000 children homeless throughout this State. I am sure that figure upsets everybody here in this House. While I recognise that the Minister for Housing, Planning and Local Government is responsible for housing, the Minister is responsible for children and youth affairs, and these children are looking to her to be their voice. We all saw the photographs of children sleeping in hotel rooms and we found it distressing. Children are growing up with no cooking facilities in hotel rooms. We have heard it all before, but there is no legal right to shelter in this State, nor is there any legal aid for housing or homelessness. Will the Minister outline if she intends to bring in any legislation to protect our most vulnerable children in these situations?

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Deputy Katherine Zappone: I have indicated that, as Minister for Children and Youth Affairs, I felt that one of the key aspects was implementing mandatory reporting in the Children First Act 2015. I am as conscious as anyone of those statistics increasing and it would distress anyone. As I have indicated, in the context of my Ministry and with Tusla's support, we are focused on and we are committed to providing those children who are experiencing homelessness and are in emergency accommodation with spaces where they and their families can avail of services in a safe, warm and welcoming environment where they feel comfortable and respected. That is especially so in the family resource centres, where the children can do their homework, relax, receive nutritious food or avail of Wi-Fi. I have put in place measures to ensure that they can continue to receive free childcare places and supports, indicating above all additional ways in which we can support them if they are in that emergency accommodation, particularly in terms of the hubs and finding ways for the family resource centres to work more closely with them. Those children who are experiencing those difficulties will receive all of the support that my Department can offer.

Departmental Correspondence

12. **Deputy Denise Mitchell** asked the Minister for Children and Youth Affairs if she has received a response from Pope Francis or his officials to her letter to him regarding abuses carried out in mother and baby homes. [37919/18]

Deputy Denise Mitchell: My question is to ask the Minister for Children and Youth Affairs if she has received any response from Pope Francis or any of his officials to the letter she gave him on abuse in the mother and baby homes.

Deputy Katherine Zappone: I used the opportunity presented by Pope Francis's recent visit to Ireland to raise directly with him the issue of mother and baby homes and more specifically the discovery of human remains in Tuam. I outlined the serious concerns that I and others had, particularly the concerns of people within the context of Tuam such as the survivors and their families. I told him that I would write to him further with the details. In my letter I set out the background to the establishment of the commission.

I informed him of the belief that there are a significant number of children's remains at the site. Above all, and I suppose this is what the Deputy is referring to, I believe and I outlined to him that the church should contribute substantially to the cost of whatever option is decided by the Government. I am still awaiting a reply from Pope Francis. Regardless, my belief is that the church should contribute substantially and should do so willingly, unconditionally and quickly.

Written Answers are published on the Oireachtas website.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Dara Calleary: I wish to raise the issue of spinal muscular atrophy, SMA. In doing so I welcome the fact that we have just had a meeting hosted by Deputy Lisa Chambers with families from across the country who are affected by this condition. We heard fantastic

testimony from Grace and Cillian, who are children with this condition. SMA is a group of inherited diseases of the motor nerves that cause very debilitating muscle weaknesses and wasting. It is life-threatening, rare and the leading genetic cause of death in infants. We heard at the meeting from a parent who was told by their paediatrician when given the diagnosis that it was “as bad as it gets”.

There are 25 children in this country with this condition. It presents them with a number of burdens. They are wheelchair-bound, suffer muscle recession and considerable pain, and the day-to-day exercise of their lives is virtually impossible when it comes to handwriting and other small things. They are fantastic, however. We have just met some of them and there are more of them outside the gates. It would give one a lift to meet them and to see how determined they are as youngsters to live their lives in spite of the challenges and to see how determined their families are to give them as good a life as they can.

There is now hope for children with this condition. This hope is called Spinraza, which is the first treatment of its kind in the world. There is significant evidence from countries across the world and from clinical trials that Spinraza can give this hope because it is changing children’s lives significantly, slowing down the muscle wastage and in many cases allowing muscle strengthening, which allows them to live much more easily. Spinraza is making an enormous difference to these children and their families in more than 20 countries across Europe.

Here, however, it is still not available under the refund scheme, despite the fact that on 22 June last the Minister, Deputy Harris, announced that Ireland would join Belgium, the Netherlands, Luxembourg and Austria in the Beneluxa initiative, which aims to secure affordable and timely availability of medicinal products. When the Minister made that announcement, he said, “I want the new newest and most innovative medicines to be available in a timely manner to all our citizens.” So say all of us, but the first initiative that this new group announced was to make Spinraza available in every country in that alliance except in Ireland. The hopes of those 25 children and their families that were raised on 22 June by the announcement of our joining this alliance are therefore now cruelly dashed and their frustration and anger is palpable.

Why must these children and their families wait when this initiative was held up by the Tánaiste’s Government and by the Minister, Deputy Harris, as the answer to our drug pricing challenges? Why are these 25 children not getting treatment, not getting access to Spinraza like the children in Belgium, the Netherlands, Luxembourg and Austria? We need an answer urgently because these children do not have time.

The Tánaiste: I thank the Deputy for raising this issue and I welcome the families here today. They clearly made a strong impression on the Deputy when they met him. We want to support them. It would perhaps have been helpful had the Deputy given me a little notice that he would raise this. I could have provided a more detailed answer.

Deputy Darragh O’Brien: It would be helpful if the Minister for Health were here.

The Tánaiste: I will commit to talk to the Minister, Deputy Harris, about getting a more detailed answer for the Deputy. I know this is a stressful time for those with spinal muscular atrophy and that patients and their families face enormous day-to-day challenges in dealing with this progressive and life-limiting condition.

On 17 May, the European Medicines Agency granted market authorisation for Spinraza, and in October 2017 the HSE received a reimbursement application. The National Centre for Phar-

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macroeconomics, NCPE, conducted a full pharmacological evaluation and did not recommend reimbursement at the price submitted. The application is being processed by the HSE. No decision has been arrived at yet as to the statutory assessment process that is still ongoing. The HSE does strive to reach decisions in a timely manner and wants to do so in this case as soon as possible. A total of 23 medicines have been approved for reimbursement to date in 2018, so the Government and the Minister are very anxious to approve the right drugs when appropriate. This approach applies to this drug also. We want to ensure that families and individuals are assisted and supported by the best drugs available on the market. We must ensure, however, that we can access them at appropriate prices to ensure that the benefit that families will get from using these drugs is balanced by ensuring that Irish patients and the Irish State are getting drugs at appropriate prices along with other countries in the EU. This is why the Minister, Deputy Harris, has looked to partner with other European countries to be able to negotiate collectively with drugs companies to get good value for money but also to make the right drugs available on the refund scheme.

I will come back to the Deputy with a direct answer from the Minister regarding approval times.

Visit of Malawi Delegation

An Ceann Comhairle: Before proceeding further with this important matter, I welcome a delegation of officials from Malawi who are in Ireland as guests of our Ombudsman, Peter Tyndall. They are visiting us in Leinster House for meetings with officials, including the Clerk of the Dáil. They are most welcome.

Ceisteanna ó Cheannairí (Atógáil) - Leaders' Questions (Resumed)

Deputy Dara Calleary: The issue was raised with the Taoiseach by Deputies Lisa Chambers and John Curran on Tuesday. Deputy Lisa Chambers just hosted a meeting to which every Member of the House was invited, and there are several hundred people outside the front gate of Leinster House, so the matter should be on the Tánaiste's radar. I do not have to give him notice of questions I ask. He says he wants the best drugs available on the market. We want that too, and that is why we supported the initiative. Why, however, are we the only country in the initiative where this drug is not being made available? Why do children living in Belgium, the Netherlands, Luxembourg, Austria or at least 20 other countries have the future that is being denied to these 25 Irish children? It just does not make any sense. Biogen has submitted a new proposal to the HSE, which, as I said, is delaying a proper analysis. There is no time for delay. Families see the life-changing possibilities of this drug. They are being denied these possibilities by a bureaucracy that does not understand what it is like, a bureaucracy that should go out to the front gate, talk to these children, talk to Grace, Cillian and Sam, see how strong they are and how determined they are to live their lives and put the bureaucracy aside and put these children first.

The Tánaiste: I was not suggesting we change precedent and that the Deputy give me notice of questions. I am just saying I would have liked to have given him a more accurate answer. I am conscious of this issue. It is being considered by the HSE for approval right now but it needs to go through the process to ensure that the same procedures apply to this drug as to others. I am very familiar with the pressures that families are under while waiting for decisions such as this. That is why they come to Leinster House on days like today to try to push that process along. I hear that and I will speak to the Minister, Deputy Harris, who is not the decision-maker here. There is a process that needs to be gone through for a drugs approval. As I said, many other drugs have been approved through a similar system this year, and a decision will be made on this drug as soon as we can make it.

Deputy Pearse Doherty: Yesterday, RTÉ aired a piece that can only be described as shocking about the provision of assessments of need for children with a disability. Figures released by the HSE show that there are 3,850 children across the State with a disability or suspected disability who are overdue an assessment of needs. Children with signs of autism make up a large part of this number. The Tánaiste knows that under the Disability Act 2005, any child suspected of having a disability is eligible to apply for an assessment of needs to identify his or her health requirements. He will also know that such an assessment is legally required to be completed within six months of the making of the application. However, nearly 4,000 children are being denied this right. They are being failed by the health service and the Government. The parents of children who find themselves in this situation are at their wits' end. They are desperate to find out why their children are displaying such symptoms and for a diagnosis in order that their children can access the services they need.

They are not the only children who are being failed by the health service. Others are also being treated disgracefully. I want to talk to the Tánaiste about Sophia McGuinness. Sophia is 12 years old. She has scoliosis and cerebral palsy and has been waiting for surgery for almost a year and a half. On Tuesday her father, Aaron Daly, delivered a letter to the Tánaiste in which he outlined Sophia's case, in addition to the plight of another 188 children in need of spinal surgery. Sophia is one of more than 50 children who do not feature on the scoliosis waiting list because they have had their surgery suspended. Her father says the waiting lists are an exercise in manipulation. My colleague, Teachta Louise O'Reilly, recently met Sophia. It was heartbreaking. Sophia cannot speak, but she can communicate with her eyes using assistive technology. The first thing she said to Teachta Louise O'Reilly when she went to visit her in her home was "I am in pain." Children like Sophia are living in agony and their parents are exhausted from battling the system. They are worn out from fighting for their children's needs day in and day out. It is a battle they should not have to fight. No father should have to come to Leinster House to look for a meeting with the Minister. We all watched in horror last year when RTÉ aired its programme "Living on the List". It gave us an insight into the struggles faced by these children and their families on a daily basis. In the aftermath of that programme the Minister for Health, Deputy Simon Harris, offered an apology and made promises. Those promises have been broken again and again.

When is the Tánaiste going to do right by Sophia and the other 188 children who are waiting for spinal surgery? When will he do right by the 3,850 children who have a disability or suspected disability and are legally entitled to an assessment of needs but who are being failed by the State? Will he ensure Sophia's father who travelled to Leinster House on Tuesday to meet the Minister will have that meeting? Will he ensure the Minister will meet her father and listen to the agony, pain, trauma and upset the family have had to go through? The same is

experienced by many other families in the State.

The Tánaiste: When I met Sophia's father on the way into Government Buildings on Tuesday, I spoke to him about the matter. I experienced some of the frustration which I am sure the Deputy has also experienced when speaking to him at the pressures he, his family and daughter are facing as a result of having to wait for surgery.

The long-term strategy to develop sustainable scoliosis services from 2018 has been prioritised by the Department of Health and the HSE in the 2018 HSE national service plan. An additional €9 million has been provided for the HSE in 2018 specifically to develop paediatric orthopaedic services, including further increasing access to scoliosis services. The Children's Hospital Group continues to progress the move towards implementation of a long-term, sustainable and safe paediatric orthopaedic service, including scoliosis services for children and young people. In July the group published the redesigned scoliosis ten-point action plan and an orthopaedic implementation group has been established to oversee its implementation. The action plan was developed with the participation of professionals, families and advocates. Importantly, it has ensured the voices of the children involved have been incorporated into it. The action plan contains commitments that the HSE and the Children's Hospital Group will, in 2018 and beyond, maintain the four-month target, which is international best practice for all patients who are clinically deemed to require surgery. In 2018 the Children's Hospital Group aims to deliver 447 procedures, compared to 321 in 2017 and 224 in 2016. The 2017 figure rises to 371 when 50 outsourced procedures are included. Activity levels to the end of August show that the Children's Hospital Group has delivered 279 surgeries, of which 135 were spinal fusions. Activity levels in the year to date are running slightly ahead of target.

Progress is being and will continue to be made. We will continue to put funding into these services, as necessary, in order to get back to where we need to be - a point at which we can meet international best practice standards in waiting times in order that we will not again hear the hugely emotive and difficult stories of Sophia and many other families who are traumatised and being damaged by the inability of the State to date to provide the services they should be expecting to receive.

Deputy Pearse Doherty: As I said, Sophia does not appear on a list because, as her father said, the lists are a manipulation. As her surgery has been suspended, she does not appear in the figures the Tánaiste is presenting to the House.

The Tánaiste: I have not presented figures.

Deputy Pearse Doherty: What is real is that Sophia and other children like her are in pain. They are in pain today and will be tomorrow until the surgery is provided. What we do know is that the Minister for Health, Deputy Simon Harris, gave a commitment in 2017 that no child would wait longer than four months for surgery. Sophia has been waiting in pain for a year and a half. We can collectively lift her pain if we make sure we will have a system that is fit for purpose and which will not allow children like her to go month after month living in pain and agony because of her condition. What assurances can the Tánaiste give to Sophia and the other 188 children who are waiting for spinal surgery? The Tánaiste did meet her father who wants to meet the Minister. Will the Tánaiste give a commitment that the Minister will do the right thing and meet him? He should not have to attend at the gates of Leinster House to try to flag down a Minister. I appreciate that the Tánaiste stopped for a moment to talk to him, but there are things that he wants to say and proposals that he has put forward. For example, he proposes the open-

ing of theatres five days a week, up from three. He wants to ensure there will be intensive care unit beds available in order that his child can recover properly. These are measures that could be put in place, but the Government is failing the children concerned and breaking its promises. As all of this goes on, children are waking and suffering in pain.

The Tánaiste: I understand Sophia's family have a meeting in the hospital today.

Deputy Louise O'Reilly: They have just had it and there is no date for surgery.

The Tánaiste: I did not give figures for waiting lists, but I will. Waiting list figures at the end of August show that there are 188 patients on the waiting list for spinal surgery, of whom 109 are awaiting a spinal fusion. A total of 90 of the patients are actively waiting; 14 are come-ins, which means that they have a date for surgery; 40 have had surgery suspended; while 44 are on a planned procedure list. This represents a reduction from a figure of 299 last year, but it is still far too many. I am sure many of us in the House have worked with the families of children with scoliosis who need a spinal fusion procedure or rod extension, are waiting and should not be, given the fact that they are growing and need the extensions. I do not need to be told how difficult this is for families, with whom I have worked, as has the Deputy. What we need is a system that can provide services for all families in a much more effective and timely manner than is the case. The Minister for Health is setting about doing this and prioritising it in terms of a policy change and financial commitment.

Deputy Brendan Howlin: It is at this time of year that the Government and individual Ministers start flying kites about what might appear in the budget. One kite floated in the newspapers this week was that the Minister for Finance, Deputy Donohoe, is considering a capital gains tax break to charge less than half of the regular amount in tax due on the sales or development of vacant property. During the mismanagement of the economy in the 2000s, our tax system became riddled with special exemptions and inducements to private developers. It narrowed and weakened our tax base which collapsed in 2008. Tax revenue fell by 30% which is not normal in any developed economy, yet the Minister for Finance seems prepared to again consider the same failed strategy. He should not.

A second flaw in this approach is that tax breaks create perverse incentives. Instead of business investing on the basis of developing goods and services to meet people's needs in our society, tax breaks drive money to be invested in a tax product which offers the best return. We saw the results of this in poorly planned and poorly constructed buildings right throughout the Celtic tiger period.

The third problem with the Minister's approach, as published, is that it is all carrot and no stick. After 15 years of a prolonged housing boom from the 1990s, we still had a situation with trees growing out of crumbling derelict buildings all around our towns and city centres. This is only possible if it is more profitable to hoard land and to release properties and land slowly, one site at a time, to maximise speculative gain. There is no penalty for the owners of properties from doing just that.

The only way to end land hoarding and speculation is to introduce taxes and duties on property owners. All over Europe, social democratic market economies place stringent requirements on property owners to maintain and develop their properties. Put simply, owners of vacant property should use it or lose it. People's urgent need for housing cannot wait. Any serious economic analysis quickly reveals that tax breaks are the wrong way to boost housing

supply. That was the failed strategy of the past.

Will the Tánaiste confirm that property tax breaks will not be proposed in the upcoming budget in order that we do not repeat the failed and disastrous policies of the past?

The Tánaiste: As the Deputy well knows, as a former Minister for Public Expenditure and Reform, the debate around the choices for a budget generally happen around budget day. There are all sorts of speculation and kite flying, mainly not from Ministers but from other people trying to provoke a response from the Government to get an idea what is and is not going to happen on budget day. I suspect this is another example of that.

Undoubtedly, the budget will be focused on housing and trying to help increase supply. The Government has committed a significant amount of capital resources to driving supply, and it is working. We have changed the planning system, and it is working. We have changed our approach towards student accommodation, and it is working. We are seeing a dramatic increase in supply of all types of housing, namely, affordable, social, student and others. That needs to continue and to accelerate to deal with the housing crisis and pressures that we have.

That goes for vacant sites and properties too. That is why we are introducing a vacant site levy which will increase after the first year. It will be a real driver to ensure sites are not purchased to be held on to for the medium term in a speculative way but, instead, will be used to deliver housing. I will not confirm or deny any decisions the Minister for Finance will propose to Cabinet. I certainly have not had any discussion on the issue that the Deputy raised. I suspect there will be much debate and speculation in advance of budget day. I am confident we have a Minister for Finance who is cautious, informed and will not do anything that would damage the property market but will, instead, focus on sustainable ways of increasing supply at the pace we need.

Deputy Brendan Howlin: The Tánaiste is correct that I have experience of the run-up to budgets over time. It is my experience that Ministers do test run proposals to see how they will fly. We all have experience of that. When I see a particular proposal attached to a particular Minister's name, I know what it is, namely, test flying.

We need to be clear. If this budget is to be about housing, it cannot be about the policy platforms which delivered an economic collapse. The solution to housing we can debate separately but it is largely a question of supply. The Government has suggested giving public lands, which we had to defend to keep in public ownership in the past, to private developers and an approach whereby 60% of the housing will be, by definition, unaffordable if only 40% is going to be affordable. This is the wrong way to go. If that is to be compounded by giving further tax incentives and tax breaks to the developers, then we have learned nothing over the decade of economic collapse. Will the Tánaiste express his own view that this is not the way to go?

The Tánaiste: We have learned much over the past seven years. The Deputy will remember much of the debates and the hard decisions which needed to be made in difficult circumstances in the build-up to budgets, particularly five, six and seven years ago when he, as then Minister for Public Expenditure and Reform, had to make difficult choices. I am glad to say we are not in that situation any longer but we still have choices to make because we still have challenges. While the economy has recovered, society has significant pressures. Housing is one of those issues and health reform is another. We have other issues to which we need to respond in this budget, namely, Brexit and the challenges it poses.

The Government has learned the lessons of some of the policy mistakes of the past, especially those linked to property. We will not be repeating them.

Deputy Róisín Shortall: In response to the unprecedented housing crisis which we are experiencing, I believe we are seeing the emergence of a grassroots campaign with large numbers of people increasingly saying enough is enough about the Government's failure to address this most basic issue. The Irish Congress of Trade Unions is spearheading the Raise the Roof campaign, which is supported by many housing charities, non-governmental organisations, NGOs, and several Opposition parties. In addition to that, over recent weeks we have seen a great number of young people mobilised under the banner of "Take Back the City". These are people who were protesting about the large volume of empty properties that we have in Dublin and in other cities.

These are predominantly young people who can be described as the locked-out generation. They are locked-out of the prospect of having independent housing, whether to rent or to buy. This young generation finds it impossible to access housing. Rents nationally are now 27% above the boom-time high. In Dublin, rent for a one-bedroom apartment, for example, for a single person represents over 50% of their take-home pay. It is entirely unsustainable. This is where much of the pressure is coming from for wage increases and the complaints about the cost of living. People simply cannot afford housing any longer and they certainly cannot afford rent. We are now in a never-ending upward spiral when it comes to rent. It seems the Government's measures to date have largely been ineffective.

As well as the unaffordability of rent, this crisis is in turn having two other major impacts. It is clearly driving the homelessness crisis. It also means homeownership is largely unattainable due to the impossibility of saving while paying high rents, especially in a situation where so much housing is completely overpriced. Earlier this week the Social Democrats called for an emergency two-year rent freeze. We believe that this would at least stop the spiral but the Government has rejected this proposal. At a time when the availability of rental properties is at an all-time low, it is galling for people to get this kind of weak response from Government. Why will it not consider, as an emergency measure, introducing a freeze on rents so that there would be at least a bit of breathing space to allow some other measures to kick in? Can the Tánaiste explain his thinking in this regard and what exactly is his argument against a rent freeze?

The Tánaiste: The Deputy has raised a lot of questions there and I would like to spend a lot of time answering them because this is a brief with which I am very familiar and in which I am still very involved. To answer her direct question regarding a rent freeze, I do not think it is a good idea, not because I do not want to introduce measures that provide relief for renters but because the core of the problem is a lack of supply. We looked at this issue when I was the Minister with responsibility for housing and we decided, for the first time in the history of the State, effectively to introduce rent caps in Ireland, which now apply to about 65% of all rental properties in the country, whereby there is a limit of no more than 4% of a rent increase per year linked to those properties enforced by the system. We went through a long consultation process with all stakeholders listening to people who were under pressure in terms of their rent but also listening to people who want to invest in the rental market to provide more rental properties. We should not be making short-term decisions now that seem popular but which actually contribute significantly to limiting supply. Instead we need an appropriate response where rents are high to keep a cap on rental inflation, which is what is happening with rent pressure zones. That is getting the balance right between ensuring that while we build much more social and affordable housing and while the private sector also delivers much more housing, including af-

fordable housing, we continue to see that momentum for supply growth and that we do not shut it off by introducing dramatic measures that will undermine the confidence in the willingness to invest in the property market.

The Deputy is now calling for a rent freeze across the country even in parts of it where rents are not particularly high. We need to target areas where there is real heat and pressure. That is what rent pressure zones and the criteria relating to them do and we know that it is working from the statistics. The real problem in this market is supply. We are addressing the supply issue but it is going to take some time because we cannot build houses overnight. We need to protect renters as we are doing and as we will continue to do while the pressure is as it is, but we also need to ensure we deal with the supply challenge because, ultimately, that is the solution.

Deputy Róisín Shortall: Supply is an important issue but what the Government is completely ignoring is the issue of affordability. There are measures available to it to address the issue of affordability but, unfortunately, it is dodging those because it is too reliant on the market and is not prepared to intervene to the extent that it will make a real difference in people's lives. The Tánaiste, as the person who introduced the rent caps and rent pressure zones, knows perfectly well that they are of limited effect. They do not apply right around the country. In Limerick, for example, rents went up by 21% last year alone. In Waterford they went up by 19%. The Tánaiste knows there are plenty of loopholes in those measures which enable landlords to dodge their responsibilities. They are not effective in the way that I believe he intended and he should face the reality that they are not effective.

The Tánaiste also talked about the willingness to invest. There is not a willingness on the part of many developers to invest because they are sitting on landbanks waiting for prices to go up further, aided and abetted by the Government. The Tánaiste knows that rent pressure measures are not working. The derelict sites register is at a meaningless 33% in terms of vacant properties. The vacant site levy, introduced by Deputy Kelly when he was Minister, is not effective. In a situation where property values are going up so much and house prices are going up by 10%, what difference does a 3% levy make? It is time for meaningful action and less of the talk.

The Tánaiste: It is time for action and less talk and that is why we are implementing the Rebuilding Ireland plan, which is a five-year housing plan that is working. The Deputy said the vacant site levy is not working but that has only just started. It does not work overnight.

Deputy Róisín Shortall: Exactly. Why was it not brought in a few years ago?

The Tánaiste: We cannot retrospectively correct things from two years ago. We are setting about-----

Deputy Róisín Shortall: It is all a softly, softly approach with the Tánaiste.

An Ceann Comhairle: Will the Deputy allow the Tánaiste to respond?

The Tánaiste: The Deputy does not want to hear the answers - that is the problem - because she wants to keep talking about the problems. The Government recognises that there are huge pressures on the housing market and that is impacting on families right across the country but, in particular, in Dublin, Cork, Limerick, Galway and Waterford and in other areas. We are setting about fixing those. There are specific responses around homelessness that are getting more and more money and resources, and that is what is needed, and a change in policy shifting

towards Housing First models and so on, which we know are working.

Deputy Róisín Shortall: Affordability is the issue.

The Tánaiste: Five thousand people were taken out of homelessness last year. We know that 7,000 new social housing units were added to the market last year. It will be 8,000 this year and 10,000 and 12,000 in the years ahead.

Deputy Róisín Shortall: What is the Government doing about the issue of affordability?

The Tánaiste: We know that last year 14,500 new homes were built in Ireland. This year it will be over 20,000. Two years ago that figure was less than 10,000, so we are moving in the right direction.

Deputy Róisín Shortall: Rents are going up.

The Tánaiste: While the transition is happening we need to protect renters, in particular, and people who need affordable properties-----

Deputy Róisín Shortall: Rents and house prices are going up.

The Tánaiste: Which is why we have changed the rental market but the Deputy does not want to recognise progress because she wants to keep talking about problems.

Deputy Róisín Shortall: Affordability is the issue that the Tánaiste is ignoring.

Deputy Regina Doherty: It is not, supply is.

An Ceann Comhairle: If the Members want to have a chat about the matter, can they do so afterwards.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

An Ceann Comhairle: One minute is allowed per question and only 15 minutes is allocated for this business today.

Deputy Dara Calleary: On Tuesday we had the launch of the report on the Commission on the Future of Policing in Ireland with the usual razzmatazz that this Government does for every launch. It is a very detailed report and I thank Kathleen O'Toole and her team for the work they have done. A specific recommendation of the report relates to the formation of a strategic threat analysis centre that would respond directly to the Taoiseach. Can the Tánaiste confirm that the Government is accepting that specific recommendation? Second, can he confirm that implementation of the report will begin in 2019? When does the Government intend to place an implementation plan and an aligned budget before the House?

The Tánaiste: I also take the opportunity to thank Kathleen O'Toole who has done an extraordinarily good job. What the Government has done to date is simply to note the report because there are many recommendations in it. The Minister, Deputy Flanagan, is consulting with other political parties and other stakeholders on an implementation plan which he has committed to bring to Government within three months. We will move on now from simply noting

a report to putting an implementation plan in place to make sure the benefits of that report are factored into Government policy and action. We will have an implementation plan ready and brought before Government within three months.

Deputy Pearse Doherty: In December the Taoiseach announced to us all that he claimed he had a cast iron guarantee in terms of Brexit, the so-called backstop. The EU has twice attempted to put a legally enforceable backstop in place with deadlines for such an agreement. However, the British Government and the British Prime Minister binned the latest approach from the EU. It is reported that she objected on the basis that no one had the right to impose a border through any nation. I hope the Taoiseach reminded her when he met her this morning of Britain's role in Ireland. We heard from David Lidington earlier who has now doubled down on Theresa May's rejection of the EU's approach and the British Government has again busted through the October deadline. Is the Tánaiste still convinced that the December guarantee is cast iron? Is he still convinced that we will have a legally enforceable backstop?

The Tánaiste: Yes, I am is the answer to both of those questions. We are at the business end of these negotiations and this is difficult, and it was always going to be difficult. The complexity of Britain leaving the European Union and of getting the complexity of a withdrawal treaty finalised, in terms of legal text that provides absolute certainty and that will stand to legal scrutiny and so on, was always going to be very difficult. That withdrawal treaty is close to 90% complete. A great deal of good work has been done by both negotiating teams to move that process forward.

What is not complete is the most difficult final 10%, which involves Ireland. It involves the backstop and the Border issues. The Taoiseach and I have been absolutely clear that we will never sign up to a withdrawal treaty that does not involve a follow-through on the commitments of last December and last March from the British Government. This means a legally operable backstop in place as part of the legal text in what is called the Irish protocol of the withdrawal treaty that lives up to the political commitment of last December, which is to provide guarantees that there will be no Border infrastructure on the island of Ireland in the future as an unintended consequence of Brexit. To her credit, I believe that the British Prime Minister is committed to following through on those commitments. The two negotiation teams now need to intensify their engagement on the detail of how to do that in a way that Britain can accept and in a way that delivers on the promises that have been made.

Deputy Brendan Howlin: The introduction of a new entrant pay scale from 1 January 2011 resulted in a two-tier pay system in the public service, which now affects some 60,500 public servants. They are not paid equally for their work and, as we heard yesterday, it is having an impact on recruitment in a variety of areas. Since the publication of the Irish Government Economic and Evaluation Service's costings, there has been engagement with the trade unions on this matter.

Is the Government's intention to have this matter resolved in advance of the budget, as was promised? Will the Tánaiste give the House an update on exactly what the situation is?

The Tánaiste: The only update I can give to the Deputy is that there are ongoing consultations between the Minister's Department and trade unions. I do not have an exact date.

Deputy Brendan Howlin: Will it be concluded in advance of the budget, as was committed?

The Tánaiste: I will have to come back to the Deputy on this, but I would be surprised if the Minister had committed to that. I would be surprised if that was the case but I will need to confirm it.

Deputy Mick Barry: In July, the Review of the Gender Recognition Act 2015 was published. The report made very important recommendations that, if delivered, would mean people under the age of 16 would be able to have recognition of their gender identity and recognition for those people who are non-binary and intersex. These are important proposals. I note the fact there is no mention of a gender recognition (amendment) Bill in the Government's legislative programme. Will the Tánaiste update the House on the position in this regard?

The Tánaiste: I will come back to the Deputy on this. I understand that the Government is happy to progress the issue. It has been debated a number of times in the House and the Taoiseach has answered questions from the Deputy on the issue. We are serious about doing it, but I will have to come back to the Deputy on the timing of the legislation.

Deputy Mattie McGrath: With regard to the restoration of town councils, there is a huge disconnect between local government and national government. Only yesterday I received a response from the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, to a parliamentary question about the areas where a county manager or chief executive officer could change reserved functions to executive functions. The reply was very clear that the county manager or CEO could not do that. This, however, is exactly what happened at a meeting in Clonmel last night when the county manager acted outside his powers in relation to St. Patrick's Cemetery. Some 5,000 people objected to and protested the restriction of access for sick, elderly and vulnerable people, many of whom are relatives of suicide victims. The managers seem to be doing what they like. The Government is calling councils out and blaming them for the housing crisis but there is a huge disconnect.

Will the Tánaiste ask the Minister, Deputy Murphy to investigate this and contact Tipperary County Council to ensure it acts within the legislation and that it does not strip away totally the powers of the elected members? The council executive has many powers as it is, but in this instance it is overstepping the mark and ignoring the legislation, which only yesterday was issued to me by way of a reply to a parliamentary question.

The Tánaiste: I advise the Deputy to correspond with the Minister, Deputy Eoghan Murphy, on this matter. If it is an issue, I am sure he will look at it.

Deputy Margaret Murphy O'Mahony: What does the Government intend to do about the large numbers of children who are waiting for an assessment of need? Under the Disability Act 2005, these children have a legal right to be seen within three months and for their assessment to be completed within six months. What is the Government going to do? Some 40% of the children who are waiting are in Kerry and from our own County Cork, so I would like to know the Tánaiste's thoughts on this please.

The Tánaiste: I cannot go into a detailed response on that matter under the Order of Business, but I agree there is a need for action. The Minister of State, Deputy Jim Daly, and others are ensuring that this is a priority with regard to recruitment and resources and around policy change in this area. The current waiting lists and waiting times are too long, and this is why we will prioritise it.

Deputy Danny Healy-Rae: Heating oil prices have gone up by 29% - almost one third - in

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the past 12 months. It will cost householders an extra €160 for each fill of a 1,000 litre tank. It is recognised that it takes two fills to heat a home for one year, so this is an increase of €320. Ireland's heating oil costs are four times more expensive than in the North of Ireland due to higher levies, taxes and carbon tax. Petrol prices here are up 11% and diesel is up by 14%. The Government has room for manoeuvre in this. We know that the price of a barrel of oil has increased, but in line with this increase the Government's take in taxes, levies and carbon tax has also increased. I ask that the Government forgoes some of that increase in the budget to give poorer people a chance to heat themselves. On top of this the Government is trying to stop people from cutting turf. Does the Government want people to perish with the cold?

An Ceann Comhairle: The Deputy has gone off topic. I ask the Tánaiste if there is any legislation in this area.

The Tánaiste: There are more sustainable ways to heat homes than burning oil. There are Government grants available to help people do that, especially for solar panels and so on.

Deputy Mattie McGrath: You would send them all to hell or to Connacht.

The Tánaiste: I am sure the Deputy would appreciate the climate benefits of that kind of switch.

Deputy Danny Healy-Rae: Poor people-----

An Ceann Comhairle: Deputy Michael Collins, please.

Deputy Michael Collins: Rural-proofing of all Government policies was promised in the programme for Government. It was our understanding that rural-proofing was meant to be a commitment by this Government to review and examine all Government policies to ensure that they do not disadvantage rural areas. The Tánaiste has misled the people, especially those living in rural Ireland. In the past two weeks I have attended the closure of Lissgriffin national school in Goleen and I attended the closure of the Ballineen post office. Hickey's foodstore in Kilbrittain has closed and Lordan's butchers in Ballinspittle has closed. Rural Ireland is haemorrhaging badly and the Government is aiding, abetting and assisting instead of stepping in. In recent days Axa insurance customers in west Cork received letters telling them they are closing the branch in Bantry. One customer in Castletownbere was told that if he needed to call to another branch, he could go to the Midleton branch, which is nearly two and a half hours away. This has to stop. With the Government closing 159 post offices, where is the rural-proofing working here?

An Ceann Comhairle: The Tánaiste on rural-proofing.

The Tánaiste: First, the Government is not closing any post offices.

Deputy Mattie McGrath: Of course it is, for God's sake.

The Tánaiste: There is an agreement between management-----

Deputy Mattie McGrath: Yes, we have had a lot of them in here, and the HSE.

The Tánaiste: -----and unions in An Post. There is no compulsory closure of any post office. It is a decision for postmasters to make in consultation with An Post.

Deputy Mattie McGrath: It was a rotten deal.

The Tánaiste: There are guarantees relating to proximity to post offices that are also being implemented by An Post. I assure the Deputy that this is a Government that prioritises rural Ireland, and as someone who has lived in rural Ireland for a lot of my life-----

Deputy Mattie McGrath: You drive through it.

The Tánaiste: -----I am well aware of that and the conversations around the Cabinet table. If anything, there is a prioritisation for rural Ireland rather than the opposite, which is what the Deputy seems to be suggesting.

Deputy Michael Collins: They are on the minimum wage. Postmasters are not being given a choice.

Deputy Michael Moynihan: The programme for Government contains a lot of talk on home care and home help packages. Is the Tánaiste aware that in some parts of the State no extra home help hours have been allocated for the past two months? The north Cork and the Duhallow regions in particular are waiting on a home help organiser within the region. No further home help hours have been allocated since the middle of July. There are patients who have been discharged from hospital and others who are awaiting discharge notices and trying to return to their own communities and families for whom no home help has been allocated. It is a disgrace. Is the Tánaiste aware of the crisis within this sector?

Deputy Mary Butler: I reiterate my colleague's comments. Today, I received a reply to a parliamentary question on the number of people in Waterford and south Kilkenny waiting on home help packages. That number is 124. We are facing into winter, we are concerned about our older generation and the number of people on trolleys is a major issue. If home care packages are not in place to provide step-down facilities for people coming out of acute beds, the issue will grow much worse before we see the winter surge.

Deputy Louise O'Reilly: A large number of people are waiting in my constituency of Dublin Fingal. I have corresponded and spoken with the Minister for Health on this matter numerous times. The doctors have said that people need to be allocated home care hours and there are workers in the area who are willing and able to do the work, yet funding cannot be released. I have spoken to one of the organisers. She told me that there would not be enough funding until new funds were released next year. That is a long time to wait for people who are stuck in inappropriate situations or cannot leave hospital even though they would be fit and well enough to return home with just a little help.

Deputy Carol Nolan: I am aware of many issues with home help in my constituency. There are very few hours for elderly couples who are trying to take care of each other in Laois and Offaly. It has been an ongoing issue for a considerable time. Provision needs to be made in the upcoming budget. This situation has gone on for too long. We must ensure that our elderly people are taken care of and be cognisant of the fact that they are saving the State millions of euro by doing a great job as carers. What is happening is an insult to these people.

Deputy Niamh Smyth: I will not repeat everything, but my constituency has the same problem. I have a case of a 91 year old man whose wife is in her late 80s. He was allocated home help hours last May but still has not had them activated. The excuse we are being given by the HSE is that it does not have the staff or resources to do it even though his need has been recognised. This is not on.

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An Ceann Comhairle: Does Deputy Breathnach wish to contribute on the same matter?

Deputy Declan Breathnach: No.

The Tánaiste: It is clearly an issue of real concern. I have experienced it in my constituency too. This is something that needs to be factored into the HSE service plan in terms of resources, both financial and human. I suggest that this is an obvious question to tease out with the Minister for Health when he takes Question Time.

European Organisation for Astronomical Research in the Southern Hemisphere: Motion

Minister of State at the Department of Business, Enterprise and Innovation (Deputy John Halligan): I move:

That Dáil Éireann, further to the Resolution of the Dáil of 27th June, 2018, approves the terms of:

(i) the Agreement between the European Organisation for Astronomical Research in the Southern Hemisphere and Ireland concerning the accession of Ireland to the European Organisation for Astronomical Research in the Southern Hemisphere, approved by ESO Council on 5th June, 2018; and

(ii) the Convention Establishing a European Organisation for Astronomical Research in the Southern Hemisphere, together with;

(a) the Financial Protocol Annexed to the Convention Establishing a European Organisation for Astronomical Research in the Southern Hemisphere, and

(b) the Protocol on the Privileges and Immunities of the European Organisation for Astronomical Research in the Southern Hemisphere,

copies of which were laid before Dáil Éireann on 22nd June, 2018.

Question put and agreed to.

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

The following motion was moved by Deputy Brian Stanley on Tuesday, 18 September 2018:

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.

Debate resumed on 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;

— 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,

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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) 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 recommendations 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.

- (Minister for Communications, Climate Action and Environment)

An Ceann Comhairle: I must now deal with a postponed division relating to amendment No. 3 to the motion regarding the future of the post office network on Tuesday, 18 September. On the question that the amendment to the motion be agreed to, a division was claimed and in accordance with Standing Order 70(2), that division must be taken now.

Amendment again put:

<i>The Dáil divided: Tá, 43; Níl, 78; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>	
<i>Barrett, Seán.</i>	<i>Aylward, Bobby.</i>	
<i>Breen, Pat.</i>	<i>Barry, Mick.</i>	
<i>Brophy, Colm.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Burke, Peter.</i>	<i>Brady, John.</i>	
<i>Byrne, Catherine.</i>	<i>Brassil, John.</i>	
<i>Canney, Seán.</i>	<i>Breathnach, Declan.</i>	
<i>Cannon, Ciarán.</i>	<i>Broughan, Thomas P.</i>	
<i>Carey, Joe.</i>	<i>Browne, James.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>Buckley, Pat.</i>	
<i>Coveney, Simon.</i>	<i>Butler, Mary.</i>	
<i>Creed, Michael.</i>	<i>Calleary, Dara.</i>	
<i>D'Arcy, Michael.</i>	<i>Casey, Pat.</i>	
<i>Daly, Jim.</i>	<i>Cassells, Shane.</i>	
<i>Deasy, John.</i>	<i>Chambers, Lisa.</i>	
<i>Doherty, Regina.</i>	<i>Collins, Joan.</i>	
<i>Doyle, Andrew.</i>	<i>Collins, Michael.</i>	
<i>Durkan, Bernard J.</i>	<i>Collins, Niall.</i>	
<i>English, Damien.</i>	<i>Connolly, Catherine.</i>	
<i>Farrell, Alan.</i>	<i>Cowen, Barry.</i>	
<i>Fitzgerald, Frances.</i>	<i>Cullinane, David.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Curran, John.</i>	
<i>Halligan, John.</i>	<i>Daly, Clare.</i>	
<i>Harris, Simon.</i>	<i>Doherty, Pearse.</i>	
<i>Heydon, Martin.</i>	<i>Donnelly, Stephen S.</i>	
<i>Humphreys, Heather.</i>	<i>Dooley, Timmy.</i>	
<i>Madigan, Josepha.</i>	<i>Ellis, Dessie.</i>	
<i>McHugh, Joe.</i>	<i>Ferris, Martin.</i>	
<i>McLoughlin, Tony.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Mitchell O'Connor, Mary.</i>	<i>Fleming, Sean.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Funchion, Kathleen.</i>	
<i>Murphy, Dara.</i>	<i>Gallagher, Pat The Cope.</i>	
<i>Naughten, Denis.</i>	<i>Harty, Michael.</i>	
<i>Naughton, Hildegarde.</i>	<i>Haughey, Seán.</i>	
<i>Neville, Tom.</i>	<i>Healy-Rae, Danny.</i>	
<i>Noonan, Michael.</i>	<i>Healy, Seamus.</i>	
<i>O'Connell, Kate.</i>	<i>Howlin, Brendan.</i>	
<i>O'Donovan, Patrick.</i>	<i>Kelly, Alan.</i>	

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<i>O'Dowd, Fergus.</i>	<i>Kenny, Gino.</i>	
<i>Phelan, John Paul.</i>	<i>Lahart, John.</i>	
<i>Rock, Noel.</i>	<i>Lawless, James.</i>	
<i>Stanton, David.</i>	<i>Lowry, Michael.</i>	
<i>Zappone, Katherine.</i>	<i>MacSharry, Marc.</i>	
	<i>Martin, Catherine.</i>	
	<i>McDonald, Mary Lou.</i>	
	<i>McGrath, Mattie.</i>	
	<i>McGrath, Michael.</i>	
	<i>McGuinness, John.</i>	
	<i>Mitchell, Denise.</i>	
	<i>Moynihan, Aindrias.</i>	
	<i>Moynihan, Michael.</i>	
	<i>Munster, Imelda.</i>	
	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Catherine.</i>	
	<i>Murphy, Eugene.</i>	
	<i>Nolan, Carol.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Reilly, Louise.</i>	
	<i>O'Rourke, Frank.</i>	
	<i>O'Sullivan, Jan.</i>	
	<i>O'Sullivan, Maureen.</i>	
	<i>Ó Broin, Eoin.</i>	
	<i>Ó Caoláin, Caoimhghín.</i>	
	<i>Ó Laoghaire, Donnchadh.</i>	
	<i>Ó Snodaigh, Aengus.</i>	
	<i>Penrose, Willie.</i>	
	<i>Pringle, Thomas.</i>	
	<i>Quinlivan, Maurice.</i>	
	<i>Ryan, Brendan.</i>	
	<i>Scanlon, Eamon.</i>	
	<i>Shortall, Róisín.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smith, Bríd.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Tóibín, Peadar.</i>	
	<i>Troy, Robert.</i>	
	<i>Wallace, Mick.</i>	

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Tellers: Tá, Deputies Joe McHugh and Tony McLoughlin; Níl, Deputies Aengus Ó Snodaigh and Denise Mitchell.

Amendment declared lost.

1 o'clock

Deputy Timmy Dooley: I move amendment No. 2:

To delete the words “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” and substitute the following:

“— guarantee the current post office network to ensure that all citizens of Ireland have access to their important services by introducing a new Public Service Obligation (PSO) model;

— prevent the loss of post office services in the 159 communities where postmasters or postmistresses are retiring by advertising a contract under the new PSO model, appropriate to the local area and taking into account the potential for co-location;”

Amendment put:

<i>The Dáil divided: Tá, 70; Níl, 55; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Adams, Gerry.</i>	<i>Bailey, Maria.</i>	
<i>Aylward, Bobby.</i>	<i>Barrett, Seán.</i>	
<i>Brady, John.</i>	<i>Barry, Mick.</i>	
<i>Brassil, John.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Breathnach, Declan.</i>	<i>Breen, Pat.</i>	
<i>Browne, James.</i>	<i>Brophy, Colm.</i>	
<i>Buckley, Pat.</i>	<i>Broughan, Thomas P.</i>	
<i>Butler, Mary.</i>	<i>Burke, Peter.</i>	
<i>Calleary, Dara.</i>	<i>Byrne, Catherine.</i>	
<i>Casey, Pat.</i>	<i>Canney, Seán.</i>	
<i>Cassells, Shane.</i>	<i>Cannon, Ciarán.</i>	
<i>Chambers, Lisa.</i>	<i>Carey, Joe.</i>	
<i>Collins, Michael.</i>	<i>Collins, Joan.</i>	
<i>Collins, Niall.</i>	<i>Connolly, Catherine.</i>	
<i>Cowen, Barry.</i>	<i>Coppinger, Ruth.</i>	
<i>Cullinane, David.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Curran, John.</i>	<i>Coveney, Simon.</i>	
<i>Daly, Clare.</i>	<i>Creed, Michael.</i>	
<i>Doherty, Pearse.</i>	<i>D'Arcy, Michael.</i>	
<i>Donnelly, Stephen S.</i>	<i>Daly, Jim.</i>	
<i>Dooley, Timmy.</i>	<i>Deasy, John.</i>	
<i>Ellis, Dessie.</i>	<i>Doherty, Regina.</i>	

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<i>Ferris, Martin.</i>	<i>Doyle, Andrew.</i>	
<i>Fitzmaurice, Michael.</i>	<i>Durkan, Bernard J.</i>	
<i>Fleming, Sean.</i>	<i>English, Damien.</i>	
<i>Funchion, Kathleen.</i>	<i>Farrell, Alan.</i>	
<i>Gallagher, Pat The Cope.</i>	<i>Fitzgerald, Frances.</i>	
<i>Harty, Michael.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Haughey, Seán.</i>	<i>Halligan, John.</i>	
<i>Healy-Rae, Danny.</i>	<i>Harris, Simon.</i>	
<i>Howlin, Brendan.</i>	<i>Healy, Seamus.</i>	
<i>Kelly, Alan.</i>	<i>Heydon, Martin.</i>	
<i>Lahart, John.</i>	<i>Humphreys, Heather.</i>	
<i>Lawless, James.</i>	<i>Kenny, Gino.</i>	
<i>Lowry, Michael.</i>	<i>Madigan, Josepha.</i>	
<i>MacSharry, Marc.</i>	<i>Martin, Catherine.</i>	
<i>McDonald, Mary Lou.</i>	<i>McHugh, Joe.</i>	
<i>McGrath, Mattie.</i>	<i>McLoughlin, Tony.</i>	
<i>McGrath, Michael.</i>	<i>Mitchell O'Connor, Mary.</i>	
<i>McGuinness, John.</i>	<i>Moran, Kevin Boxer.</i>	
<i>Mitchell, Denise.</i>	<i>Murphy, Dara.</i>	
<i>Moynihan, Aindrias.</i>	<i>Naughten, Denis.</i>	
<i>Moynihan, Michael.</i>	<i>Naughton, Hildegarde.</i>	
<i>Munster, Imelda.</i>	<i>Neville, Tom.</i>	
<i>Murphy O'Mahony, Margaret.</i>	<i>Noonan, Michael.</i>	
<i>Murphy, Catherine.</i>	<i>O'Connell, Kate.</i>	
<i>Murphy, Eugene.</i>	<i>O'Donovan, Patrick.</i>	
<i>Nolan, Carol.</i>	<i>O'Dowd, Fergus.</i>	
<i>O'Brien, Darragh.</i>	<i>O'Sullivan, Maureen.</i>	
<i>O'Dea, Willie.</i>	<i>Phelan, John Paul.</i>	
<i>O'Keefe, Kevin.</i>	<i>Pringle, Thomas.</i>	
<i>O'Reilly, Louise.</i>	<i>Rock, Noel.</i>	
<i>O'Rourke, Frank.</i>	<i>Smith, Bríd.</i>	
<i>O'Sullivan, Jan.</i>	<i>Stanton, David.</i>	
<i>Ó Broin, Eoin.</i>	<i>Zappone, Katherine.</i>	
<i>Ó Caoláin, Caoimhghín.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Ó Laoghaire, Donnchadh.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Penrose, Willie.</i>		
<i>Quinlivan, Maurice.</i>		
<i>Rabbitte, Anne.</i>		
<i>Ryan, Brendan.</i>		
<i>Scanlon, Eamon.</i>		

<i>Shortall, Róisín.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Tóibín, Peadar.</i>		
<i>Troy, Robert.</i>		
<i>Wallace, Mick.</i>		

Tellers: Tá, Deputies Michael Moynihan and John Lahart; Níl, Deputies Joe McHugh and Tony McLoughlin.

Amendment declared carried.

Deputy Mattie McGrath: I move amendment No. 1:

To delete all words after “calls on the Government to” and substitute the following:

— act urgently on its commitment as outlined in A Programme for a Partnership Government and on the direction of Dáil Éireann by way of the Rural Independent Group motion which was agreed to by the House on 16th November 2016 and which has to date been ignored by the Government; and prevent the closure of 159 post offices across the State by advertising new contracts, offering additional services through the post offices and allowing for co-location of post offices.

Amendment put:

<i>The Dáil divided: Tá, 21; Níl, 49; Staon, 53.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Broughan, Thomas P.</i>	<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>
<i>Collins, Joan.</i>	<i>Barrett, Seán.</i>	<i>Aylward, Bobby.</i>
<i>Collins, Michael.</i>	<i>Barry, Mick.</i>	<i>Brady, John.</i>
<i>Connolly, Catherine.</i>	<i>Boyd Barrett, Richard.</i>	<i>Brassil, John.</i>
<i>Daly, Clare.</i>	<i>Breen, Pat.</i>	<i>Breathnach, Declan.</i>
<i>Fitzmaurice, Michael.</i>	<i>Brophy, Colm.</i>	<i>Browne, James.</i>
<i>Harty, Michael.</i>	<i>Burke, Peter.</i>	<i>Buckley, Pat.</i>
<i>Healy-Rae, Danny.</i>	<i>Byrne, Catherine.</i>	<i>Butler, Mary.</i>
<i>Healy, Seamus.</i>	<i>Canney, Seán.</i>	<i>Calleary, Dara.</i>
<i>Howlin, Brendan.</i>	<i>Cannon, Ciarán.</i>	<i>Casey, Pat.</i>
<i>Kelly, Alan.</i>	<i>Carey, Joe.</i>	<i>Cassells, Shane.</i>
<i>Lowry, Michael.</i>	<i>Coppinger, Ruth.</i>	<i>Chambers, Lisa.</i>
<i>McGrath, Mattie.</i>	<i>Corcoran Kennedy, Marcella.</i>	<i>Collins, Niall.</i>
<i>Murphy, Catherine.</i>	<i>Coveney, Simon.</i>	<i>Cowen, Barry.</i>
<i>Nolan, Carol.</i>	<i>Creed, Michael.</i>	<i>Cullinane, David.</i>
<i>O’Sullivan, Jan.</i>	<i>D’Arcy, Michael.</i>	<i>Curran, John.</i>
<i>O’Sullivan, Maureen.</i>	<i>Daly, Jim.</i>	<i>Doherty, Pearse.</i>
<i>Penrose, Willie.</i>	<i>Deasy, John.</i>	<i>Donnelly, Stephen S.</i>
<i>Pringle, Thomas.</i>	<i>Doherty, Regina.</i>	<i>Dooley, Timmy.</i>

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<i>Shortall, Róisín.</i>	<i>Doyle, Andrew.</i>	<i>Ellis, Dessie.</i>
<i>Wallace, Mick.</i>	<i>Durkan, Bernard J.</i>	<i>Ferris, Martin.</i>
	<i>English, Damien.</i>	<i>Fleming, Sean.</i>
	<i>Farrell, Alan.</i>	<i>Funchion, Kathleen.</i>
	<i>Fitzgerald, Frances.</i>	<i>Gallagher, Pat The Cope.</i>
	<i>Fitzpatrick, Peter.</i>	<i>Haughey, Seán.</i>
	<i>Halligan, John.</i>	<i>Lahart, John.</i>
	<i>Harris, Simon.</i>	<i>Lawless, James.</i>
	<i>Heydon, Martin.</i>	<i>MacSharry, Marc.</i>
	<i>Humphreys, Heather.</i>	<i>McDonald, Mary Lou.</i>
	<i>Kenny, Gino.</i>	<i>McGrath, Michael.</i>
	<i>Madigan, Josepha.</i>	<i>McGuinness, John.</i>
	<i>Martin, Catherine.</i>	<i>Mitchell, Denise.</i>
	<i>McHugh, Joe.</i>	<i>Moynihan, Aindrias.</i>
	<i>McLoughlin, Tony.</i>	<i>Moynihan, Michael.</i>
	<i>Mitchell O'Connor, Mary.</i>	<i>Munster, Imelda.</i>
	<i>Moran, Kevin Boxer.</i>	<i>Murphy O'Mahony, Margaret.</i>
	<i>Murphy, Dara.</i>	<i>Murphy, Eugene.</i>
	<i>Naughten, Denis.</i>	<i>O'Brien, Darragh.</i>
	<i>Naughton, Hildegarde.</i>	<i>O'Keeffe, Kevin.</i>
	<i>Neville, Tom.</i>	<i>O'Reilly, Louise.</i>
	<i>Noonan, Michael.</i>	<i>O'Rourke, Frank.</i>
	<i>O'Connell, Kate.</i>	<i>Ó Broin, Eoin.</i>
	<i>O'Donovan, Patrick.</i>	<i>Ó Caoláin, Caoimhghín.</i>
	<i>O'Dowd, Fergus.</i>	<i>Ó Cuív, Éamon.</i>
	<i>Phelan, John Paul.</i>	<i>Ó Laoghaire, Donnchadh.</i>
	<i>Rock, Noel.</i>	<i>Ó Snodaigh, Aengus.</i>
	<i>Smith, Bríd.</i>	<i>Quinlivan, Maurice.</i>
	<i>Stanton, David.</i>	<i>Rabbitte, Anne.</i>
	<i>Zappone, Katherine.</i>	<i>Scanlon, Eamon.</i>
		<i>Smith, Brendan.</i>
		<i>Smyth, Niamh.</i>
		<i>Tóibín, Peadar.</i>
		<i>Troy, Robert.</i>

Tellers: Tá, Deputies Mattie McGrath and Michael Harty; Níl, Deputies Joe McHugh and Tony McLoughlin.

Amendment declared lost.

Motion, as amended, agreed to.

20 September 2018

The following motion was moved by Deputy Robert Troy on Wednesday, 19 September 2018:

That Dáil Éireann:

notes that:

— public bus and rail services provide an essential environmentally friendly service and their use should be promoted; and

— Dublin Bus provides a vital and necessary public service for all citizens in Dublin and its greater area and should receive investment to ensure that its services are maintained, improved and enhanced to meet the needs of a vibrant capital city;

condemns the unnecessary anxiety and anger experienced by the public in the last eight weeks since the BusConnects consultations have commenced; and

agrees that:

— the current proposals put forward by the National Transport Authority via BusConnects for culling bus routes across Dublin and its greater area be immediately reversed and re-configured so that all communities in Dublin and surrounding counties can retain access to their schools, colleges, work places, hospitals and other essential amenities, by Dublin Bus; and

— the reconfigured plan, when completed, should be put to consultation so that communities can be fully consulted on any route changes.

Debate resumed on amendment No. 1:

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

notes that:

— public bus and rail services provide an essential environmentally friendly service and their use should be promoted;

— Dublin Bus provides a vital and necessary public service for all citizens in Dublin and its greater area, and should receive investment to ensure that its services are maintained, improved and enhanced to meet the needs of a vibrant capital city; and

— as with any proposed change to public services, the necessary consultation has caused some anxiety and worry to some members of the public in the last eight weeks since the BusConnects consultations have commenced; and

agrees that:

— the current proposals put forward by the National Transport Authority via BusConnects for changing bus routes across Dublin and its greater area be reviewed in the context of all submissions received during this consultation process so that all communities in Dublin and surrounding counties see the enhanced benefits of the new BusConnects scheme; and

— the reconfigured plan, when completed, should be fully communicated to all local communities and further consultation undertaken if required.

- (Minister for Transport, Tourism and Sport).

An Ceann Comhairle: I must deal with a postponed division on amendment No. 1, in the name of the Minister for Transport, Tourism and Sport, to the motion on BusConnects. On the question, “That the amendment be made,” a division was claimed. In accordance with Standing Order 70(2), that division must be taken now.

Amendment again put:

<i>The Dáil divided: Tá, 45; Níl, 77; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>	
<i>Barrett, Seán.</i>	<i>Aylward, Bobby.</i>	
<i>Breen, Pat.</i>	<i>Barry, Mick.</i>	
<i>Brophy, Colm.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Burke, Peter.</i>	<i>Brady, John.</i>	
<i>Byrne, Catherine.</i>	<i>Brassil, John.</i>	
<i>Canney, Seán.</i>	<i>Breathnach, Declan.</i>	
<i>Cannon, Ciarán.</i>	<i>Broughan, Thomas P.</i>	
<i>Carey, Joe.</i>	<i>Browne, James.</i>	
<i>Collins, Joan.</i>	<i>Buckley, Pat.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>Butler, Mary.</i>	
<i>Coveney, Simon.</i>	<i>Calleary, Dara.</i>	
<i>Creed, Michael.</i>	<i>Casey, Pat.</i>	
<i>D’Arcy, Michael.</i>	<i>Cassells, Shane.</i>	
<i>Daly, Jim.</i>	<i>Chambers, Jack.</i>	
<i>Deasy, John.</i>	<i>Chambers, Lisa.</i>	
<i>Doherty, Regina.</i>	<i>Collins, Michael.</i>	
<i>Doyle, Andrew.</i>	<i>Collins, Niall.</i>	
<i>Durkan, Bernard J.</i>	<i>Connolly, Catherine.</i>	
<i>English, Damien.</i>	<i>Coppinger, Ruth.</i>	
<i>Farrell, Alan.</i>	<i>Cowen, Barry.</i>	
<i>Fitzgerald, Frances.</i>	<i>Cullinane, David.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Curran, John.</i>	
<i>Halligan, John.</i>	<i>Daly, Clare.</i>	
<i>Harris, Simon.</i>	<i>Doherty, Pearse.</i>	
<i>Heydon, Martin.</i>	<i>Donnelly, Stephen S.</i>	
<i>Humphreys, Heather.</i>	<i>Dooley, Timmy.</i>	
<i>Lowry, Michael.</i>	<i>Ferris, Martin.</i>	
<i>Madigan, Josepha.</i>	<i>Fitzmaurice, Michael.</i>	
<i>McHugh, Joe.</i>	<i>Fleming, Sean.</i>	

<i>McLoughlin, Tony.</i>	<i>Funchion, Kathleen.</i>	
<i>Mitchell O'Connor, Mary.</i>	<i>Gallagher, Pat The Cope.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Harty, Michael.</i>	
<i>Murphy, Dara.</i>	<i>Haughey, Seán.</i>	
<i>Naughten, Denis.</i>	<i>Healy, Seamus.</i>	
<i>Naughton, Hildegarde.</i>	<i>Howlin, Brendan.</i>	
<i>Neville, Tom.</i>	<i>Kelly, Alan.</i>	
<i>Noonan, Michael.</i>	<i>Kenny, Gino.</i>	
<i>O'Connell, Kate.</i>	<i>Lahart, John.</i>	
<i>O'Donovan, Patrick.</i>	<i>Lawless, James.</i>	
<i>O'Dowd, Fergus.</i>	<i>MacSharry, Marc.</i>	
<i>Phelan, John Paul.</i>	<i>Martin, Catherine.</i>	
<i>Rock, Noel.</i>	<i>McDonald, Mary Lou.</i>	
<i>Stanton, David.</i>	<i>McGrath, Mattie.</i>	
<i>Zappone, Katherine.</i>	<i>McGrath, Michael.</i>	
	<i>McGuinness, John.</i>	
	<i>Mitchell, Denise.</i>	
	<i>Moynihan, Aindrias.</i>	
	<i>Moynihan, Michael.</i>	
	<i>Munster, Imelda.</i>	
	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Catherine.</i>	
	<i>Murphy, Eugene.</i>	
	<i>Nolan, Carol.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Reilly, Louise.</i>	
	<i>O'Rourke, Frank.</i>	
	<i>O'Sullivan, Jan.</i>	
	<i>O'Sullivan, Maureen.</i>	
	<i>Ó Broin, Eoin.</i>	
	<i>Ó Caoláin, Caoimhghín.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Ó Laoghaire, Donnchadh.</i>	
	<i>Ó Snodaigh, Aengus.</i>	
	<i>Penrose, Willie.</i>	
	<i>Pringle, Thomas.</i>	
	<i>Quinlivan, Maurice.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Scanlon, Eamon.</i>	
	<i>Shortall, Róisín.</i>	
	<i>Smith, Brendan.</i>	

	<i>Smith, Bríd.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Tóibín, Peadar.</i>	
	<i>Troy, Robert.</i>	
	<i>Wallace, Mick.</i>	

Tellers: Tá, Deputies Joe McHugh and Tony McLoughlin; Níl, Deputies Michael Moynihan and John Lahart.

Amendment declared lost.

Deputy Imelda Munster: I move amendment No. 2:

To delete all words after “a vibrant capital city” and substitute the following:

further notes that:

— despite decades of underinvestment in public bus and rail services by successive Governments, and despite the workers of Bus Átha Cliath (Dublin Bus) achieving every arduous target set for them during the economic collapse, this partnership Government and the National Transport Authority (NTA) have continued with An Taoiseach Leo Varadkar’s decision as Minister for Transport, Tourism and Sport in 2013, to gradually privatise public transport services, including Bus Átha Cliath routes;

— this privatisation (sale of a public service to a private company in full or in parts) was first endorsed by Fianna Fáil ministers for transport prior to 2013, was pursued despite evidence in other jurisdictions that privatisation of bus services results in a drop in usage, consumer confidence and consumer satisfaction and ignores the public service obligation of public transport, as profit-making multi-nationals are not concerned with public service;

— a more sustainable plan would have been, and should be, to adequately fund all State-run public transport in order to ensure a first-class service in our cities and towns, run by existing semi-State companies; and

— this privatisation ideology clearly influenced the BusConnects proposals which the NTA published as a public consultative document and which blatantly ignored the varying needs of local communities; and

agrees that after the conclusion of the NTA’s public consultation process on BusConnects, revised plans should come before the Oireachtas Joint Committee on Transport, Tourism and Sport for further scrutiny, that meetings of the Committee shall take place where interest groups and community groups may be able to make submissions, both written and orally, and that the plan will not proceed should the Oireachtas Joint Committee on Transport, Tourism and Sport decide, by vote, that it does not meet the needs of local communities.

Amendment put:

<i>The Dáil divided: Tá, 33; Níl, 90; Staon, 0.</i>
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<i>Tá</i>	<i>Níl</i>	<i>Stáon</i>
<i>Adams, Gerry.</i>	<i>Aylward, Bobby.</i>	
<i>Barry, Mick.</i>	<i>Bailey, Maria.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Barrett, Seán.</i>	
<i>Brady, John.</i>	<i>Brassil, John.</i>	
<i>Broughan, Thomas P.</i>	<i>Breathnach, Declan.</i>	
<i>Buckley, Pat.</i>	<i>Breen, Pat.</i>	
<i>Collins, Joan.</i>	<i>Brophy, Colm.</i>	
<i>Connolly, Catherine.</i>	<i>Browne, James.</i>	
<i>Coppinger, Ruth.</i>	<i>Burke, Peter.</i>	
<i>Cullinane, David.</i>	<i>Butler, Mary.</i>	
<i>Daly, Clare.</i>	<i>Byrne, Catherine.</i>	
<i>Doherty, Pearse.</i>	<i>Byrne, Thomas.</i>	
<i>Ellis, Dessie.</i>	<i>Calleary, Dara.</i>	
<i>Ferris, Martin.</i>	<i>Canney, Seán.</i>	
<i>Fitzmaurice, Michael.</i>	<i>Cannon, Ciarán.</i>	
<i>Funchion, Kathleen.</i>	<i>Carey, Joe.</i>	
<i>Healy, Seamus.</i>	<i>Casey, Pat.</i>	
<i>Kenny, Gino.</i>	<i>Cassells, Shane.</i>	
<i>McDonald, Mary Lou.</i>	<i>Chambers, Jack.</i>	
<i>Mitchell, Denise.</i>	<i>Chambers, Lisa.</i>	
<i>Munster, Imelda.</i>	<i>Collins, Michael.</i>	
<i>Nolan, Carol.</i>	<i>Collins, Niall.</i>	
<i>O'Reilly, Louise.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>O'Sullivan, Maureen.</i>	<i>Coveney, Simon.</i>	
<i>Ó Broin, Eoin.</i>	<i>Cowen, Barry.</i>	
<i>Ó Caoláin, Caoimhghín.</i>	<i>Creed, Michael.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>Curran, John.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>D'Arcy, Michael.</i>	
<i>Pringle, Thomas.</i>	<i>Daly, Jim.</i>	
<i>Quinlivan, Maurice.</i>	<i>Deasy, John.</i>	
<i>Smith, Bríd.</i>	<i>Doherty, Regina.</i>	
<i>Tóibín, Peadar.</i>	<i>Donnelly, Stephen S.</i>	
<i>Wallace, Mick.</i>	<i>Dooley, Timmy.</i>	
	<i>Doyle, Andrew.</i>	
	<i>Durkan, Bernard J.</i>	
	<i>Farrell, Alan.</i>	
	<i>Fitzgerald, Frances.</i>	
	<i>Fitzpatrick, Peter.</i>	
	<i>Fleming, Sean.</i>	
	<i>Gallagher, Pat The Cope.</i>	
	<i>Halligan, John.</i>	

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	<i>Harris, Simon.</i>	
	<i>Harty, Michael.</i>	
	<i>Haughey, Seán.</i>	
	<i>Heydon, Martin.</i>	
	<i>Howlin, Brendan.</i>	
	<i>Humphreys, Heather.</i>	
	<i>Kelly, Alan.</i>	
	<i>Lahart, John.</i>	
	<i>Lawless, James.</i>	
	<i>Lowry, Michael.</i>	
	<i>MacSharry, Marc.</i>	
	<i>Madigan, Josepha.</i>	
	<i>Martin, Catherine.</i>	
	<i>McGrath, Mattie.</i>	
	<i>McGrath, Michael.</i>	
	<i>McGuinness, John.</i>	
	<i>McHugh, Joe.</i>	
	<i>McLoughlin, Tony.</i>	
	<i>Mitchell O'Connor, Mary.</i>	
	<i>Moran, Kevin Boxer.</i>	
	<i>Moynihan, Aindrias.</i>	
	<i>Moynihan, Michael.</i>	
	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Catherine.</i>	
	<i>Murphy, Dara.</i>	
	<i>Murphy, Eugene.</i>	
	<i>Naughten, Denis.</i>	
	<i>Naughton, Hildegarde.</i>	
	<i>Neville, Tom.</i>	
	<i>Noonan, Michael.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Connell, Kate.</i>	
	<i>O'Donovan, Patrick.</i>	
	<i>O'Dowd, Fergus.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Rourke, Frank.</i>	
	<i>O'Sullivan, Jan.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Penrose, Willie.</i>	
	<i>Phelan, John Paul.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Rock, Noel.</i>	

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	<i>Scanlon, Eamon.</i>	
	<i>Shortall, Róisín.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Stanton, David.</i>	
	<i>Troy, Robert.</i>	
	<i>Zappone, Katherine.</i>	

Tellers: Tá, Deputies Aengus Ó Snodaigh and Denise Mitchell; Níl, Deputies Michael Moynihan and John Lahart.

Amendment declared lost.

An Ceann Comhairle: Amendment No. 3 is in the name of the Solidarity-People Before Profit Deputies.

Deputy Gino Kenny: I move amendment No. 3:

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

“notes that:

— public transport provides an essential service for all citizens and is central to combatting climate change and climate change policy;

— investment and funding for all three Córas Iompair Éireann (CIÉ) companies was systematically reduced during the recession and the Public Service Obligation funding to Dublin Bus remains lower today than prior to the recession in 2008;

— Dublin Bus fleet numbers remain lower than the numbers prior to the recession, from over 1,160 in 2008 to just 1,016 in 2018;

— passenger numbers carried by Dublin Bus have now returned to pre-recession levels but they are now carried on a much reduced number of actual buses in the city;

— journey times have increased for passengers as a result of the introduction of the Luas Cross City line, as well as from increased traffic volumes;

— bus priority measures remain inadequate, with low levels of enforcement and a lack of continuous bus lanes on major routes into the city;

— in comparison to other European cities, funding of bus services in Dublin remains well below the European norm;

— numerous fare increases have left the city with an expensive bus service in part to compensate for the failure of this Government and past Governments to adequately invest in the network;

— the National Transport Authority (NTA) was set up by a previous Fianna Fáil administration with a specific remit to introduce competition to the bus market;

— the NTA has failed to address underfunding of public transport or increased

journey times, or the lack of bus lane infrastructure, during its existence; and

— the NTA has instead been preoccupied with schemes to introduce competition to both the city and country bus services which has only facilitated the growth of private forprofit companies to the detriment of the existing State companies, and speeded up a race to the bottom in wages and conditions in the industry;

therefore condemns attempts by the NTA under the BusConnects plan to lay the blame for these failures solely on the existing network design;

further condemns threats to remove existing services used by the public and especially deplores attempts to remove 10 per cent of existing direct services into the city; and

agrees that—

— measures in BusConnects that seek the withdrawal of any existing service should be stopped;

— other measures contained in BusConnects, including the proposals for numerous orbital routes, bus priority measures, dedicated bus lanes, dedicated cycle lanes, and transferable tickets across public transport, should proceed immediately; and

— all proposed changes to existing services should be done in consultation with the communities and areas affected.”

Amendment put:

<i>The Dáil divided: Tá, 36; Níl, 83; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Adams, Gerry.</i>	<i>Aylward, Bobby.</i>	
<i>Barry, Mick.</i>	<i>Bailey, Maria.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Barrett, Seán.</i>	
<i>Brady, John.</i>	<i>Brassil, John.</i>	
<i>Broughan, Thomas P.</i>	<i>Breathnach, Declan.</i>	
<i>Buckley, Pat.</i>	<i>Breen, Pat.</i>	
<i>Collins, Joan.</i>	<i>Brophy, Colm.</i>	
<i>Connolly, Catherine.</i>	<i>Browne, James.</i>	
<i>Coppinger, Ruth.</i>	<i>Burke, Peter.</i>	
<i>Cullinane, David.</i>	<i>Butler, Mary.</i>	
<i>Daly, Clare.</i>	<i>Byrne, Catherine.</i>	
<i>Ellis, Dessie.</i>	<i>Byrne, Thomas.</i>	
<i>Ferris, Martin.</i>	<i>Calleary, Dara.</i>	
<i>Funchion, Kathleen.</i>	<i>Canney, Seán.</i>	
<i>Healy, Seamus.</i>	<i>Cannon, Ciarán.</i>	
<i>Howlin, Brendan.</i>	<i>Carey, Joe.</i>	
<i>Kelly, Alan.</i>	<i>Casey, Pat.</i>	
<i>Kenny, Gino.</i>	<i>Cassells, Shane.</i>	

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<i>McDonald, Mary Lou.</i>	<i>Chambers, Jack.</i>	
<i>Mitchell, Denise.</i>	<i>Chambers, Lisa.</i>	
<i>Munster, Imelda.</i>	<i>Collins, Michael.</i>	
<i>Murphy, Catherine.</i>	<i>Collins, Niall.</i>	
<i>O'Reilly, Louise.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>O'Sullivan, Jan.</i>	<i>Coveney, Simon.</i>	
<i>O'Sullivan, Maureen.</i>	<i>Cowen, Barry.</i>	
<i>Ó Broin, Eoin.</i>	<i>Curran, John.</i>	
<i>Ó Caoláin, Caoimhghín.</i>	<i>D'Arcy, Michael.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>Daly, Jim.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>Deasy, John.</i>	
<i>Penrose, Willie.</i>	<i>Doherty, Regina.</i>	
<i>Pringle, Thomas.</i>	<i>Donnelly, Stephen S.</i>	
<i>Quinlivan, Maurice.</i>	<i>Dooley, Timmy.</i>	
<i>Shortall, Róisín.</i>	<i>Doyle, Andrew.</i>	
<i>Smith, Bríd.</i>	<i>Durkan, Bernard J.</i>	
<i>Tóibín, Peadar.</i>	<i>Farrell, Alan.</i>	
<i>Wallace, Mick.</i>	<i>Fitzgerald, Frances.</i>	
	<i>Fitzmaurice, Michael.</i>	
	<i>Fitzpatrick, Peter.</i>	
	<i>Fleming, Sean.</i>	
	<i>Gallagher, Pat The Cope.</i>	
	<i>Halligan, John.</i>	
	<i>Harris, Simon.</i>	
	<i>Haughey, Seán.</i>	
	<i>Heydon, Martin.</i>	
	<i>Humphreys, Heather.</i>	
	<i>Lahart, John.</i>	
	<i>Lawless, James.</i>	
	<i>Lowry, Michael.</i>	
	<i>MacSharry, Marc.</i>	
	<i>Madigan, Josepha.</i>	
	<i>Martin, Catherine.</i>	
	<i>McGrath, Mattie.</i>	
	<i>McGrath, Michael.</i>	
	<i>McGuinness, John.</i>	
	<i>McHugh, Joe.</i>	
	<i>McLoughlin, Tony.</i>	
	<i>Mitchell O'Connor, Mary.</i>	
	<i>Moynihan, Aindrias.</i>	
	<i>Moynihan, Michael.</i>	

Dáil Éireann

	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Dara.</i>	
	<i>Murphy, Eugene.</i>	
	<i>Naughten, Denis.</i>	
	<i>Naughton, Hildegarde.</i>	
	<i>Neville, Tom.</i>	
	<i>Noonan, Michael.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Connell, Kate.</i>	
	<i>O'Donovan, Patrick.</i>	
	<i>O'Dowd, Fergus.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Rourke, Frank.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Phelan, John Paul.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Rock, Noel.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Scanlon, Eamon.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Stanton, David.</i>	
	<i>Troy, Robert.</i>	
	<i>Zappone, Katherine.</i>	

Tellers: Tá, Deputies Bríd Smith and Richard Boyd Barrett; Níl, Deputies Michael Moynihan and John Lahart.

Amendment declared lost.

Question put: "That the motion be agreed to."

<i>The Dáil divided: Tá, 79; Níl, 40; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Adams, Gerry.</i>	<i>Bailey, Maria.</i>	
<i>Aylward, Bobby.</i>	<i>Barrett, Seán.</i>	
<i>Barry, Mick.</i>	<i>Breen, Pat.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Brophy, Colm.</i>	
<i>Brady, John.</i>	<i>Burke, Peter.</i>	
<i>Brassil, John.</i>	<i>Byrne, Catherine.</i>	
<i>Breathnach, Declan.</i>	<i>Canney, Seán.</i>	
<i>Broughan, Thomas P.</i>	<i>Cannon, Ciarán.</i>	
<i>Browne, James.</i>	<i>Carey, Joe.</i>	

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<i>Buckley, Pat.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Butler, Mary.</i>	<i>Coveney, Simon.</i>	
<i>Byrne, Thomas.</i>	<i>D'Arcy, Michael.</i>	
<i>Calleary, Dara.</i>	<i>Daly, Jim.</i>	
<i>Casey, Pat.</i>	<i>Deasy, John.</i>	
<i>Cassells, Shane.</i>	<i>Doherty, Regina.</i>	
<i>Chambers, Jack.</i>	<i>Doyle, Andrew.</i>	
<i>Chambers, Lisa.</i>	<i>Fitzgerald, Frances.</i>	
<i>Collins, Joan.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Collins, Michael.</i>	<i>Halligan, John.</i>	
<i>Collins, Niall.</i>	<i>Harris, Simon.</i>	
<i>Connolly, Catherine.</i>	<i>Heydon, Martin.</i>	
<i>Coppinger, Ruth.</i>	<i>Humphreys, Heather.</i>	
<i>Cowen, Barry.</i>	<i>Lowry, Michael.</i>	
<i>Cullinane, David.</i>	<i>Madigan, Josepha.</i>	
<i>Curran, John.</i>	<i>Martin, Catherine.</i>	
<i>Daly, Clare.</i>	<i>McHugh, Joe.</i>	
<i>Donnelly, Stephen S.</i>	<i>McLoughlin, Tony.</i>	
<i>Dooley, Timmy.</i>	<i>Mitchell O'Connor, Mary.</i>	
<i>Durkan, Bernard J.</i>	<i>Murphy, Dara.</i>	
<i>Ellis, Dessie.</i>	<i>Naughten, Denis.</i>	
<i>Farrell, Alan.</i>	<i>Naughton, Hildegarde.</i>	
<i>Ferris, Martin.</i>	<i>Neville, Tom.</i>	
<i>Fitzmaurice, Michael.</i>	<i>Noonan, Michael.</i>	
<i>Fleming, Sean.</i>	<i>O'Connell, Kate.</i>	
<i>Funchion, Kathleen.</i>	<i>O'Donovan, Patrick.</i>	
<i>Gallagher, Pat The Cope.</i>	<i>O'Dowd, Fergus.</i>	
<i>Haughey, Seán.</i>	<i>Phelan, John Paul.</i>	
<i>Healy, Seamus.</i>	<i>Rock, Noel.</i>	
<i>Howlin, Brendan.</i>	<i>Stanton, David.</i>	
<i>Kelly, Alan.</i>	<i>Zappone, Katherine.</i>	
<i>Kenny, Gino.</i>		
<i>Lahart, John.</i>		
<i>Lawless, James.</i>		
<i>MacSharry, Marc.</i>		
<i>McDonald, Mary Lou.</i>		
<i>McGrath, Mattie.</i>		
<i>McGrath, Michael.</i>		
<i>McGuinness, John.</i>		
<i>Mitchell, Denise.</i>		
<i>Moynihan, Aindrias.</i>		
<i>Moynihan, Michael.</i>		

<i>Munster, Imelda.</i>		
<i>Murphy O'Mahony, Margaret.</i>		
<i>Murphy, Catherine.</i>		
<i>Murphy, Eugene.</i>		
<i>Nolan, Carol.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Keeffe, Kevin.</i>		
<i>O'Reilly, Louise.</i>		
<i>O'Rourke, Frank.</i>		
<i>O'Sullivan, Jan.</i>		
<i>O'Sullivan, Maureen.</i>		
<i>Ó Broin, Eoin.</i>		
<i>Ó Caoláin, Caoimhghín.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Ó Laoghaire, Donnchadh.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Penrose, Willie.</i>		
<i>Pringle, Thomas.</i>		
<i>Quinlivan, Maurice.</i>		
<i>Rabbitte, Anne.</i>		
<i>Scanlon, Eamon.</i>		
<i>Shortall, Róisín.</i>		
<i>Smith, Brendan.</i>		
<i>Smith, Bríd.</i>		
<i>Smyth, Niamh.</i>		
<i>Tóibín, Peadar.</i>		
<i>Troy, Robert.</i>		
<i>Wallace, Mick.</i>		

Tellers: Tá, Deputies Michael Moynihan and John Lahart; Níl, Deputies Joe McHugh and Tony McLoughlin.

Question declared carried.

Sitting suspended at 1.45 p.m. and resumed at 2.25 p.m.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy 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;

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(2) Deputy Peadar Tóibín - the impact of the population cap on County Meath; (3) Deputies Niamh Smyth, Pat Casey and Bobby Aylward - the problems with the school transport system; (4) Deputy Joan Burton - the need to consider the purchase by the State of the Luggala estate in County Wicklow; (5) Deputies Richard Boyd Barrett and Louise O'Reilly - the need to discuss scoliosis waiting lists; (6) Deputy Eugene Murphy - the need to upgrade the central sterile services department facilities at Roscommon University Hospital; (7) Deputy Mary Butler - the need to replicate the model of care homes unique to the south east; (8) Deputy Lisa Chambers - the need to discuss provision and approval of Spinraza for spinal muscular atrophy sufferers; (9) Deputies James Browne and Pat Buckley - the need for the Minister for Health to address delays in accessing child mental health services and the closure of child and adolescent mental health services over the summer, including the referrals service in Cork; (10) Deputy Frank O'Rourke - the need for greater flexibility in accessing both the housing assistance payment and the new place finder unit assistance; (11) Deputy Gino Kenny - the guidelines and criteria for the Government's proposed medical cannabis access programme; (12) Deputy Mick Wallace - the refusal by the National Asset Management Agency and the Department of Finance to answer questions on Project Nantes; and (13) Deputy Clare Daly - the greater Dublin drainage project and the impact on the coast.

The matters raised by Deputies John Brassil; James Browne and Pat Buckley; Lisa Chambers; and Peadar Tóibín have been selected for discussion.

Central Bank (National Claims Information Database) Bill 2018: Order for Second Stage

Bill entitled An Act to confer a function on the Central Bank of Ireland with respect to the collection and study of data from insurance undertakings in relation to the carrying on of certain non-life insurance business in the State and, in particular, information on the income generated by, and costs associated with, the carrying on of such business; for those purposes to amend Schedule 2 to the Central Bank Act 1942 and section 22 of the Central Bank (Supervision and Enforcement) Act 2013; and to provide for related matters.

Minister of State at the Department of Finance (Deputy Michael D'Arcy): I move: "That Second Stage be taken now."

Question put and agreed to.

Central Bank (National Claims Information Database) Bill 2018: Second Stage

Minister of State at the Department of Finance (Deputy Michael D'Arcy): I move: "That the Bill be now read a Second Time."

I welcome the opportunity to address Dáil Éireann today on the Central Bank (National Claims Information Database) Bill 2018, which was published on Tuesday, 10 July 2018. This Bill seeks to provide the legislative basis for the Central Bank of Ireland to establish and main-

tain the national claims information database which was recommended by the cost of insurance working group in January 2017. Its essential purpose is to improve data availability in the motor insurance area.

One of the key themes which emerged from the discussions of the working group was that an improvement in transparency, through the additional collection and publication of data, was essential. This was something which the joint Oireachtas committee also called for in its report on the rising cost of motor insurance. The working group found there are a number of factors that influence the cost of insurance premiums, and it is not always clear what is the main factor at a particular point and time. Therefore, in order for policymakers to have a better understanding of the causes of any future peaks and troughs in pricing, it is essential to have reliable and regular information on the key factors causing such volatility and in particular, some insight into the different component costs of providing insurance. The availability of this type of information should provide both policymakers and insurers with a better understanding of what triggers market distortions, thus enabling them to respond more appropriately. Examples of the areas that the database will cast greater light upon include legal costs and settlement channels.

Therefore, because of this need for greater transparency, the concept of a national claims information database, to be established and maintained by the Central Bank of Ireland, was put forward and a subgroup of the cost of insurance working group was charged with driving its development. That subgroup, chaired by officials from the Department of Finance, included representatives from the Central Bank, the State Claims Agency, the Personal Injuries Assessment Board, the Central Statistics Office and the Society of Actuaries of Ireland. The subgroup worked from the objectives set out in the working group's report to identify relevant data that could be defined in a consistent manner and to devise a practical method for the collection of those data.

Earlier in the summer this work culminated in the publication of the Bill before the House today. In parallel, work has been undertaken by the Central Bank in close co-operation with the data subgroup on the finalisation, subject to the passage of this legislation, of a specification document which sets out the specific data that will be required from insurers for the purpose of the database. The progression of the specification in parallel with the drafting of the Bill was seen as necessary to ensure that the database can be operational as quickly as possible following enactment. It also provided a means of signalling to industry certain system changes it may need to undertake to be ready for engagement with the database.

I might add by way of further context that as a short-term measure prior to the establishment of the national claims information database, on foot of another recommendation of the working group and based on data collected from insurers on a voluntary basis, my Department has also been publishing key information metrics in regard to motor insurance. These metrics included certain ultimate claims costs which had never been collected on an industry-wide basis prior to this. The logistics of the process in terms of collection, verification and definitional alignment among companies has reinforced the importance of establishing the national claims information database on a statutory footing.

I now propose to give an overview of the operation of the Bill and each of its 14 sections. The first three sections set out a number of definitions to clearly outline the scope of the database in terms of the types of claims in respect of which information can be collected.

Section 4 is a standard interpretation section and defines a range of relevant expressions.

Importantly, it sets out the different settlement channels through which a claim may be finalised. For instance, a claim may be resolved directly with an insurer, through the PIAB or by a court decision. As aggregate industry data are not currently available, for example, on direct settlements, this breakdown was identified as important to allow policymakers to see trends or distinctions in the costs related to these channels and to enable them to develop more targeted response measures where necessary.

Section 5 is a standard section to allow for the expenses associated with the administration of the Bill to be met from the moneys supplied by the Oireachtas. While it is intended in the first instance that the database will focus on the motor insurance sector, it was clear from our consultations that many saw a case to extend the scope of the database in the future to encompass other lines of non-life insurance, such as employer liability insurance and public liability insurance. Section 6 allows for this extension of the scope to other classes of non-life insurance in the future on foot of an assessment by the Central Bank of the appropriateness of such extension after consultation with the Minister for Finance.

Section 7 allows the Central Bank to make regulations setting out the exact terms on which a claim is considered to be within the State. The need for this definition is because the scope of the Bill focuses on claims relating to risks in the State only.

Section 8 confers the Central Bank with the function of establishing and administering the database. Subsection (2) of section 8 requires the Central Bank to collect and analyse data from insurance undertakings on the income and costs associated with carrying on the relevant class of insurance. The Central Bank is then required to publish information about those data at least annually. Subsection (4) elaborates on the specific information which can be collected by the Central Bank in execution of this function. For example, information can be collected on different types of income, exposure, business expenses, the number and nature of claims and the costs and provisions associated with those claims, as well as the amounts paid in respect of claims resolved in different settlement channels and the costs associated with those claims. There is also scope to collect details relating to large claims in particular.

Subsections (6) to (9) of section 8 deal with the reporting of information that is collected from insurance undertakings. In particular, subsection (7) sets out the purposes which the reports should try to meet. These include the following: increasing the level of information around the relationship between the cost of providing insurance and the cost of a premium for the consumer; identifying current and emerging trends within the sector; identifying the factors that cause price movements in the relevant line of insurance; presenting a statistical analysis of income and expenditure associated with providing the relevant type of insurance; and presenting a statistical analysis of information relating to claims and of each particular settlement channel used in respect of such claims.

Section 9 makes it a prescribed contravention under the Central Bank Act 1942 for someone to fail to comply with the requirements in the aforementioned section 8 and section 12, which relates to the sharing of data and to which I will turn shortly. Section 10 provides the Central Bank with the authority to require, by written notice, the provision of information specified in the notice. This is to be achieved by an amendment of section 22 of the Central Bank (Supervision and Enforcement) Act 2013, which contains much of the Central Bank's information gathering powers.

Section 11 sets out the funding regime for the establishment and administration of the data-

base. The working group recognised there would be resourcing implications to be addressed as part of the implementation of the database, including an arrangement for financing that ensures the Central Bank is fully reimbursed for the performance of this additional function. One of the reasons for this is to ensure that the financing of the project does not run contrary to the prohibitions on monetary financing set down by the European Central Bank statutes. As such, the Central Bank is provided in section 11(2) with the capacity to levy insurance undertakings for the execution of its functions under section 8, such as the establishment and administration of the database and the publication of reports.

Section 11(3) provides a funding backstop where, notwithstanding the levies being in place, there is insufficient money to meet its costs or where the bank apprehends that it will not be able to meet its costs from the levies raised. Where this is the case, the bank may write to the Minister for Finance to request funding from the Central Fund. The Minister, under section 11(4), has the authority to attach such terms to the payment of moneys as he may determine after consulting the Central Bank. In particular, these terms may relate to repayment and interest.

Under section 12(1) the Central Bank may provide data which it collects under section 8 to any person on request. Subsections (2) and (3) of section 12 then set down conditions where data cannot be shared. Subsection (2) prohibits the sharing of data where a person or insurer is identifiable from the data. Section 12(3) prohibits the sharing of data where the Central Bank considers that there are exceptional circumstances, including where the provision of the data would be seriously prejudicial to the legitimate interests of consumers or of any company or other undertaking or where the data are unlikely to be of value as they are not complete or sufficiently verified. Section 12(4) allows the Central Bank to attach conditions to its provision of data. Sections 13 and 14, the final two sections of the Bill, are standard provisions which allow for the making of regulations under the Bill and the commencement of the Bill in whole or in part at such time or times as are deemed appropriate by the Minister for Finance.

As those following the progress on the Bill to date may be aware, the Minister for Finance forwarded the heads of the Bill to the Chairman of the joint committee in January to request a determination on whether pre-legislative scrutiny was appropriate in this case. The Minister was advised on 7 February that pre-legislative scrutiny would not be undertaken. As Minister of State with responsibility for insurance matters, I welcome this and also the assurance of the committee at that time that it would engage fully with the Department in the context of the legislative process.

Deputies will be aware that to implement a number of the recommendations made by the cost of insurance working group, there is a requirement to amend existing legislation. Specifically, I refer to recommendations 6 and 14 of the working group's report on the cost of employer and public liability insurance which were addressed to my colleague, the Minister for Justice and Equality, Deputy Flanagan. Recommendation 6 seeks to amend section 8 of the Civil Liability and Courts Act 2004 to ensure that defendants are notified of a claim lodged against them at an earlier date than currently required. Recommendation 14 seeks to amend section 14 of the same Act to allow a court to draw inferences from non-compliance with the requirement to lodge the verifying affidavit within 21 days after the lodgement of the service of the pleading concerned. These are key recommendations and it is important that they are implemented as soon as possible. Consequently, I am discussing this matter with the Minister for Justice and Equality to seek his agreement to request the Government to approve the introduction of a small package of amendments to sections 8 and 14 of the Civil Liability and Courts Act 2004 on Committee Stage of this Bill. Subject to these discussions and any subsequent Government approval, the

inclusion and subsequent adoption of these amendments through this legislation would allow for a significant reform of the insurance sector. I will keep Members of the House informed of any developments.

I reiterate the importance of the swift passage of the Bill to ensure that the national claims information database is established and the Central Bank of Ireland can begin collecting and analysing the data necessary to increase transparency in the insurance sector as soon as possible. Doing so will add to the various measures that this Government has been putting in place to address the concerns regarding the cost of insurance. I thank Oireachtas Members for their co-operation, in particular the members of the Committee on Finance, Public Expenditure and Reform, and Taoiseach who facilitated the Insurance (Amendment) Act 2018 prior to the summer recess. The Bill is important in the context of grappling with the cost of insurance which is doing far too much damage to people and businesses nationally. I hope we can move the legislation through both Houses as quickly as possible. Pre-legislative scrutiny is not required and we are expecting an imminent response from the European Central Bank on the Central Bank of Ireland's role in this context. This legislation will be a very important weapon in our armoury as we seek to bring down the cost of insurance premiums, not only for motor insurance but also for employer's liability and public liability insurance.

Deputy Michael McGrath: I welcome the opportunity to contribute on Second Stage of this long-awaited Bill. From the outset when the working group reported in January last year, the lack of data generally in insurance was identified as a key issue, in particular the lack of data around claims and the claims process. While we had certain data from the Central Bank's insurance statistics on the overall amounts paid out each year by insurance firms in response to claims, we did not have the level of detail we needed to challenge and counter the assertions of various stakeholders as to who is responsible for the hikes in insurance premiums which we have witnessed in recent years.

I welcome the Bill, although it must be acknowledged that it is well behind schedule. When the Oireachtas finance committee decided earlier this year not to engage in pre-legislative scrutiny, it was with a view to being helpful and in the expectation that the Bill would be published swiftly and brought before the House. We are now on Second Stage and I pledge my support and that of Fianna Fáil for the passage of the legislation as quickly as possible. When the working group reported initially, the target was to have this database in place on a statutory footing by the end of quarter 2 of 2018, which is to say by the end of June. Obviously, that did not happen and we are a good way behind schedule as a result. As such, we must put this in place without further delay.

The database will focus on motor insurance claims in the first instance. The ambition should be to extend its scope as quickly as possible to include other areas of insurance. Once we get to assess the data and the trends become clear, I expect we will find that those trends will be equally applicable to claims in other areas, for example, business insurance. The trends will become clear very quickly. We need a handle on data on the settlement channels. We know that perhaps 70% of claims are settled outside of Personal Injuries Assessment Board, PIAB, and outside of court. As such, the vast majority of claims are ultimately resolved through neither the courts system nor through the injuries assessment board. We are in the dark, therefore, about how the process works. Not only are we in the dark but so too are policyholders when claims are made against their policies. We need far greater transparency around the data and that is the key objective of the Bill. Once we publish the data, I am sure we will see the trends become evident very quickly.

We want to see a process where the statutory injuries assessment board is the reference point and the place the majority of claims are settled. There must be greater certainty as an absence of certainty is the reason we have seen such fluctuations in recent times. When they speak to one in private, insurance companies say they do not want to take the risk of taking a claim into court, notwithstanding the view that it might be dubious, because they are afraid of what the outcome will be. As such, we need greater certainty around the cost of settling individual claims. We can get a certain amount of that by reforming the work of the injuries board, but we also need greater consistency from the courts. That issue will have to be addressed as part of the overall mix of solutions to deal with this.

The Minister of State has described the problem and he is right to say it is an enormous one. We have the data around motor insurance premiums and know that very significant spikes took place before there was some reduction in recent times. That said, premiums remain perhaps more than 30% higher than they were before the increases started to apply. That has had a huge impact on younger drivers in particular and on many older drivers or those driving older vehicles. It has impacted on the capacity of some people even to get an insurance quote. The motoring population in general has felt the impact of the trend in a very serious way. We do not have a handle on the position relating to the cost of business insurance, and that is because we do not have any Central Bank data. We have no data whatsoever on employer liability and public liability from the CSO. We know from the feedback we get from individual businesses and the representative bodies that there is a problem with hikes to premiums and changes to the nature of policies. I refer to levels of excess being increased and more and more exclusions being provided for within policies. This is therefore a matter not only of the price of insurance, but also of a diminishing of the quality and the coverage of insurance policies. This can be an equally important aspect for businesses that might now face costs of in excess of €15,000 for any individual claim. They are questioning the value of paying insurance, and I suspect a growing number of businesses are now effectively self-insuring and taking the risk. They are not paying insurance because they wonder what the point of doing so is. This is not a road we want businesses to go down. It is a legal requirement that motorists have insurance, and businesses, if they have loans and so on, are required to have insurance in place, but many of them are taking the risk of operating without insurance. This is not a trend we want to see develop because they are exposing themselves to enormous risk involving their business, their families and, potentially, their homes. Everything could be on the line if there is no limited liability or an insurance policy in place. We must reiterate this message.

The key section of the Bill is subsection 8(4), which details the specific information that will now be gathered in this database. The Minister of State went through some of this when he referred to the cost, the expenditures, the number of claims, the nature of the claims, and information on the various settlement channels. Are settlements being made outside of court? As we know, they are in many cases. To what extent is the final settlement a result of a court award and to what extent is it a result of a decision by the Personal Injuries Assessment Board? What are the costs associated with these claims? We have seen many debates between Insurance Ireland, the legal profession and other stakeholders in which they all blame one another for rising costs. For this reason, we need to have the relevant data to call out some of the assertions that have been made in recent years when we have engaged in this debate on why insurance premiums have been going where they have been going.

What we really must get a handle on is information on pricing. How do insurance companies arrive at a certain price, a certain premium, which they quote to the motorist, principally?

If we can get a handle on the issue of the claims, we will go a long way. It is not the only issue; there are many other issues involved. Insurance companies have suffered from very poor investment returns in recent years, as a result of which they have placed a large burden on claims and premiums to get the return they need to generate a profit. This must be acknowledged as well, and they need to get their house in order in dealing with this problem.

Section 11 concerns the expenses and costs involved in establishing and administering the database. Reference is made to a levy on the industry in order that the Central Bank recoups the costs it is incurring. The Minister of State made reference to ECB monetary financing, which he said he cannot contravene. However, he needs to hear the message loud and clear that consumers have had enough insurance levies. He might say this is a levy on the industry, but we all know that when the industry is levied, the cost of the levy is automatically added to policies and premiums. I ask the Minister of State to clarify the expected costs involved in establishing and administering this database. Will all those costs have to be recouped from the industry? If so, how and when will they be recouped? Will this be done in the form of a levy? The Minister of State cannot give any assurance whatever that these costs will not be passed on directly to the policyholders. The whole objective here is to apply downward pressure on premiums by getting more transparency, more data and more information on the claims environment. We do not want this to have the opposite effect indirectly in any way. I know that is not the intention, but it is an important issue that the Minister of State should address.

I welcome the Minister of State's comments on the Civil Liability and Courts Act 2004 and the amendments he intends to table. We have not seen those amendments yet, but I understand that the issue he seeks to tackle here is the discrepancy between the length of time a business can retain CCTV footage, which, I think, is typically a month, and the period within which a person can lodge a personal injury claim and notify the business that he or she is making a claim. We have heard story after story of businesses that have wiped CCTV footage, as they are required to do in accordance with the law, and some months later, perhaps on the eve of the deadline, they are informed of a personal injury claim and the evidence is gone. The evidence may well have been such that it would have proved that a claim was without foundation, whether completely bogus, exaggerated or downright fraudulent. We will have to find some way of aligning these issues because it is completely unreasonable that businesses are not allowed to retain CCTV footage beyond a certain period, after which there is a further period within which people can make claims and the businesses cannot defend themselves. The Minister of State needs to align these issues in the best way he can and, of course, in a manner that is constitutional and protects the independence of the courts. We all understand that, but this issue is key and must be dealt with.

As for the passage of this legislation, Fianna Fáil will not be found wanting and will support it. We will consider tabling certain amendments, but now that the Bill is before us, we need to move swiftly to enact it and get the operational provisions in place in order that this database can be established and up and running and can start making data available within a short period. There are many other strands to the insurance debate, including the various other recommendations of the working group on motor insurance and the report on employer and public liability insurance. There is also the issue of tackling insurance fraud and many people will have seen the recent "Prime Time" investigation. There are so many issues there that need to be dealt with. We need to get to a point at which people will not take the risk of lodging bogus or exaggerated claims because there will be consequences for doing so. We are too soft in this country in the way in which we deal with such issues. There should be a very serious penalty and we

need to see cases brought to court where there is clear evidence that claims are fraudulent, without foundation or exaggerated. People need to be held to account for that and penalties imposed. I know not all of this is directly within the Minister of State's control, but there is no doubt but that it is a key factor. It does not fully explain the increases in insurance premiums in recent times, and I would never suggest as much, but it is certainly a factor.

The overall message on claims and the claims environment is that we need greater certainty about outcomes. If there is less fluctuation and the outcome of the claim can be predicted with reasonable certainty, there will be less of an incentive to delay, go to court, engage in adversarial proceedings and incur substantial legal costs. That is the ultimate destination. The national claims information database is a vehicle to help us to get to that point. Once we have the data, we can assess many of the assertions that have been made in recent years.

I pledge the support of the Fianna Fáil Party in dealing with this issue. We will seek to improve the Bill as necessary in the period ahead. I want the Minister of State to use the mandate from this House, once the Bill is enacted, to get the national claims information database up and running without further delay. There is support across the House for tackling the issue of insurance costs, which is affecting many motorists, businesses and community, voluntary and sporting bodies. There is now hardly an event where the question of insurance is not centre-stage, and this is because of the claims environment that has been created.

It needs to be dealt with and this database is a vital step in tackling the issue through the provision of accurate and reliable information which will come from the industry but which will ultimately be validated on a statutory basis.

Deputy Peadar Tóibín: Cuirim fáilte roimh an deis chun labhairt ar an ábhar seo mar is ábhar iontach tábhachtach é gan dabht. Tá na mílte duine thar timpeall na tíre ag fulaingt de bharr na praisí ina bhfuil an córas árachais sa tír seo. Is léir go bhfuil an córas sin iomlán briste mar tá daoine ann nach bhfuil in ann taisteal, tá daoine ann nach bhfuil in ann poist a fháil ag an mbomaite, agus tá daoine ann nach bhfuil in ann dul isteach i ngnó ná gnó a chruthú toisc go bhfuil an córas seo lofa. Tá sé lofa le fada an lá. Really tá faic déanta. Maidir leis an méid atá déanta ag an Rialtas go dtí seo, rinneadh é go huafásach mall. Tá go leor daoine thar timpeall nár féidir leo fanacht ar na reforms seo. Caithfidh na reforms seo a bheith curtha i bhfeidhm go tapa.

I appreciate the opportunity to speak about the issue of insurance. Motor and business insurance are two of the major issues that continue to hammer local communities throughout the country. It is a sore that has been left to fester for many years. The result is that many businesses are teetering on the edge of viability. They are experiencing year-on-year increases in their insurance costs. Many drivers are literally being pushed off the road. Those who are being pushed off the road typically are in the sectors that are most vulnerable. They include people living in rural communities who obviously have no access to bus or other public modes of transport, young people, older people and poorer people who just cannot afford the premiums being quoted.

The major problem people have is the glacial speed at which things are changing. We have been talking here about the cost of insurance for a long period. Everybody seems to know the answers and the necessary changes to be made, yet when we actually talk about implementation, people wonder why they are not being implemented. Perhaps they are not being implemented because vested interests in the industry are too powerful or perhaps because the Government is

shy in implementing them. We are, however, finally discussing the national claims information database. It is better to discuss it late, rather than never. The Minister of State will not need to be reminded that when the cost of insurance working group published its report, its action plan contained a commitment to have the database set up by the second quarter of 2018, by which it meant it would actually be in place and functioning. We are now looking at that date in hindsight. The action plan stated the legislation would be in place in the winter of 2017. That story sums up the Government inaction in this area. Perhaps it has good intentions, but it is clear that it is failing to get to grips with the crisis.

Obviously, transparency is key. The lack of it only benefits one particular group of people - the insurers. We know that the insurers are under investigation domestically and by the EU powers with responsibility for dealing with anti-competitive practices. When we asked the Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach to look at the reasons behind the spiralling cost of motor insurance, it was very clear to us that transparency would be a key part of whatever reforms were necessary. The report made 12 recommendations in respect of data and the need for transparency and among them was the idea of the database.

We are at the point at which we need to make big decisions on how the insurance industry works. One of the questions is whether the Central Bank can play two roles. Can it be the watchdog and the protector of the insurance industry? By making it the guardian of the database, the Bill, once again, pushes more responsibilities onto the Central Bank. We have concerns about whether it is stretched in terms of its resources. Simply turning to it to deal with all of these issues may be unrealistic owing to its capacity limitations. More importantly, there is a major question about whether it is the best body to deal with these duties. Fundamentally, can it be the institution to carry out the mandate to ensure stability in the sector and the institution to ensure the protection of consumers? That is one of the questions before us. ISME and the Alliance for Insurance Reform have both called for the Central Bank not to be put in charge of the database. I understand why that call has been made and that question will be before us for careful consideration.

This is not the first time the issue of whether the Central Bank, or any central bank, can do consumer protection alongside other roles has been raised by my party. There are a range of other bodies, including the Personal Injuries Assessment Board, the Competition and Consumer Protection Commission and the Central Statistics Office, that could hold these data. There may be technical reasons the Central Bank has been given this role, but any technical skill could be transferred to one of the other bodies. Obviously, we are not going to hold up the Bill on Second Stage because of this issue, but I am pretty sure it will be central to the discussion on Committee Stage.

The other question put before us is what should the database actually contain? In the interests of consumers, we should have the greatest level of granularity possible in the database. Even though, obviously, there are data protection issues, in the long run it would be much better for consumers if we had plenty of detail in it. I understand the insurance industry is looking for the lightest possible level of detail, but that is what it would do, is it not? It should drop its very weak objections and accept, whether it likes it, that there is a need for change into the sector. Ironically, it claims that the new system could create barriers to entry to the market. That is bizarre considering the ongoing investigation by the European Union and domestic competition bodies. It also points to the need, as Sinn Féin as has stated before, for legislation to allow for proper sentences, including jail sentences, if necessary, to be imposed on insurers who lie to the Central Bank. It was misleading information from insurers that put the need for this new law

into the political sphere. We must follow through and make sure there will be real punishments for bankers and insurers who lie to their regulators. If there are no punishments and consequences for lying to regulators, the influence and power of the regulators are much diluted.

I am convinced that the insurance industry has no interest in this forum and that it is actually stringing the Government along. That is an issue of which the Government needs to be conscious. To take as an example the Garda insurance fraud unit, one would have thought the industry would be delighted with such a move, yet documents released under freedom of information legislation and received by Sinn Féin show that Insurance Ireland has missed a series of deadlines in the development of this idea, the proposal to set up an insurance fraud unit within An Garda Síochána. The freedom of information requests relate to all records on the establishment of the unit. Clearly, Insurance Ireland is dragging its feet. The proposal to create an insurance fraud unit has been on the agenda since 2017 and was identified in the report of the cost of motor insurance working group in January 2017. An Garda Síochána submitted a mechanism for further co-operation to Insurance Ireland in the first quarter of 2017. It was to be discussed first in June 2017 at the meeting of the non-life council in Insurance Ireland, but the discussion was deferred to September that year. The decision was due to be communicated to An Garda Síochána by October 2017. By December Insurance Ireland had come up with a proposal for a full cost-benefit analysis of the subject for approval by the Garda Commissioner and the Minister for Justice and Equality. That analysis, as well as a definitive response to the proposal from An Garda Síochána, was due before the end of the first quarter of 2018, but on 12 April Insurance Ireland stated it expected to be in a position to provide an update on the cost-benefit analysis by the end of June. It is phenomenal that one would have an organisation literally stringing the Government along quarter by quarter and being inactive with regard to the development of a body that logically one would imagine is in its greatest interests. The briefing note prepared by the Minister for the Oireachtas finance committee meeting on 29 May stated Insurance Ireland expected to be able to provide an update by June 2018. From my understanding, as of 31 May, from correspondence between the Department, newspapers, etc., the cost-benefit analysis is still awaited. Will the Minister of State confirm this?

I support the creation of an insurance fraud unit. Insurance fraud is theft, robbing money from people's pockets. It is breaking the system, resulting in certain people suffering more. It must be vigorously pursued and prosecuted. Sinn Féin still has concerns, however, about the proposals for a section of An Garda Síochána to be funded by the industry. Again, any such funding should come from the State. The cost, approximately €1 million, is within the capacity of the Government. The Government has left this particular proposal slip off the agenda by abdicating the State's responsibility for tackling insurance fraud and allowing the insurance industry to string us along for so long. It is clear Insurance Ireland, despite its protestations that fraud is the cause of increased premiums, has decided tackling fraud is not the most important part of its agenda.

To be fair, the Minister of State is up against it when dealing with this particular industry. Perhaps the industry should be careful for what it wishes. If it keeps delaying and frustrating reform, it will convince more Members and others that this type of piecemeal reform will not deliver a fairer insurance market. As part of the Government's working group study, international examples of how the insurance industry might work were examined. Having examined the work done, we are of the view that it was not a serious exercise in looking for an alternative model but more a box-ticking exercise.

There are real alternatives to pure reliance on the private market. The State makes motor

insurance compulsory, meaning it has a role in this from the outset. It then, however, leaves the process to a private market in which there is no real control and which is broken and in crisis. The State is not upholding its side of the bargain. It should be looking for alternatives. In New Zealand, for example, all drivers are covered for the basic legal requirements by paying registration while paying added funds towards the system through the petrol pump. Accordingly, no young person or isolated family would be taken off the road because of the whims of a private insurance industry. That is why we must ensure we provide a system that is not constantly in flux. The EU would have to decide with regard to this but I understand the Central Bank has ruled that such a system would not be illegal. This is the type of thinking of which the Minister of State needs not to be afraid to ensure we fix this.

Sinn Féin supports the Bill, notwithstanding issues regarding who runs the database and what goes on it which can be dealt with on Committee Stage. There is also the issue of who pays for the database. I am open-minded to that but the cynic in me believes policyholders get stuffed no matter what happens and that the insurance industry has a knack of ensuring policyholders pay through their premiums. I am hopeful in the medium term that, once established, this database will result in lower premiums as increased transparency shines some light into the industry. Transparency, along with collating and exposing data around costs and premiums, is in the interests of consumers and the wider economy. We need a functioning insurance system. Accordingly, Sinn Féin will support the Bill.

I hope these solutions could be extended to include the business insurance sector. It is one of the biggest issues coming up in my constituency office these times. I am ringing the large insurance firms on behalf of small businesses, teetering on the edge, to get them lower premiums. The Alliance for Insurance Reform is building a massive head of steam around the country. Through its membership, it has a base of 640,000 employees, a massive chunk of people who are concerned about the feasibility of their sectors due to the dysfunction within the insurance industry. I know a business in County Meath which has had its insurance cover increased by 185% in the past year. From the businesses I am talking to, I have learned insurance costs represent 10% of their turnover, making it hard for them to be viable. A business in County Meath that I know of will pay €139,000 in insurance costs this year. That is a phenomenal figure for a relatively small business.

I am aware of a case of one particular individual who made a soft-tissue injury claim against a premises 12 months ago. However, there was no evidence, either a receipt or CCTV, that this individual had ever been on the premises. The claim was not challenged by the insurance industry. If one is paying top dollar for insurance but the industry is not even challenging fraudulent claims, then there is something wrong. The insurance industry will claim the legal system is stuffed. If it were to start suing every insurance claim, the legal costs would rise so much that it would cost more in the long run to settle. These are the reforms needed to solve these issues.

If the insurance industry does not want these reforms, it will slow down the process radically. It will see out the Government until a new regime comes in. If it picks up the issue, it will spend three years fighting the case for the citizen. In all that time, there will be thousands of businesses and investments going to the wall with thousands of lives ruined. The only antidote to this is for the Government to accelerate the rate of development on this issue to ensure the necessary reforms are put in place before the Government signs off.

Deputy Michael Collins: I welcome the opportunity to speak on the Central Bank (National Claims Information Database) Bill 2018.

It comes from one of the recommendations of the cost of insurance working group which urged the setting up of a national claims information database. We are all too well aware of the crippling insurance costs experienced by anyone with car, home, farm, business or even pet insurance. The list is endless because the bottom line is that insurance costs have risen to an all-time high. One of the purposes of this Bill is to provide transparency on motor insurance costs. This will facilitate a more in-depth analysis of motor insurance claims trends which is key to understanding how claims costs are impacting premiums. I welcome this because we urgently need transparency in the insurance industry and costs, which are crippling people, must be reduced. It is believed the identification of settlement channel information should lead to greater consistency in award levels and a greater use of the Personal Injuries Assessment Board. This, in turn, should lead to a more stable claims environment which should have positive impacts on the price of insurance paid by consumers.

I stand here with bated breath waiting to see if this promise of transparency will lead to reduced premiums or if it is another promise that will look good in the headlines but will never have a real effect for the people of Ireland. For more than two years, I have begged in this Chamber for something to be done about rising insurance costs. I am inundated, as other Deputies must be, with constituents contacting me distressed and upset about the quotes they are getting for motor insurance. Will this be a solution, finally, to this problem? Will people finally see their insurance premiums reducing?

We need to examine the issue of returning emigrants accessing motor insurance and ensure they are not priced out of the market. During the economic downturn, many of our youth emigrated to countries around the world. That trend is reversing as many of those people now want to return home. Not only will many of them face difficulty obtaining driver licences, which is absurd because many of them already have full driving licences in other countries, but they must start from scratch here. They must do the required number of driving lessons and will need a fully licensed driver to accompany them for a period of time. That is outrageous as these are experienced drivers. We must make allowances for Irish people returning home after years abroad. We should make it easier for them to return home rather than put obstacles in their way. The quotes people are receiving for motor insurance when they return home are off the scale. We need to address this issue and take all necessary steps to encourage people who had to emigrate during the downturn to return home. We should promise them affordable motor insurance and give consideration to the non-Irish driving licences they hold and the years of driving experience they have, regardless of whether that experience was gained outside Ireland.

Businesses have suffered greatly as a result of crippling insurance costs. A wonderful business, West Cork Secret, in Kilbrittain, which is known as the secret garden, has found its insurance cost has increased from under €5,000 a year to in excess of €20,000. The owners told me about the hike in their insurance cost before going public a few months ago. That huge increase could wipe out their business as they are struggling to keep their doors open. As popular as the secret garden in Kilbrittain is, it cannot continue or sustain such an outrageous hit. How does the Minister of State expect any business to be able to cover an insurance hike as high as that? This business is an extremely important amenity in west Cork. It is used by people far and wide and gives employment in a rural area. Why are we allowing such businesses to face such crippling insurance costs? This issue needs to be addressed as a matter of urgency.

I have seen a number of businesses in west Cork close in the past two weeks. I am not saying those closures were directly related to insurance costs but the rising cost of insurance premiums for businesses is putting enormous pressure on them and does not in any way help to

keep the doors open.

Garage owners have told me they are facing huge insurance premiums. Consumers are tired of rising costs. Garages are struggling to keep their doors open and their costs low for consumers but they have to bear the cost of outrageous insurance premiums.

Another sector that is suffering greatly is self-employed tradespersons. Their insurance costs are extremely high as standard. It is normal in any business to have a claim on one's insurance at some point. However, but when even a minor claim is made by a tradesperson, it gives rise to inflated insurance premiums the following year. How can we expect tradespersons to make a living when they are up against these types of rising costs?

We are afraid to tackle the insurance companies. They are paying out on foot of many insurance claims when they should be stronger in fighting cases. They are stepping back from doing so because they find it is cheaper to pay out. I have experienced that in a community and voluntary group in which I am involved. I have seen pay-outs being made on foot of insurance claims that the insurance company should not have paid. There were very suspicious claims. This puts great pressure on the community and voluntary sector. Regardless of whether one is a councillor or has another role in the community, organisations that are in any way active in the community are paying a few thousand euro for insurance annually. That is a terrible burden for a voluntary organisation which must raise funds to pay for it in the community.

I mentioned motor insurance. We have to single out young drivers who are trying to pay huge bills. Some of them are just working to keep their car on the road. It may be a lovely car but the insurance costs a hell of a lot more than the car, which is terribly unfair.

Recently, AXA Insurance sent out a letter to its customers in Castletownbere and surrounding areas in west Cork stating that its Bantry office is to close. Customers were advised that when the office closes, they should travel to Midleton if they need to go to an office. That is a distance of 147 km each way, which is a journey of two hours and ten minutes by car and a return journey of four hours and 20 minutes. If I had been told that on 1 April, I would have thought it was an April fool's joke being inflicted on the people of west Cork. How can AXA Insurance think that is acceptable for its customers? It is outrageous that the company can simply withdraw its services in rural Ireland, in this case in Bantry in west Cork. It is a continuation of the closure of services in rural Ireland and AXA Insurance is getting away with it. The company has no problem taking people's money but it has a major problem maintaining a manned personal service that has been in place in Bantry for many decades. I ask the Minister of State to intervene on that issue.

We have seen the closure of post offices. I could go on forever talking about closures, but this is a very serious issue for the people of west Cork. AXA Insurance, like other insurance companies that are turning over handsome profits, is not showing any respect for its customers in west Cork. It expects people to make a return journey of four hours and 20 minutes to talk to someone or else go online. For many people in rural Ireland, the only line they know is a clothes line. Not everybody sits in front of a computer to sort out these issues.

People sometimes need to talk to a person face to face. A person who is hit with a massive insurance bill will need to go into the office of the insurance company to discuss it. He or she cannot be expected to spend ages on the telephone dealing with the issue or to hit a button on a computer which may or may not work and, if not, it is a case of tough luck. That shows total

and utter disrespect for the customer. I urge the Minister of State to intervene in this case if he has powers. Perhaps the insurance companies are untouchable. He should tell AXA Insurance it is not allowed to close its branches in rural Ireland. It is not the case that it has a branch in every town. I know of only one branch in my constituency, namely, the Bantry office. The nearest office to Bantry is in Middleton, which is in another constituency. The company is walking away from the people of west Cork. I would advise the customers of AXA Insurance or any other insurance company that wants to walk away from them to seriously consider walking away from the company. That is what needs to happen to such insurance companies. If people want to do their business on the Internet, they can do so but not with companies that have forced them into that position. I urge the Minister of State to step in and ask the insurance companies to come before these Houses and explain the reason they are closing branches and walking out of rural Ireland. That would be appreciated.

Deputy Mattie McGrath: Ar dtús ba mhaith liom buíochas a ghabháil leis an Teachta Broughan for allowing Deputy Michael Collins and me to speak before him. I appreciate it.

The Minister of State has been in the job a couple of years and he published the cost of insurance report, the consideration of which went on for a very long time. The report eventually came up with 50 or 60 recommendations. What we need to do is put manners on the insurance companies and ensure they show respect for their customers, the people who carry the can. What they are doing is daylight robbery. For a long time, there were advertisements about the fellow making false claims who had his hand in my pocket and the Minister of State's pocket. The insurance companies have their hands in all our pockets and they have been getting away with it for decades.

I have been a small businessman since 1982 and in that time insurance costs have become prohibitive. Deputy Michael McGrath stated earlier that not only had prices gone mad but people were getting less cover. We are paying through the nose and getting higher excesses applied to premiums. In my business, they affect the height and depth at which we can work. After yesterday's storm, people will be crucified again. People think they are covered for everything until something happens. The huge excesses and premiums are destroying business in both urban and rural Ireland, although it has a greater impact in rural Ireland because it is crippling young people who cannot get into the jobs market.

We debated the BusConnects service for Dublin in the House yesterday. Rural areas do not have a bus or transport system. My nephew, who is 19 years old, insured his car last week. It cost him €4,800 for a car he bought for €1,400. In fact, he is not insured at all. He is being monitored and can only drive a certain number of journeys. It is another matter if he goes over that number. It is disgraceful. It is extortion and daylight robbery. After getting an apprenticeship, that poor chap must travel to work and if he cannot get there, he will lose his job. The same applies to some people who go to college, not to mention all of the things the Government is putting on top of them, including measures taken by the Minister for Transport, Tourism and Sport, Deputy Shane Ross, for which the Government voted in favour. The L-plate driver cannot go anywhere without his or her father or mother. His or her parents may have bought the car and paid the motor insurance premium, while also working to try to keep the roof over their heads. There is no joined-up thinking.

The insurance industry is a laugh. It is operating like the cartel in the beef industry or the cartel we now have in County Tipperary with Coolmore Stud which is buying up every snippet of land. It is also like the other cartels that control the country, the Minister of State, this and

previous Governments. You are so in hock to it that it has you where it wants you. I would not like to say where that is, but it is. It is not listening to any of us here. This House has become totally irrelevant. We talk about the insurance industry and have received reports and had investigations, but what happened to them? The Government came up with 70 or some astronomical number of recommendations. What are wanted are five or six strong and respected recommendations which could be forcefully implemented and the implementation of which could be monitored. What is happening is daylight robbery. That is all it is. I am aware that the cost of some insurance policies has gone up by 300%. The voluntary sector is being crucified. Volunteers, including, for example, those in various GAA and sports clubs and those who have had a huge input for the ploughing association in the past three days in helping with parking and so on to help to raise funds, are the ones who will be hit. The purpose of their fundraising is mainly to meet the cost of insurance premiums which now represents half of the costs of organisations.

It sickens me that the legal industry is untouchable and considered to be the elite and the *crème de la crème*, but it will not fight any case. That area of the Bill needs to be stiffer with reference to the issue of retention. It must be considered in tandem with an impact analysis of the costs for those who are self-employed. A business can only keep a CCTV recording for one month, but some Joe Soap might come along and make a claim against it after a month and one day. They are being so advised. I hear solicitors advertising for business. Touting for business was banned for decades and should be banned again. It is a case of no foal, no fee and let the patsies pay for it. Solicitors are encouraging people to claim and make spurious claims. It is despicable practice. They should not be allowed to pursue the no foal, no fee approach. They charge enough and just pass on the fee to the fools who are paying for insurance. The cost is passed on in higher premiums and people can go to hell or to Connacht.

People are beyond breaking point. The insurance companies need to be taught a huge lesson and brought to the table. For over two years An Garda Síochána has had a report on the issue. It tried to get industry representatives to sit down and engage in quarters one, two, three and four. The same happened this year. If the Government had any courage, the industry would be told upfront that insurance premiums could be disbanded and that the cost could be placed on cars and lorries through the price of fuel such that people would pay as they went. That would suit my neighbour who only drives when she wants to collect her pension payment once a week in her local post office. From 31 January she will have to travel to Clonmel because her local post office is closing. She might also drive to mass. If there are fast drivers, reckless drivers or commercial drivers, they would pay according to their usage of the roads. It would make sense to get rid of these dirty, rotten, stinking cartels. If one calls any insurance company, one must wait on the telephone line for 20 minutes and then key in one's date of birth and so on in order to obtain a quote. Strangely, a lot of quotes are the same.

Where is the regulator? We have more regulators in this country than GAA players, but they are useless, toothless and fruitless. People are appointed - we have had another appointed to the Housing Agency - and they are good jobs for the lads. When they are given these cushy jobs, they get comfortable and become part of the system. They are brought out to dinner and for a meal and on foreign trips, but they do not do what they are supposed to do because we are not policing them. We are not putting robust legislation in place. We do not involve people who are the makers and shakers, such as the community and voluntary sector and small to big enterprises and the self-employed. It should not just be left to the cartels. We will have a wasteland in County Tipperary if we allow a cartel to buy up all of the land. We had it with Larry Goodman in the case of cattle. We had a suckler cow system and now know the state it is in,

while the Government stands idly by. We will not need schools and will not have sports teams because we will not have families and others living in rural areas. The Government is driving us out of business. Imagine charging a young fellow €4,800 for car insurance, having paid the cost of lessons, taken the driving test and bought a car. They are safer drivers than many of us who took the driving test 30 or 40 years ago.

Deputy Michael D'Arcy: They are not.

Deputy Mattie McGrath: Are they not?

Deputy Michael D'Arcy: All of the information shows that they are not.

Deputy Mattie McGrath: Gabh mo leithscéal. From where is the Minister of State getting that information? He is getting it from the insurance companies. Can he not take away the coppers from his eyes to see that he is being robbed from the inside by the banks and the beef barons? They might not be robbing with guns, but there are always some inside the big cartels. Insurance companies are robbing us blind. They are robbing businesses, the community and voluntary sector and the ordinary young person. They are also robbing us through the cost of health policies. You name it - someone has everything until something happens and then there are 1,000 clauses. Last week my daughter locked her keys into her car and wanted to transfer her insurance from one vehicle to another. We spent three hours and made about 20 telephone calls in trying to do so. She did not want to drive a short distance without insurance. That is the way she should be encouraged. She had to teach a dance lesson some 30 miles away and was hardly able to function when she got there because of frustration.

There is the issue of not being able to engage with insurance companies. Deputy Michael Collins made reference to Axa Insurance leaving Bantry. It has also given notice that it is leaving Clonmel. Imagine telling people that they can travel 140 km. The sector has no respect for customers; it is time manners and respect were shown. In that regard, we have had successive weak Governments. First there was the collapse of the PMPA, the owners of which were close to Mr. Charles Haughey and bailed out. God rest them. Let us consider who has paid for any bailout reckless decisions since. It was the taxpayer and ordinary people. It is laughable. The recent storm will have the industry going on again about increases because of the cost of claims. I sympathise with anyone who has been injured or the families of those involved in fatalities and agree that we must be responsible and have health and safety rules, but there is now some amount of health and safety regulations imposed by insurance companies which look for any reason or disclaimer clause to not cover a person because he or she did not do this, that or the other, or because he or she did not have this or that box ticked. We must tackle the regulator because the body is dysfunctional and asleep at the wheel.

I am aware of businesses that are considered to be high risk such as Jumping Jacks and similar places where children go for parties. One company in Clonmel had an insurance policy that cost €11,000. It increased to €20,000 and then to €60,000 in three years. That is unmanageable. That level of viability or profitability is not in the business.

Deputy Michael Collins has said the issue has been debated in the House for the past two years. I have been talking about it for the past 11 years and the position is getting worse. We are being ripped off far more than we were and premiums cover less and less. The merry-go-round continues. All of the cartels meet together and have the country crippled. We are caught in a bind and the permanent government does not seem to care. It is fine for them because they

have pensionable jobs, but the lifeblood is being sucked from ordinary families, communities and small business people throughout the country.

Why are we not being allowed to bring in insurance companies from outside Ireland? People cannot obtain quotes or they are restrictive. If a person is involved in an accident or something happens, God help him or her, as the penalty will continue forever. Three levies have been imposed on premiums during the years because of company collapses and they have never been removed. After a certain amount of time one would expect the cost to be cleared.

Deputy Michael D'Arcy: They were removed.

Deputy Mattie McGrath: That is news to me. They are still being piled on. It is blatantly obvious to me that if the Minister of State had any interest in the job, he would not come up with 58 or 70 recommendations. Two, three or four are required to show respect and offer support, rather than have cosy cartels milking and bleeding people dry and rubbing butter into a fat sow and I will not say where. It is laughable. People meet me on the street and they are so frustrated. We have lines of people lobbying on the issue. We have the Irish Small and Medium Enterprise Association railing against it, but nobody is listening.

Deputy Thomas P. Broughan: I thank the Acting Chairman for giving me the opportunity to speak about this important legislation, the Central Bank (National Claims Information Database) Bill 2018, which will provide for implementation of recommendation No. 11 in the report on the cost of motor insurance by the cost of insurance working group, which reported in January 2017. It is, however, disappointing that it has taken so long to implement it. We are now coming to the end of 2018-----

Deputy Michael D'Arcy: Will Deputy Mattie McGrath not wait to hear my response?

Acting Chairman (Deputy Eugene Murphy): The Minister of State has no right to interrupt Deputy Thomas P. Broughan, who has the floor.

Deputy Thomas P. Broughan: Will the Minister of State explain how it has taken almost two years to bring forward this legislation to establish the database? There is a huge lack of transparency, which is the key factor, in respect of which we have felt down during the years. Today, we rightly listened to criticism of the insurance industry and its impact on households, businesses and drivers. The cost of insurance working group was set up in 2016 and has been running throughout this Government's lifetime.

The Minister of State mentioned that there was no silver bullet for this issue, but perhaps we should aim fundamental reforms at two areas. The Bill gives an indication of that in terms of the insurance industry, given the astonishing increase in premiums even during the austerity period. The other area is the legal system and profession. In the discussions around the working group, the Government's legislation and so on, the insurance industry blamed the legal profession - the book of quantum and the cost of barristers and solicitors - and *vice versa*. In terms of legal costs, we have seen the relentless rise in personal injury awards in the Circuit Court and the High Court since 2009. There is unquestionably an issue in that regard.

One of the key failures of this and the previous Governments in the ten wasted years since 2008 has been the lack of a serious effort, despite the Europe Union. We did so many things that our EU colleagues wanted us to do - crucified mortgage holders, set up NAMA and so on - but we never touched the legal profession. Neither the Bill of the Minister, Deputy Shane Ross,

nor any other Bill will give us a legal system that reflects the reality of people's lives, incomes etc. The Law Society of Ireland and King's Inns, the two famous guilds that control education for and entry into the profession, can say what they like, but it is beyond a shadow of a doubt that there is a problem.

The IMF showed us that our insurance premiums on a *per capita* basis were four times the EU average just a few years ago. We were spending on average \$12,000 per year compared with \$3,000 in other European countries. We saw increases of 70% in the price of private car insurance between January 2014 and July 2016. All citizens are shocked to see some of the prices being asked for whenever our renewal dates arrive.

Every Deputy has been contacted time and again by all kinds of hard-pressed constituents, including young, careful drivers who follow the rules and are still being crucified by €1,000 plus. We have also been contacted by distressed taxi drivers, who are in the public transport mould. Due to changes in their training and so on, they have had to come up with vast sums of money. We have seen a slight decrease in prices in recent figures, but the working group was established because a problem existed and, like Deputy Mattie McGrath stated, many people would not accept the insurance industry's assertion that claims were accounting for 50% to 65% of premiums. We did not have the data. For that reason, I welcome the Bill in general.

Recommendation No. 12 on the quarterly publication by the working group of key aggregated metrics on claims, costs and trends was supposed to have been implemented by the second quarter of 2017. It was stalled due to the lack of consistent information across the cartel of large companies among insurance providers. A subgroup of the working group produced the first motor insurance key information report in July 2017 and a second report this summer.

I agree with the proposal in recommendation No. 13 to consider the feasibility of a claim-by-claim register. We should have all of the data available if we are to be able to examine the industry and what we can do to make it the kind of industry we want. The working group decided that a claim-by-claim register would not be feasible in the short to medium term, but it is something we should be working towards. Perhaps we should introduce legislation that requires the whole of the insurance industry to capture and anonymise these data so that we can utilise the information gathered. During the public consultation process, the Irish SME Association, ISME, suggested the raw data claims should be gathered and consolidated into aggregate levels.

Reasons were given for not progressing with recommendation No. 13, including the potential cost, a barrier to information gathering and the sensitivity of the data. On that last reason, every Deputy has been wrestling with our new GDPR legislation since 25 May. Throughout our careers in the House, each of us has always tried to protect our constituents' data, but we are now working under very strict guidelines. The Oireachtas staff have kindly set those out for us, provided us with consent forms and so forth. To some extent, the reason of sensitivity of data is understandable.

As the Minister of State knows, I have throughout my Dáil career drawn attention to the disgraceful and appalling level of casualties, both deaths and serious injuries, on our roads. As mentioned during our 24 or 30-hour debate on the Road Traffic (Amendment) Act 2018, many issues are involved, including the question of uninsured drivers, insurance fraud, automatic number plate recognition, stronger co-operation between the insurance industry and the Garda, the use of technology etc. All of these issues must be addressed. The next Bill that the Minister,

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Deputy Shane Ross, will introduce relates to speed limits, speeding and so on. It will be past timely. All of these are issues that the House has been lethargic in addressing, as we saw in the dreadful dragging of heels on the 2018 Act. We have not been prepared to go for the Vision Zero approach taken by Sweden and a number of other exemplars in Europe. Under such an approach, insurance premiums would by definition be much lower because the appalling casualty rate would be much lower.

Recommendation No. 30 was to expedite the development of the master licence record, about which I have asked the Taoiseach and Minister many times. The master licence record would enable us to collate all data on drivers across various databases. Outstanding road safety activists like Ms Susan Gray of Promoting Awareness, Responsibility and Care on our roads, PARC, have been calling for the master licence record for many years. Many other countries have one but we do not. It would provide easy access to see whether someone has broken a traffic or parking law.

In the past decade or so since its formation, the PSNI seems to have taken a more cutting edge approach in its application of legislation from Stormont and Westminster than we have in respect of our legislation. I hope that our new Garda Commissioner, Mr. Harris, will make this a clear priority in order that we can see a fundamental reduction in the number of deaths on the roads and a decline in insurance premia.

We have been calling for the roll-out of hand-held roadside devices to allow every garda to access all necessary driver information during road checks. Our Northern Ireland policing colleagues have access to such information, yet gardaí do not.

Recommendation No. 32 is to require the insurance industry to promote compliance with road safety legislation. It is incredible that such a recommendation is necessary. The insurance industry should be leading on this and demanding tighter and transparent road safety law.

The Bill will amend the Second Schedule of the Central Bank Act 1942 and section 22 of the Central Bank (Supervision and Enforcement) Act 2013. It is hoped we will have the database. The Minister of State might explain whether it will be operational in 2019. Clearly, we need it.

The subgroup, which was set up following the working group's report, included representatives from the Society of Actuaries in Ireland, the Central Statistics Office, the Personal Injuries Assessment Board, PIAB, the Central Bank and the State Claims Agency and was chaired by the Department of Finance. The six groups that made submissions during the public consultation process welcomed the genesis of the Bill, but an issue arose for some. The Minister of State might address it in his response. Why will it be the Central Bank where all of these data are located? Was a strong case not put for the PIAB?

Deputy Peadar Tóibín referred to the system in place in New Zealand, with which we have been familiar for a number of years. It led the way in dealing with personal injuries and trying to have a more transparent system. One wonders if it is something at which we should look again. In many ways, New Zealand has been the exemplar. It is an area to which we could look to dramatically improve our insurance and legal systems.

Section 3 has been worded in such a way as to allow the database to be extended to include other non-life insurance products. That is very welcome.

Sections 5 and 11 provide for expenses to be paid from moneys from the Oireachtas, not

from the Central Bank's own funds. It is expected that these moneys will be recouped through levies imposed on the industry.

Subsections (6) and (7) of section 8 provide for the publication of a report at least once a year to include information on the relationship between premiums and costs. I welcome this provision.

I mentioned the publication of the second and final report of the Personal Injuries Commission. It found that the awards for whiplash were almost four and a half times higher than those in the United Kingdom. The Law Society of Ireland maintains that lower compensation payouts would not necessarily lead to lower premiums. The reality is that the insurance and legal industries have been gouging us during the years. I know that the Minister of State appeared recently on "Prime Time" in that regard. He seems to be suggesting that in the area of fraud, for example, it is primarily the responsibility of law enforcement agencies. We have overall responsibility to ensure, first and foremost, that they have the tools at their disposal. I know that the Minister of State is trying to put one tool in place today. We have the facts. I know that Mr. Justice Nicholas Kearns, in presenting the findings of the Personal Injuries Commission, stated he estimated that the cost of fraudulent claims could be between €50 million and €200 million per year, which is an unbelievable figure.

There is a sense of urgency about this legislation. The extraordinary role of the legal profession in setting its own fees and the influence it has on the book of quantum, also referred to in the programme, show that it escaped the rigours faced by every single profession and trade in the economy from 2008. It is the one profession which was not addressed. The book of quantum system seems to be badly outdated. It was an issue when I first entered this House. It encompasses legal costs, legal fees, the basis of awards and how they are made. I remember asking the Comptroller and Auditor General to look at those issues. Clearly, we have not looked at introducing the necessary reforms. We need to deal with that issue, as well as addressing the issue of transparency in the insurance industry. It seems already inflated awards will continue and ultimately be paid for by the whole community through taxation. That is a key element of what the Government should have been doing in the past eight years following the verdict given by the people. In the coming months or next year, when a verdict has to be given, how the Government has managed the legal profession will be taken into consideration. I hope we will take action in that regard in the future, as well as driving the insurance industry towards becoming fully transparent and being able to give us the reasonable service we need.

With those caveats, I broadly welcome the Bill.

Deputy John Curran: As my colleague, Deputy Michael McGrath indicated, my party will support the Bill which we welcome. He has alluded to the fact that there was no pre-legislative scrutiny to facilitate its timely passage. A few minutes ago a colleague raised the issue and commented that the Government was doing nothing. That is incorrect. A more fair and reasonable question to ask is whether it is doing enough in a timely fashion. That question has to be posed in the context of the actions, recommendations and associated timelines outlined in the working group's report. If one analyses the issue, we have slipped behind the timelines, which is regrettable. Some actions have been delivered on. I will allude to a couple, but some have not been delivered on. I understand the intention was that when the working group reported, this legislation would be enacted last year and operational by now. Will we even have the legislation completed by the end of 2018? It is not the case that the Government has not done anything but whether it has done enough in a timely fashion. The working group and its

recommendations with associated timelines are the benchmark. The Bill is important, but it is not enough in its own right. It is but one component, one brick in a block to address the issue. It will enable the Central Bank to gather and publish the data, which is important, bearing in mind that more than 70% of claims are settled outside the Personal Injuries Assessment Board.

Deputy Michael D'Arcy: Some 80%.

Deputy John Curran: Whether it is 70% or 80%, the vast majority of cases are settled outside the board and transparency is needed. We might say it is needed to encourage other companies to enter the insurance market. The data on their own will not be sufficient for other companies. They will want to look at costs, profit margins and so on which are associated. The Bill affords us an opportunity to make the data transparent. I am often conscious that the Government rightly states the Central Statistics Office's figures for last year show a decrease in motor premiums. I think the figure the Minister of State quotes is 11%.

Deputy Michael D'Arcy: Some 21% since three summers ago.

Deputy John Curran: However, I have to ask by what they went up in the period 2012 to 2017.

Deputy Michael D'Arcy: Some 57%.

Deputy John Curran: While progress has been made, we have not come back to a level that would accord with normal increases. Even if one looks at where we are today compared to 2012, the rate of increase is abnormal compared to the cost of living in general. That is a fair point to make.

Before I refer to the provisions included in the Bill, many of us, as public representatives, receive complaints from individuals. The reason the Minister of State has heard colleagues talk about the cost of motor insurance is so many people have motor insurance policies. Businesses, including small businesses, are also experiencing severe difficulties and not without victims and other casualties. The only way a business can survive is by passing on the cost; therefore, all of us as consumers pay one way or the other. If a business cannot bear the cost of its insurance policy and cannot pass it on, it will fold. If it survives and can pass it on, as consumers we will all pay.

I have a couple of comments to make on the working group on the cost of motor insurance, but, as I have said in the House before, while the global figures indicate that there are decreases, it appears to me that there are certain groups and classes of people who are being targeted. Initially, it seemed that young drivers were paying a premium, but I have noticed in my area that there are now additional groups. Older drivers are facing increases at an earlier age. People who have changed their address to within a couple of miles of where they used to live have seen increases in premiums. Owners of ten year old cars or older have also experienced increases in premiums. It is fair to say that in the modern era where cars are relatively well maintained and subject to the NCT on a regular basis, a ten year old car should not be seen as a liability.

I was chatting to someone because I have a son who is of an age at which he is looking for his first car.

He has passed his test and he is insured. There is something wrong when the cost of the

insurance is likely to be more than the cost of the car. Would we not be better ensuring that the car was better quality and more roadworthy? However, the reality for many first-time drivers and young people who want their own car rather than just being a named driver on their parent's car is that the insurance premium is likely to be more than the cost of the car. I think we need to examine that because something is fundamentally wrong and needs to be reversed. I am aware there are all sorts of technologies that can be used to monitor the speed and driving patterns but as a general rule we need to address that.

I indicated that a number of the actions that were agreed by the working group have not been progressed as quickly as possible, which is regrettable. Rather than taking individual actions, the only way we are going to make progress is by executing all of those actions together. While today we are talking about a database that would be useful for potential insurers coming into the market, we previously talked about a database of uninsured drivers that could be accessed by the Garda. There is a cost associated with that. However, we have not made the level of progress on those areas that we had anticipated. I am not in favour of dealing with one aspect over another. A renewed urgency is required to implement all of the actions.

I am conscious that the Minister of State inherited the programme and that he did not develop it but he is responsible for its execution. I often wonder why one particular recommendation has not been enacted, namely, that consumers would be informed as to the reason or reasons for a significant increase in premium. It is probably the single biggest concern that arises. In some cases people get increases of €200 or more on the previous year, especially at a time when we in this House are talking about the two-year effect or the 2017 effect of premium reductions. Something is wrong if somebody gets a significant increase on last year's premium for the same vehicle without having had an accident. People need to be given an explanation as to why that is. I know many people shop around and often, having shopped around, come back to their own insurer and get a reduction but that is not good enough. It is sharp practice to say the least.

It is also important that policyholders are informed of claims made against them before a settlement is reached. I am sure the Minister of State has heard of cases where it arises that settlements are made but the insured party is not aware a claim had been made.

Fraud prevention is an issue that was supposed to be dealt with last year. There has been much talk about it and proposals as to how it would be funded but it has not happened as quickly as we would have liked.

While I acknowledge the work behind the Bill and welcome and support it, I specifically wanted to refer to the fact that if the other actions are not advanced in a timely fashion we will not achieve the desired impact, which would be regrettable. I have used the opportunity, perhaps not correctly, to review some of the actions in the recommendations of the working group. I am aware the sixth review has taken place but apart from that it is important that meaningful efforts are made to fast-track the actions that have slipped behind their schedule date.

I do not wish to delay the legislation because my colleague, Deputy Michael McGrath, would be quite annoyed. We are supportive of it but if it is to have the expected effect then the other elements of the action plan must be delivered also.

Minister of State at the Department of Finance (Deputy Michael D'Arcy): I have a speech prepared but it will not touch on many of the issues that have been raised so I will try to address them as best I can.

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Deputy Curran's question as to whether we are doing enough is a fair one. The first report was in January 2017 and followed a period of consultation and analysis, approximately 19 months ago. We are now in the heavy-lifting phase. I welcome support from whatever sector, within this House or outside it, including from Insurance Ireland, to help us try to implement any measures we have not yet taken.

Deputy Curran's criticism is fair. We had expected to implement this measure by the end of quarter 2 in 2018 and we have not. We will have it operational at the start of quarter 1 in 2019. The work we have been doing to compile and publish the Bill and to get it through the Houses has been done in parallel with the working group and the Central Bank of Ireland in order that we can start on 1 January 2019. Have we missed two quarters? Yes, but this is extensive legislation and it is complicated and also involves trying to establish the group within the Central Bank.

In terms of the data from the Central Statistics Office, CSO, the decrease since the peak was two years ago in the summer of 2016, which was a decrease of 21%. It is the same CSO data regarding the increase from the low point, which was probably too low. A price war took place between insurance companies which involved undercutting and, in effect, they did damage to the sector. In some cases car insurance was less than the cost of replacing a windscreen. That was never sustainable and there has been a resultant cost. We lost approximately 40% of the companies that were in the market because the market was not profitable.

I have not heard anything about address changes previously but it is something we can examine. In terms of significant premium increases, we have looked at the issue in detail and we are satisfied that if every person who receives an increase gets a detailed explanation then all motor insurance premiums will increase. We think individualising the issue to that level would bring about a significant increase.

Deputy John Curran: Does that not indicate it is a big problem?

Deputy Michael D'Arcy: No, it does not indicate it is a big problem. What we are doing is ensuring that last year's premium is shown on the same page as the new premium if a company proposes to increase it. It will be evident that a premium has increased by X, Y or Z and there is not a cost attached to applying that. People can then shop around. We are also increasing the period of time for which people have cover so that they can have the opportunity to shop around more. We have looked at all of those issues, kicked them about and gone through them in serious detail to ensure that what we do will not increase premia but will decrease them.

Whether people want to hear it or not, it is the insurance company that settles the claim not the individual who holds the insurance policy. The matter is against the company not the policyholder. We are not satisfied with people finding out there was a claim when their policy is being renewed.

I support the establishment of the insurance fraud section in An Garda Síochána. One could ask whether it should have been established earlier. Perhaps it should, but in my view it was unlikely that an interim Garda Commissioner would establish it and set a precedent whereby the private sector would pay the salary of a garda. I have highlighted the fact that I think an issue arises in that regard. It is not the same as the Garda being hired to police a football match or other sporting occasion. It would involve the salaries of gardaí being paid for by a sector in order to progress criminal sanctions against individuals. The sanctions are pretty severe and

involve a fine of €100,000 or a prison sentence. I said publically on a number of occasions that I do not believe that is the correct course of action to take. The money should go into the Exchequer and the Exchequer should pay the gardaí. The police force is independent and it would not sit well for the salaries of individual members to be paid by the private sector.

I will work backwards as best I can in responding to the contributions that have been made. The ignorance of Deputy Mattie McGrath on this matter is astonishing. We hear the same speech about everything, for example, post offices, insurance or anything else. It is the same speech with the same buzzwords. If he had come to the AV room when I spent two hours several months ago going through these measures in detail with Members of the Oireachtas I could have informed him of what we are doing. Instead, he came to the House shouting about nothing being done and that rural Ireland is dead. He uses the same lines on every occasion. Once he has said his piece, he runs out the door. He has again left the Chamber. On two or three occasions I have asked him to await the response to his questions. I do not know where he is. He is probably halfway down the motorway by now. Maybe he will look at the response at some stage in the future.

An Ceann Comhairle: He might come back.

Deputy Michael D'Arcy: He might return to the Chamber.

Deputy John Curran: The Minister of State should not provoke him.

Deputy Michael D'Arcy: On the closure of offices as raised by Deputy Michael Collins, the Department of Finance has no role in the internal decisions of commercial entities. The closure of the Axa office in west Cork is unfortunate but I am certain there are brokers in towns and villages throughout west Cork who act as very capable intermediaries between customers and insurance companies. Although Axa may choose not to sell its products directly to the public, brokers act as intermediaries and do a very fine job around the country.

On the issues highlighted by Deputy Tóibín, I accept we are late in tackling this issue but we will be ready to start in quarter 1 of 2019. On the role of the Central Bank of Ireland, consumer protection will not be affected by the collection of data and compilation of information. Members have queried whether the Central Bank is the correct body to compile such information. This is a compilation exercise. It is not a question of objectivity or selecting information. The Central Bank will compile the numbers and information and pass it on. Deputy Tóibín was unaware that the cost benefit analysis was concluded by Insurance Ireland. It has been agreed with Insurance Ireland that €1 million will be made available for the establishment of an insurance fraud section within the Garda National Economic Crime Bureau. I have a concern regarding how that will be funded. I do not often agree with Sinn Féin but our positions are aligned on that issue.

Tackling fraud in insurance in Ireland is crucial. Everybody wants to discuss staged fraud, which involves a person setting up an accident and putting in a claim. That is a big issue but a far greater one is the exaggeration of claims, which involves people who have been injured in a genuine accident of some sort seeking excessive damages. The number of whiplash claims in this country is a significant issue. Some 80% of claims relate to soft tissue injuries or whiplash. The Personal Injuries Commission report launched this week states that the rate of whiplash claims in Ireland is 4.4 times higher than in the United Kingdom. That is causing significant difficulty. Those who are injured should be appropriately compensated but the level of claims

in Ireland is out of kilter with those almost everywhere else.

I have been critical of Deputy Mattie McGrath but I acknowledge that Deputy Tommy Broughan has had a long-standing interest in the area of insurance and the level of road deaths. Between 150 and 200 people have been killed on our roads each year for the past five years. Up to 200 families annually have been badly affected by people's driving behaviour and, in particular, the drink-driving habit of many Irish motorists. A huge percentage of road traffic fatalities involve a driver who had been drinking. That is unacceptable. It severely damages families, parents and children every year. So far this year, 110 people been killed on our roads. Those figures are far too high.

The criticism made by Deputy Broughan in terms of this process having been concluded by now is fair. However, if there are high awards in a jurisdiction, there will be high premiums. There is no way around that. The vast majority of a premium goes towards payment of awards.

Much criticism has been made of the insurance industry. Some of that criticism is fair and valid. The industry has not done itself many favours. It has been quite secretive and difficult to deal with.

On the New Zealand model, European law is European law. In this jurisdiction, the Constitution gives people the right of access to the courts.

Deputy Broughan raised the issue of the book of quantum, which is a look-back on awards over the past three years rather than an objective view of what the award should be for a particular injury. The second and final report of the Personal Injuries Commission under Mr. Justice Kearns is very clear. The Judicial Council Bill 2017 brought forward by my colleague, the Minister for Justice and Equality, Deputy Flanagan, will be hugely helpful in this regard. Mr. Justice Kearns, a former president of the High Court, believes that there needs to be a recalibration of the book of quantum by the Irish judicial council. The level of awards in Ireland is among the highest in the world. It is unclear whether awards are higher here or in the United States. The level of awards must be recalibrated. We have reached this stage because of the level of awards by the Judiciary over many years. How have we reached this point? Nobody said stop. A start was made on tackling the issue by the former Minister for Finance, Deputy Michael Noonan. The former Minister of State at the Department of Finance and current Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, then instigated the cost of insurance working group, which commenced its work in 2016 and concluded its first report in January 2017. This is part of the process of recognising that awards are too high and there is too much insurance fraud and criminal levels of exaggeration and that that must cease.

Sinn Féin Members have proposed a separate offence of insurance fraud. The Civil Liability and Courts Act 2004 provides for a maximum penalty of a €100,000 fine and-or ten years imprisonment for those found guilty of insurance fraud. Additional sanctions are not required as sufficiently strong deterrents are provided for. As referenced by Deputy Curran, we must ensure that the Garda investigate any matter involving the judge in a civil insurance claim having suspicion of exaggeration of claim. We must ensure that the correct and appropriate pathway is in place to facilitate that. Such matter would then be sent to the DPP for possible prosecution in the criminal courts. That matter has been addressed and more is being done in that regard. We are satisfied that pathway is now in place and that the sanction is sufficient. We do not believe additional sanction is required.

Criticism was levelled in terms of the process being too slow. I accept that as a fair and valid criticism but none of this is easy or quick. I thank the Members of the Oireachtas who facilitated the passage of the Insurance (Amendment) Act. I hope we can facilitate the passage of this Bill through the Houses as quickly as possible. We have also brought forward the Personal Injuries Assessment Board (Amendment) Bill and the Judicial Council Bill. We intend to move amendments on Committee Stage of this Bill which will alter sections 4 and 18 of the Civil Liability and Courts Act which we will have to alter. We will be addressing the matters highlighted by Mr. Justice Nicholas Kearns in the second and final report of the Personal Injuries Commission. We have the driver licence master plan legislation. We are now at the heavy lifting stage. I will be very thankful to Members who facilitate the adoption of these measures. The Ceann Comhairle was present for the passage of the Insurance (Amendment) Act. That was facilitated by all Members of the House and if this measure can be facilitated with the same level of co-operation, I will be very grateful. We will for certain have this legislation passed by both Houses and be able to start this process on 1 January 2019.

Deputy John Curran: We will hold the Minister of State to that.

Question put and agreed to.

Central Bank (National Claims Information Database) Bill 2018: Referral to Select Committee

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

That the Bill be referred to the Select Committee on Finance, Public Expenditure and Reform, and Taoiseach pursuant to Standing Orders 84A(3)(a) and 149(1).

Question put and agreed to.

Saincheisteanna Tráthúla - Topical Issue Debate

Nursing Homes Support Scheme

Deputy John Brassil: I welcome the opportunity to raise this issue, which I have been pursuing for a number of months. It is very topical, given the issues regarding vacant properties, particularly around Dublin. Whereas I would in no way agree with the tactics of occupying properties illegally, it serves to highlight a very important issue, namely, that there are thousands of vacant properties and, to date, no scheme we have tried to address that has worked.

I have often heard the Minister of the day of either housing or health say one can have one's own opinion but one cannot have one's own facts. I will give the Minister of State some facts. In the last census, there were 245,000 vacant properties in the country, 62,000 of which were holiday homes. That leaves 183,000 vacant properties of which 140,000 were stand-alone units

and 43,000 were apartments.

This Government has a huge opportunity to deal with the housing and homelessness crisis by utilising the existing stock. One element of that stock is houses vacated by people who are in nursing homes under the fair deal scheme. In figures I obtained from the Health Service Executive, HSE, currently there are 14,000 such properties in the country. Of those 14,000, as few as 600 are being re-let. I call on the Government to come up with an incentive to give the owners or the families of the people who own the houses an incentive to get those properties in use quickly. If it set even a minimum target of 10%, 1,300 houses would be in circulation within a six to 12-month period. Surely that is an incentive for the Government to try to deal with the 10,000 people who are homeless.

We talk about incentives. When people are long-term unemployed, we offer employers incentives to take them off the long-term register. If they keep them on for more than two years, they get €10,000 per year, and the person might maintain some of his or her benefits while getting back into full employment. I welcome that; it is a very good initiative. I propose that if we take people off the housing and homeless lists, an incentive would be given to the homeowner to do that. It does work but, to date, every initiative tried by the Government, including its repair and lease and buy and renew schemes, have not worked. I heard the Minister of State at the Department of Housing, Planning and Local Government, Deputy English, on a radio programme last Monday morning with Fr. Peter McVerry trying to justify the repair and lease scheme. Fewer than 100 properties have been taken up under that scheme. I am not blaming the Minister of State. It is just that when it is announced we think it will be attractive but it is not attractive and when it is not, the Government should accept it and move on to something new. I am very interested to hear the Minister of State's reply because this is something that is waiting for some initiative and forward thinking to get viable homes back into use, which will make a valuable contribution towards our housing and homeless crisis.

Minister of State at the Department of Health (Deputy Catherine Byrne): I am taking this issue on behalf of the Minister of State, Deputy Daly, who apologises for not being present. I thank Deputy Brassil for raising this matter.

The nursing homes support scheme, NHSS, also known as fair deal, is a statutory scheme providing financial assistance for affordable and accessible long-term residential care for those applicants who satisfied a care needs assessment.

This financial assistance scheme is means tested. Participants of the scheme contribute up to 80% of their income and up to 7.5% of the value of their assets towards the cost of care, and the State pays the balance.

Under NHSS, rental income is considered income for the purpose of the financial assessment, and is assessed at 80% less any allowable deductions. Allowable deductions include income tax and, therefore, any income tax arising from rental income should be deducted; other deductions include some health expenses, levies required by law to be paid, and interest on some loans in respect of a person's principal private residence.

Action 17 of the strategy for the rental sector commits the Department of Housing, Planning and Local Government to examine the treatment, under the nursing homes support scheme's financial assessment, of income from the rental of a person's principal private residence where he or she moves into long-term residential care.

The Department of Health has received legal advice that changes to the treatment of rental income in the scheme would require changes to primary legislation. Possible changes to the scheme are being explored. However, significant further analysis and development of the options, including legal analysis and costings, is required before a decision can be made to bring forward any proposed changes to the NHSS. There is also a need to explore and consider operational consequences and any unintended consequences that might result from any proposed changes.

There are issues to be considered relating to renting out one's principal private residence, for example, many older people in long-term care enjoy returning to their home temporarily as part of reminiscence programmes. They may also have all their personal belongings stored in their home, and bringing the home to market could possibly see the sale or discarding of their possessions. Many vacant homes would need significant improvements to be made to bring them to a rental market standard, and would therefore require significant investment. In addition, a change to the treatment of rental income could introduce inequality in the scheme, as pension income contributions will remain at 80%.

We should also consider whether someone requiring long-term residential care would be in a position to take on and manage the considerable financial and legal responsibilities that come with being a landlord.

Officials in the Department of Health are working with Department of Housing, Planning and Local Government officials in examining a number of possible options. The Minister of State, Deputy Daly, is not in a position, however, to provide detail on these as discussions are ongoing and any potential proposals have not been finalised.

Deputy John Brassil: I thank the Minister of State for taking the question. I am quite disappointed with the tenor of the answer. It seems the Department is looking for more reasons not to introduce a scheme than to introduce one. Even if it is looking to introduce one, there is no timeline or delivery date for when such a proposal would come into use and begin to have an effect.

There are issues around everything the Minister of State spoke about but there are 14,000 houses waiting for some initiative. As I said, even if the Minister set a target of 10%, he would be making a very valuable contribution to the housing and homelessness crisis. As for issues such as storage and people not being able to deal with matters because they are elderly, they often give over power of attorney to family members, and the Minister of State should not underestimate the ability of an elderly person to deal with such an issue. Many elderly people are more than capable. Just because a younger person has the years on his or her side does not mean he or she is capable of understanding a financial transaction, either. I assure the Minister of State that if the incentive is attractive, it will be understood quickly. I ask her to go back to the Minister of State, Deputy Jim Daly, and to include the Minister of State at the Department of Housing, Planning and Local Government, Deputy English, in the conversation as well. She should ask them to actively consider the proposal I have made and instead of finding reasons not to do it, come up with reasons they should do it and bring in solutions around that.

Deputy Catherine Byrne: I do not underestimate any older person. My mother lived a long life to the age of 89, and she was well capable of making decisions herself. I do not underestimate that. I said in the reply clearly that local government officials and the Departments of Health and Housing, Planning and Local Government are examining a number of options that

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may be introduced in the future. However, the Minister is unfortunately not in a position to give me those briefings at the moment.

The Minister of State, Deputy Jim Daly, is mindful of the challenges of housing supply facing the Government and of how all Departments must work together to tackle the issues. In this regard, it is important that the Departments of Health and Housing, Planning and Local Government continue to work together. The Minister of State would like to assure older people that it is a matter of personal choice for any individual as to whether he or she wishes to rent or sell his or her home when taking up residency in a nursing home. Sometimes there are measures that we cannot take in government but we will continue to work to achieve some of the measures Deputy Brassil has proposed. The Minister of State is conscious of the fact that there are many dwellings owned by older people residing in nursing homes who unfortunately might not have family members to even participate in a process to rent out the property. I will pass on all the Deputy's concerns and the issues he has raised. I have taken note of them.

Child and Adolescent Mental Health Services

Deputy James Browne: My matter is focused on the general issues and the lack of services for child mental health throughout the country. For example, more than 6,500 children were waiting for a primary care psychology appointment at the end of May 2018. Some 1,700 of them had been waiting for more than a year to be seen.

Demand for child and adolescent mental health services, CAMHS, is increasing; almost 3,000 children are now waiting for a first appointment. In excess of 300 of them have been waiting more than a year for a first assessment. This is an intolerable wait for children to see a specialist. The psychology services and CAMHS, which is our acute mental health service, are sister services. Delays in community psychology services are leading to increased pressure on the acute services offered by CAMHS.

Unfortunately, it gets worse. The number of children who are being admitted to adult units increased by 20% in the past year. Children who should not be in those units are being admitted to them, which is contrary to Government policy. Doctors and families are left with a Hobson's choice of either getting the services in an appropriate setting or not getting them. That is totally inappropriate.

There are no multidisciplinary teams to support parents and children when they need help. In my county of Wexford, for example, there should be three consultant child psychiatrists but there is none. There are only two approved but there is none for an entire county of 150,000 people. There is a 34-month waiting list for child psychology services in County Wexford, and urgent cases cannot be taken. Last October, the Minister promised a new site to replace the inappropriate facilities that specialists are working out of currently. The site was promised for this summer. Now it is September and what I am being told locally is that the building is being rented.

Deputy Pat Buckley: More than 700 children with mental health difficulties are on a waiting list for specialist treatment services in the Cork and Kerry region, including 200 who are waiting more than a year. Delays in accessing CAMHS worsened recently in Cork North Lee, which closed to new referrals last month following the departure of a consultant psychiatrist. The HSE said referral rates among under-18s in the Cork-Kerry area have risen by 26% since

2011, including a 10% increase between January and June this year versus the same period in 2017. As of March this year, 2,691 children and young adults were waiting for the HSE to provide them with an appointment. The HSE mental health services disclosed that 1,369 were waiting for up to three months, 470 up to six months, 241 up to nine months, 225 up to 12 months, a staggering 178 up to 15 months and 80 up to and over 18 months. It goes on and on.

We all know that CAMHS staffing is only at 56%. I do not mean to be disrespectful but we are probably going to get a lot of generic answers on this and we are well aware of it. Cork, Kerry, Wexford and Tipperary services are understaffed. We now have problems in Waterford and Sligo. I can tell the Minister of State how bad it is within 16 seconds. A 13 year old was in CAMHS but somebody in his or her wisdom decided that she may not have Asperger's, so she was discharged from CAMHS. She needed an assessment which still has not happened, and that child is doing her leaving certificate this year.

Deputy Catherine Byrne: On behalf of the Minister of State, Deputy Daly, I thank the Deputies for raising this matter. He apologises that he cannot be present.

One of the Government's priorities is ensuring appropriate and accessible mental health services for children who need them. This is reflected by a budget 2018 allocation of an additional €35 million for new developments, bringing total HSE mental health funding this year to more than €910 million. The HSE service plan 2018 commits to further development of CAMHS against a background where the population of children is expected to increase and where the demand for CAMHS has seen a significant increase in recent years. Approximately 18,800 referrals are expected for HSE CAMHS this year, with 14,300 being seen by this specialist service. Additional resources and facilities means there are now 69 CAMHS teams and three paediatric liaison teams, supported by 68 operational CAMHS beds nationally, with further beds planned to come onstream in the near future. Since 2012, more than 1,300 health professionals have been recruited across mental health to modernise and improve services. However, there are widely acknowledged difficulties in recruiting and retaining specialist CAMHS staff, particularly consultant psychiatrists. The HSE acknowledges that the lack of consultant cover can impact on access to services locally. It is working to explore all avenues for the recruitment of qualified staff to fill vacancies, particularly in areas such as consultant, psychologist and nursing posts. The HSE is working to provide the best CAMHS service within available staffing resources.

A key approach to developing wider services for young people, and thereby reducing pressures on CAMHS, is the decision by Government to increase access to counselling services in primary care, with the appointment of 114 assistant psychologists and 20 psychologists nationally. In addition, the Minister of State, Deputy Jim Daly, recently approved ten new posts for advanced nurse practitioners who will be specifically directed to CAMHS. Other CAMHS-specific measures included in the HSE service plan include increasing the number of CAMHS referrals to be seen this year by 27% compared with 2017, providing for a seven-day per week service for CAMHS to ensure supports for young people in line with the Connecting for Life strategy, improving CAMHS day hospital services and developing eating disorder specialist community teams for young people. The Minister of State has set as a priority with the HSE the development of a 24-hour helpline, as well as digital support services. These will enhance access to supports and, where appropriate, facilitate early and urgent interventions using innovative digital technologies.

The Cork Kerry Community Healthcare organisation has approximately 168,000 young

people under the age of 18, in line with the national average of 25% of the population. A CAMHS enhancement project commenced in September 2017 given local and national concerns about the growing demand for CAMHS services in the area. As a priority, the initial focus has been on reducing waiting times in excess of 12 months in Cork and Kerry. However, in the longer term, the project aspires to address both system and culture practice changes to improve access to CAMHS.

Deputy James Browne: The Minister of State mentioned the number of CAMHS teams but the vast majority of these are understaffed. She spoke about the difficulty in recruiting psychiatrists. This year, the College of Psychiatrists of Ireland sought a 10% increase in the number of training places from the HSE but the executive would only approve a 5% increase. The Government refuses to extend the National Treatment Purchase Fund to cover mental health services and refuses to appoint a digital safety commissioner, who would be critical in addressing the concerns young people experience online. Due to infighting between Departments, Pathfinder, a crucial programme set up by the Government, is not being financed in order that it can implement necessary supports for young people. Dr. Kieran Moore, a consultant psychiatrist, left Wexford because Slaney House is not fit for purpose. He left after having been there for 13 years. We were promised a new building last October but it has still not been delivered. Children and parents are distraught and it is simply not acceptable. Not enough is being done.

Deputy Pat Buckley: I thank the Minister of State for her answer. I am not surprised that it is more of a generic one. I am happy that Cork was mentioned in the answer because normally when one asks about a pen in this House, it is not in the answer. It does not mention any solutions. It mentions 168,000 young people under the age of 18 who are waiting for this or that. There does not seem to be a plan. The plan was to reduce waiting times to under 12 months. A total of 631 people in Cork have been waiting for more than 12 months. The Minister of State mentioned 69 CAMHS teams, four of which are staffed. We will not be having a premier league of 60 or 70 teams. We cannot set up a premier league because we do not have fully staffed teams. It is disgraceful. Regarding the difficulties in recruitment, if we paid the staff, we might get them and this generic answer is desperate.

In the brief time available to me, I will talk about what is happening. I want the Minister of State to get to grips with this. I got permission from a mother just before I came in here to tell the following story. It is about a 15 year old teenager who has been bullied, has been moved from school to school and has struggled to stay in St. Michael's unit in Cork. She has attempted suicide and cut all her hair off. Her father has stage 4 cancer, the family is being pushed from pillar to post and the Minister of State is telling us that there is a big push on in Cork and Kerry. The Minister of State heard Deputy Browne talk about how Wexford is falling apart, as is Tipperary. I am fed up with coming in here and talking. It is verbal diarrhoea. These people are struggling. The Minister of State should visit that family and see the hurt on the mother's face. The Minister of State should not come in here with generic answers because it is an insult to the people we are supposed to represent in this House.

Deputy Catherine Byrne: I hear Deputy Buckley's frustration and concerns.

Deputy Pat Buckley: I am frustrated. It is not a personal attack.

Deputy Catherine Byrne: I know and I am not taking it as a personal attack. I have read the reply I have been given and, unfortunately, I cannot answer some of the specific questions asked by Deputies Buckley and Browne but I have taken note of them and, as always when I

am asked to come into the Chamber, I will go directly to the Minister whose place I have taken. I will raise the concerns raised. In reading the reply, it is clear to me that there is a significant shortage, particularly in recruitment in CAMHS. Perhaps some of the reasons involve finance but some of them, which I have experienced as a local Deputy, involve the fact that child psychology is a very difficult place to be. People burn out very quickly and, unfortunately, some decide to move on for whatever reason. I can understand those reasons. The reply I was given is not an adequate reply to some of the questions that have been asked but I will revert to the Minister with both questions I was asked and will ask him to reply directly to the Deputies who raised the issues.

An Ceann Comhairle: By way of information for Members, there was a proposal at this morning's meeting of the business committee that time be found in the near future for a plenary session on adolescent mental health. Having heard the Deputies, it would appear that they should ask their party Whips-----

Deputy Pat Buckley: Solutions would be better.

An Ceann Comhairle: The Deputies should ask their party Whips to seek the prioritisation of such a debate where solutions could be identified.

National Planning Framework

An Ceann Comhairle: The third item is in the name of Deputy Lisa Chambers, who has sought its deferral, so we will move to the fourth item in the name of Deputy Tóibín, who wishes to discuss the impact of the population cap on County Meath. I assume it is not the one-child policy that is proposed for County Meath.

Deputy Peadar Tóibín: Well, it is nearly as bad. It is a serious issue. Over the past number of years, I have taken a well-worn path into this Chamber to discuss investment in County Meath. Many people are unaware of this issue but Meath is an outlier when it comes to investment and resources. Meath is unique because out of 28 local authorities in this State, it is at the very bottom of the investment lists per capita in most categories. Meath County Council is the lowest funded county council in the State. It has the lowest number of staff per capita and the lowest amount of expenditure per capita in the State. Meath gets about 61% of the national average investment per council. It gets 45% of the national average investment in housing and 43% of the national average with regards to amenities, etc. Meath has about 60% of the investment with regards to water development. Counties Meath and Louth are at the bottom with regard to mental health services and Meath has the lowest number of gardaí per capita in the State. This morning, more people in Meath left the county to go to work than work in the county. This happens nowhere else in the State yet Navan is the biggest town in the country without a rail line. The State wants us to be commuters but it will not give us the technology or infrastructure to do that. This has a radical effect on the everyday living standards of people in Meath.

We in Meath have started to live with the realisation that we do not get the clippings of tin off the Cabinet table with regard to investment but it now turns out that we have a Government and a system that actively work against us with regard to investment. The working draft of the national planning framework and the regional spatial and economic strategy for the eastern and midland region seek to cap the population of Meath. It is stated quite clearly that only 8,600

houses should be built for the entire county of Meath between now and 2026. To put this in context, there are 5,600 existing planning permissions for units that are not yet built. Therefore, if the Government's plan goes ahead, only 2,600 new planning applications could be issued in that period.

We have a cap of 8,600 houses. On the other side of the equation, we have nearly 4,000 people on the housing waiting list and many more, unfortunately, will join them on that waiting list in the next ten years. It is possible that, for social housing alone, the capacity being offered by the plan could be exhausted. Houses in Meath are as rare as hen's teeth at the moment. The outcome of putting a cap on this will simply leave thousands of Meath families on the housing waiting list forever. Anybody who has studied any bit of economics at junior or leaving certificate level will know that if one puts a cap on supply while there is increasing demand in the county, it can only have one result, which will be the acceleration of rents and house prices in Meath over that period. To tell people who are currently put to the pin of their collar and paying maybe 60% of their disposable income on housing that we are going to accelerate house prices in Meath is shocking.

What I want the Government to say is that absolutely no cap or targets will be put in place with regard to population growth in Meath. I support spatial development and I have argued strongly in this Chamber for proper spatial development that is powered and energised by infrastructural development elsewhere and not by reducing the opportunities for counties such as my own.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I thank Deputy Tóibín for raising the matter, which I am taking on behalf of the Minister, Deputy Murphy, and for providing me with the opportunity to discuss the population growth projections for County Meath as set out under the national planning framework.

The suggestion being put forward that there is a "cap" on housing delivery in County Meath is erroneous and misleading, but it is also disappointing given that, instead of a focus on more and more commuter-driven development, future planning for the county needs to take account of past mistakes. We are all familiar with recent and historic trends when the county saw very high levels of housing development without the matching growth in local employment opportunities and provision of essential amenities and community services for fast growing communities. It seems as if those putting about the notion of a "cap" are trying to use the current housing issues to create an opportunity to go back to old and failed models of "zone and build" that, while rewarding landowners and developers with high financial returns from speculative housing development, do not tackle the issues facing existing communities in Meath from previous suburban expansion, such as congested roads, pressure on schools, limited amenities and a general sense of housing being provided ahead of jobs and services, not the other way around.

The strategic planning policies outlined in Project Ireland 2040 are aimed at a different path to what we saw in the Celtic tiger era. That is clearly what people wanted, as evidenced during the public consultation: self-sustaining jobs and services-centred planning and development, not just housing growth for the sake of housing growth. Nevertheless, it is vital that we plan for future growth, so a very detailed examination of estimates of housing, employment and population changes in an overall national and regional context was undertaken by the ESRI for my Department. In addition, development of a draft regional spatial and economic strategy for the Dublin, midlands and east region is based on these projected national population growth targets,

which were communicated by my Department to all local and regional authorities in early July.

The facts are that the current guide for planning for future population growth in County Meath out to 2026 is for an additional 26,000 people above 2016 levels, equivalent to adding the entire combined populations of Ashbourne, Kells and Trim to the county in a ten-year period. How this very high level of growth is to be planned for on the ground is rightly a matter for Meath County Council to determine as part of its county development plan, which must be reviewed after the regional spatial and economic strategy has been finalised. The county development plan review process must also ensure there is capacity for up to a further 25% of the projected population target to 2026, or an additional 6,500 people, as development does not simply stop in 2026. This means that the next Meath county development plan will need to set out how the county can accommodate an additional 32,500 people to 2026. In this context, far from any cap on growth, there is plenty of scope to ensure the continued growth and development of Meath but on a sustainable basis that is about a balanced work-life based approach, not just the commuter-based development that was so prevalent in Meath and other parts of the country in the past.

Deputy Peadar Tóibín: I take the Minister of State's point with regard to jobs. Meath is a commuter county and comparator counties are Louth, Kildare and Wicklow, all of which get far more jobs from the IDA per capita than Meath. I too would pair the population with jobs if I was in the Government's position.

Let us look at the population statistics. Between 2006 and 2016 the population of Navan increased by 5,322 persons, which is roughly 532 per year, despite the long period of stagnant growth during those years. The draft plan which the national framework document seems to be considering would only allow for some 376 more people to live in Navan every year. To do that, we are talking about de-zoning some 205 hectares of land that has been zoned for housing development in that area. This would be detrimental to every club, every school and every business in the area. Any enterprise of any size would never consider Meath again because it would realise it cannot get new workers to live in Meath because of this target or cap.

Investment has been withheld from Meath for generations, for example, investment in the rail line. We were promised by Fianna Fáil and Fine Gael for years that the rail line would be built yet it has never happened. The chances of getting the rail line in the future would be radically reduced if this target or cap were in place.

I note the Minister of State says these are targets. However, targets in a plan such as the national framework document are not fuzzy figures to be thrown around and discussed. People are employed to pursue targets. Their jobs are to implement targets. If the Minister of State talks to any of the officials in the authorities in this area, they will say they will pursue these targets because it is their job to do so. Indeed, it will be a failure in their eyes if they do not achieve these targets. Why have a national development plan with targets and then say the targets are not really that important to the whole process? If that is the case, the national development plan is a ball of smoke in the first place. Either the targets are real and the national development plan is real, or they are not.

Deputy John Paul Phelan: The point is that the targets are real but they are not caps. I believe there is not that much difference between what the Government is proposing and what the Deputy is seeking. From the 1990s the population of County Meath doubled and much of that was in the towns and villages, particularly in the east of the county, but in some measure

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throughout the county. It was that kind of “zone and build” policy which was national policy at the time.

The Government wants to ensure the development of Meath and other places into the future is underpinned by sustainability. What I mean by that is keeping people living close to their work, their education and other amenities they wish to avail of. That is why the central plank of the national planning framework is around rebalancing development into the next ten and even 30 years. The huge population increases we have seen in Dublin and the area centred on Dublin in the last 30 years are unsustainable for the future. Part of that is the national planning framework itself but I want to emphasise that, despite the figures mentioned, none of this is set in stone. There is an ongoing process between all local authorities, regional authorities and the Department as to how the national planning framework will actually play out in terms of development in every region across the country. However, the central point is to ensure that more than half of the development of the country in the next 30 years is outside of Dublin. There is no question, and I do not want anyone to think there is, of de-zoning tracts of land in Navan. That is not on anyone’s agenda. I emphasise, before I finish, that my colleague, the Minister of State, Deputy English, hoped to make it to the debate, but he had a commitment to attend a housing meeting earlier. I was on the phone to him and he was not in a position to respond directly.

5 o’clock

Home Building Finance Ireland Bill 2018: Message from Select Committee

An Ceann Comhairle: The Select Committee on Finance, Public Expenditure and Reform, and Taoiseach has completed its consideration of the Home Building Finance Ireland Bill 2018 and has made amendments thereto.

National Monuments (The Moore Street Battlefield) Bill 2018: Second Stage [Private Members]

Deputy Peadar Tóibín: Do I need to wait for a Minister?

An Ceann Comhairle: Do we have a Minister?

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I have not been scheduled to deal with the matter.

Deputy Peadar Tóibín: Will the Minister of State stick around until the Minister arrives?

Deputy John Paul Phelan: Okay.

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

The stories of the Irish State and of the Moore Street battlefield site mirror each other in many ways. Moore Street has been said to be the birthplace of the Irish State. The lanes and buildings that surround the street reverberate with the heroism of the people who were out in

1916. That action was the precursor to an independent State and, hopefully, that of the Northern state someday too. The Moore Street battlefield site was the location of the final stand of many of the volunteers who fought in the GPO in 1916. They came under heavy machine gun fire in the laneways around Moore Street and set up the last headquarters of the 1916 Provisional Government of the Irish Republic and the final council of war. Moore Street is also home to wonderfully rich architecture and one of the last extant 18th century streetscapes in Dublin. It is populated by a rich culture of street trading which is an iconic part of Dublin's heritage. That street trade has suffered radically over the last number of years with many traders now working in deplorable conditions. The energy that was once there seems, unfortunately, to be dissipating.

Moore Street has latterly become the location of another radically significant battle in Irish society. For the last 20 years, the street has been ground zero in a series of legal battles between Celtic tiger developers and those who seek to develop the area as a fitting tribute to the men and women of 1916. The latter seek to develop the street in a way that educates, informs and inspires future generations of Irish people and tourists alike. However, Moore Street has been sterilised by legal case after legal case and the inaction of successive Governments. The word "inaction" may be a little generous to the Government. Moore Street was determined by the High Court to be a national monument and the Government appealed that decision. It had a status which would have ensured the integrity of the battlefield site was protected but that status has disappeared. As a result, any existing planning application could be rolled out and the street's buildings could be destroyed.

The saddest aspect of this is that Moore Street is just off O'Connell Street and ideally located to constitute a vibrant new historical, cultural and trading quarter. Moore Street represents a unique opportunity where commercial interests could operate successfully side by side with a strengthened and rejuvenated street trading system. The relevant buildings and streetscapes could shed the grime and dereliction into which they have been forced and we could weave through them the story of the humanity of the Rising.

I wonder if at this stage we should in fact wait for the Minister to attend.

Acting Chairman (Deputy Bernard J. Durkan): I suggest we pause to allow her to attend.

Deputy John Paul Phelan: I have received a text to say she is on her way.

Sitting suspended at 5.05 p.m. and resumed at 5.08 p.m.

Acting Chairman (Deputy Bernard J. Durkan): As the Minister for Culture, Heritage and the Gaeltacht has arrived, I note that the usual procedures apply. The movers of the motion have 15 minutes, the Government has 15 minutes and, thereafter, we will take other speakers. If Deputy Tóibín wishes, he can start again.

Deputy Peadar Tóibín: We might as well do that.

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

Deputy Peadar Tóibín: The stories of the Irish State and of Moore Street are very much mirror images of each other. It is often said that the battlefield site is the birthplace of the State. The lanes of Moore Street reverberated with the heroism of 1916 which set in train the events leading to the freedom of this part of the island and the end of hundreds of years of occupation

and exploitation. Moore Street was the location of the final stand of the volunteers who fought in the GPO in 1916. Those volunteers came under heavy machine gun fire in the laneways around Moore Street where they set up the last headquarters of the 1916 Provisional Government of the Irish Republic and its final council of war. Moore Street is also home to wonderful architecture with one of the last extant 18th century streetscapes in the city and is populated by a rich culture of traders who are nearly as iconic a part of Dublin's heritage. Those traders have been radically let down by the State, however, and now operate in very difficult conditions.

Moore Street is at the centre of another massive battle which is taking place in Irish society. Over the past 20 years, it has been ground zero of a legal battle between Celtic tiger developers and those who seek to create a fitting tribute to the men and women of 1916 that educates, informs and inspires future generations of Irish people and visitors to this country. The area has been sterilised by years of legal cases and inaction on the part of successive governments. With the word "inaction" I am being generous to the Government to a certain extent because I believe the Government has been damaging to the future of Moore Street. One of these damaging acts was the Minister's predecessor's decision to appeal the High Court decision that the battlefield site was in fact a national monument. At the time, it was stated that the appeal had nothing to do with Moore Street but rather was about the consequences the decision would have elsewhere. The Government stated it was happy that Moore Street would be a national monument, but those days seem to be over.

The saddest thing about this is that Moore Street is located just off O'Connell Street and ideally located to be the centre of a vibrant historical, cultural and trading quarter. Moore Street is an opportunity that has lain derelict over the past seven to ten years. We need to work towards a situation whereby the commercial interests in the area can operate side by side with a rejuvenated street trading system in order that the relevant buildings and the streetscape can shed the grime of dereliction and be restored to their former character and that the story of the humanity of the Rising can be woven through all this. This is the objective of the forum in which I have been involved in recent years, and it is shocking to see this opportunity not being taken by this Government and it sitting on its hands on the matter.

The term "national monument" means "a monument or the remains of a monument the preservation of which is a matter of national importance by reason of the historical, architectural, traditional, artistic, or archaeological interest attaching thereto". Is anyone in this Chamber stating that Moore Street does not fulfil this definition? If not, why is it that every excuse possible is found not to make this simple decision? The Minister or her predecessor at any stage could have written a statutory order stating these criteria and why it should have been taken. That is all it was necessary to do. We in Sinn Féin have decided to circumvent the Government's inaction on this and simply bring this Bill to the table.

I welcome that the Government has tabled an amendment which recognises the importance of the forum on Moore Street and its recommendations. Our proposal to declare the battlefield site a national monument is perfectly in keeping with this report. The Bill is in no way at odds with the forum report. The report states: "In light of the widespread agreement as to the significance of the area as a battlefield site, the Group believes that the history, character, streetscape and remaining architecture of the area constitute key pillars on which to renew, rebuild and recreate." Where is this missing in the Bill we have produced? I ask the Minister to show where there is any kind of disagreement between the two objectives of the report that she supports and the Bill we bring before the House today. The report also states:

The preservation of the existing lines of the street and the lanes and the restoration of the streetscapes are essential.

The retention of historical structures and of the line and form of the block 10 – 25 Moore Street is also integral to this approach.

The Minister stated her support for this. Again, I call on her to state her support for our Bill. The Bill we are discussing is the objective of the Moore Street campaign. I imagine, therefore, that all the different parties that have been involved in the Moore Street campaign would logically support this Bill.

The Minister mentioned that she supported the outcomes of the forum, but those outcomes were very clear. The forum basically said there would be a framework of consensus on alternative development arrangements within six months of the report. That report was published in March 2017 and that framework is not there. It also stated that planning permission would be lodged with Dublin City Council, DCC. That is not there. In fact, the original planning permission, which would destroy what we have just discussed, is still extant. There were many suggestions in the report as to what can be done to the street, and I call on the Minister to activate those suggestions. There are buildings currently within the gift of the Government. Anyone who has had the chance to walk into buildings Nos. 14 to 17 will be depressed by the current state of them. They are in phenomenal disrepair inside. There is one end of those four buildings where the water is gushing through. The objective of this report, which the Minister supports, could be enacted right now. She could lead a legacy whereby Nos. 14 to 17, which are not in contention anywhere, could be developed to the standard we all seek. Why is this not being done? Why is the Office of Public Works, OPW, the Minister's Department etc. not coming to this decision?

I am disappointed by the role Fianna Fáil is playing in this. When Fianna Fáil was in opposition a number of years ago, Deputy Darragh O'Brien, then a Senator, introduced a Bill on the redevelopment of Moore Street and urged that "what is developed around the Moore Street battlefield site area and the adjacent lanes is conserved and developed appropriately and sensitively given the context of the site". That Bill contained many of the objectives we are discussing here.

The forum is not an excuse for inaction or inertia. Its recommendations are in line with the objectives of this Bill. It will be helped by the Bill because it will ensure that any current commercial interest there would have to be sympathetic to the needs of society. I ask the Minister to hear this because it is important. The current owner of this property is engaging with the forum, and I welcome that, but there is no confidence or surety that that owner will be the owner in two, three, four or five years. In fact, given the history of the site, it is very likely we will have a new owner to deal with in two or three years. The problem is that in two or three years the Minister is also unlikely to be in the position she now holds. She may be elsewhere, there may be another Minister and I foresee that if we do not take these steps today, a dwindling number of street traders will be operating in a disastrous, sterile, derelict environment, the area will still be a blackspot on north inner city Dublin and we will have given nothing to the next generation when it comes to the value and the humanity of 1916. I plead with the Minister to take the opportunity to accept this Bill, which will not cause any damage whatsoever, and leave a legacy behind her.

Deputy Mary Lou McDonald: Táim buíoch as an deis seo labhairt ar an mBille tábhachtach

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seo. Gabhaim mo bhuíochas leis an Teachta Tóibín as ucht é a chur faoi bhráid na Dála, agus iarraim ar gach aon Teachta tacaíocht a thabhairt don Bhille atá ós ár gcomhair. The aim of the Bill before the Dáil is to designate certain parts of Moore Street and its immediate surroundings a national monument, the Moore Street battlefield site, as Deputy Tóibín has set out. This would ensure that the route taken by the volunteers on their evacuation of the GPO during the Easter Rising would be adequately preserved. I hope the Bill will receive the unanimous support of Deputies.

Moore Street lies at the heart of my constituency. Not alone is it a street steeped in history, it is a street like no other. It is home to a street-trading tradition that goes back generations and, as I am sure everyone knows, the traders of Moore Street, the Molly Malones as they are sometimes referred to, make an unparalleled contribution to the life and vibrancy of the inner city. Among them will be found some of the finest Dublin characters one will ever meet. I am fortunate to call many of them my friends. They need to be front and centre in all plans to redevelop Moore Street in order that their tradition is preserved and their livelihoods maintained. That is essential.

Alongside that, redevelopment must honour the heritage of the Moore Street quarter and the entire Moore Street terrace needs to be protected, preserved and restored. Sinn Féin's long-standing proposal to develop a historical quarter in the area would be of considerable benefit to the city both economically and socially. Unfortunately, due to countless legal battles, the development of Moore Street has ground to a halt. It has to be said that is a direct result of the actions and inaction of successive Governments. The Minister has refused to issue a preservation order for the buildings on Moore Street that this Bill identifies as compromising the national monument on Moore Street. She has refused to do this despite the Court of Appeal confirming in February that she has the power to do so.

The Bill proposes to amend the National Monuments Acts for the purposes of deeming the Moore Street site a national monument. Such a move would put an end to the nonsense that has been ongoing for decades in respect of the site. As a result of the legal wrangling that has surrounded it, the entire north western end of O'Connell Street has been left in a state of disgraceful disrepair. As a result, the entire street suffers and O'Connell Street is undoubtedly not fulfilling its potential as the main thoroughfare of our capital city. Moore Street could be, and should be, a rich, vibrant cultural and heritage site that would adequately honour the legacy of the men and women of 1916. It would also serve as a catalyst for the renewal of the entire area.

A large international developer holds planning permission for effectively all of the buildings on the side of the street where the national monument is located. While there has been some interaction between the developer concerned and the ministerial advisory forum, this has been limited. The planning permission could be enacted at any time which means that the buildings listed in the Bill, except 14 to 17 Moore Street, would be threatened with destruction. We are told the Minister has refused to take the necessary preservation order because all stakeholders are interacting on the ministerial advisory forum. A preservation notice is not incompatible with that forum, which will not make or accept any decision that is not fully in sympathy with national monument status. The Minister needs to understand that and to take it on board.

We need the Government to step up and put in place proper safeguards for the Moore Street quarter. The Minister should do the right thing and issue the preservation order. If she does that, the Bill could be withdrawn. If she does not, we will have no option but to persist with our campaign to see to it that the Dáil acts instead. Similarly, the campaign outside will continue.

As I conclude, I commend the work of the Save No. 16 Moore Street Committee and the 1916 relatives group over the years. I fear that without their tireless advocacy Moore Street would have been irrevocably lost and damaged. As a result of their tireless work, we have an opportunity to do something different and meaningful, and to do what we should, which is the right thing. Iarraim ar gach Teachta tacú leis an mBille atá romhainn.

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): I move amendment No. 1:

To delete all words after “That” and substitute the following:

Dáil Éireann declines to give a second reading to the National Monuments (The Moore Street Battlefield) Bill 2018 in order to allow the Moore St. Advisory Group to continue and conclude its deliberations, given that the Bill, as proposed, is pre-emptive of the on-going work of the Group, which—

(a) has broad political representation; and

(b) is actively addressing the issues to which this Bill relates and the recommendations of the *Moore St. Report – Securing History*, prepared and agreed unanimously by an earlier consultative group with similarly broad political and stakeholder representation.

I have listened carefully to what Deputies Tóibín and McDonald have said and I share with both of them the same sense of the great importance of the 1916 Rising and its central place in the history of our State and of the importance of remembering it and preserving the traces that remain of the events that took place at that time. None of this is lost on the Government, which can look back with justifiable pride and satisfaction at the wonderfully successful and highly inspirational programme of commemorative events that took place two years ago. They drew in communities from every county in the country in unprecedented numbers to pay respectful tribute to the 1916 leaders and to the sacrifices they made on our behalf to give us our independence and our right to self-determination.

However, while the Government fully appreciates the constructive motivations that brought the Bill about, for reasons that I will clarify, I am seeking to have further Second Stage consideration deferred to allow other initiatives come to fruition which have greater potential to facilitate an appropriate regeneration of the Moore Street area in a way that will recognise its history and traditions and ensure they continue to have pride of place in a part of Dublin that is crying out for rejuvenation.

No. 16 Moore Street is where the decision to surrender was made by the leaders of the 1916 Rising. Nos. 14 to 17 were declared a national monument in 2007 as the most authentic, complete and coherent collection of surviving pre-1916 buildings on Moore Street with clear associations to the Rising. Each of the buildings has extensive original features, including plasterwork, partitions, staircases, doors, floors, fittings and fixtures. The 18th century building form and profiles also survive. Most significant, there is also evidence of the presence of the insurgents themselves in the form of the passageways they burrowed through from building to building during the final phase of the Rising.

Earlier proposals to secure the restoration of the national monument through a combination of funding from NAMA and a property exchange between Dublin City Council and the

developer within the surrounding Dublin central development site did not materialise. The monument buildings were then acquired by the State from NAMA in 2015 with a view to having them open to the public in time for the centenary. The House will generally be aware of subsequent developments including the proceedings in the High Court, to which the Deputies referred, and those in the Court of Appeal. All of this culminated in the establishment of the Moore Street advisory group which right now is working and making progress on finding solutions to the future regeneration of Moore Street in a way that reflects its history and culture and, most importantly, the events that played out there in the closing stages of the Rising. This group was established by my predecessor in May 2017 and its membership includes Deputy Tóibín, who is promoting this Bill; Deputy Burton and Deputies O’Cuiv and Maureen O’Sullivan who are in the Chamber.

Deputy Éamon Ó Cuív: It also includes Deputy Haughey.

Deputy Josepha Madigan: Excuse me, it includes him. It also includes 1916 relatives groups, city councillors and street traders. Its role is to represent and work with all stakeholders, including the owners of the site surrounding the State-owned national monument at Nos. 14 to 17. The idea is to broker regeneration solutions that can be supported by all concerned.

The site around the national monument extends from Moore Street to the Carlton cinema on O’Connell Street and takes in most of the ground, laneways and buildings in between. It is largely in the ownership of a single entity and equates roughly to the area that the Bill envisages would be given national monument status. Some of it is quite run down, parts of it are under-utilised and it needs significant investment and vision to get it back on its feet.

In facing this challenge, the Moore Street advisory group has as its guide, “The Moore Street Report - Securing History”, which was produced by a consultative forum that was set up by my predecessor after the original High Court judgment, of which Deputy Tóibín was also a member. The report, which was unanimously approved all by the members of the forum, including the Deputy, set out a range of recommendations designed to ensure there would be appropriate recognition of the history of the street and its part in the Rising and that this would be reflected in the regeneration of the Dublin central site. The Moore Street advisory group is actively engaged in meaningful and positive discussions with the owner of the Dublin central site about the implementation of these recommendations and the future of the site.

I was pleased to learn from the chair of the advisory group, Professor Tom Collins, that these discussions are going well and are progressing positively in the main. I understand that there is now a formal framework for engagement between the advisory group and the site owners. This provides for open and frequent meetings between the parties to discuss options, to explore opportunities and to review progress. I am also aware the owner has significantly modified the previous plans for the site which may have been a motivating factor for the Deputy in drafting the Bill some time back. The revised plans for the Dublin central site now being drawn up by newly appointed architects are seen to be much more sympathetic to its traditions and history than was the previous development conceived back in Celtic tiger days. They also envisage keeping buildings that were not part of the earlier design.

The new plans have been shown to the members of the advisory group and the Deputy will have seen them. The chair of the advisory group is on record that the members were entirely supportive of what was now being conceived. The extent of the design change being contemplated may be gauged from the recent statement by the company indicating that it believes that

a fresh planning approval will be needed and that this would be applied for next year.

The talks between the advisory group and the landowner were possibly a bit slower to get under way than what some stakeholders would have preferred. That may also have been part of what prompted the drafting of the Bill some months back. Perhaps the Deputy did not believe back then that the owner would engage to the extent that is happening now and to such good effect. Matters have indeed moved on considerably since then. In the meantime, there have been several meetings between the landowner and the members of the advisory group which have provided valuable opportunities for both sides to sketch out their ideas and principles of what would work best for the area for the future.

I am delighted the revised plans are so respectful of the history and culture of the area and that they strongly embrace both its past and the street traders who give the area much of its character and appeal. What is now in prospect is a much more sympathetic mix of residential, commercial and public realm. This is backed up by the chair of the advisory group whom I met recently and who told me the new vision has been positively received by the members of the group.

The developer is also in discussion with my Department on possible cultural uses within the Dublin central site. This is another facet of the change of direction from the previous development proposal to an outlook now that would welcome more cultural and public space uses within the site. My Department is looking into possible options, particularly within the Gaeltacht and the culture divisions, and in consultation with the Office of Public Works.

In light of all the foregoing, I am convinced that, rather than progressing Deputy Tóibín's Bill, the future of this part of Dublin city would be far better served by all the stakeholders and Members, the Deputy included, continuing to engage with and supporting the ongoing process that is making such positive progress under the stewardship of the Moore Street advisory group. The group is talking to and engaging meaningfully with the owner of most of the area encompassed by the Bill. Real headway is being made to reshape the regeneration plans for the area in a way which is respectful to local culture, history and, in particular, to the events and traces of the 1916 Rising.

Apart from the new plans being more sensitive to history and heritage, they also have huge employment potential. Figures relating to what is now being planned indicate that it would generate up to 9,000 jobs. While 6,000 of these would relate to the construction phase, the other 3,000 would be long-term, permanent jobs based in the locality and be open to the local community. With a new planning application envisaged for next year, construction to start in 2020 and the redeveloped site to open in 2023, these jobs would come on-stream relatively quickly and give a significant boost to the whole economy of Dublin's north inner city in a timescale to which we can all look forward. While I accept there may be a positive sentiment behind the Bill, it is not necessary, helpful nor useful at this time. It would not actually achieve anything worthwhile in terms of monument protection either. Suffice to say, the Bill would be no more than an ineffectual gesture insofar as how it would interact with the existing national monuments legislative framework.

We have an amendment to a generally applicable legislative provision for the sole purpose of dealing not only with a single issue but with just one individual case. It is an amendment that quite simply does not work from a legal or procedural point of view if its actual intention is to bring the streets and buildings referred to in it under the protections of the National Monuments

Acts. If that is the objective that it also envisages, which I believe is an undesirable proposition, then the development of a large section of Dublin north inner city would be determined by the Minister responsible for the National Monuments Acts rather than by local representatives and the local authority under the planning system. That is hardly a good idea and hardly a development the Deputy's party would favour either.

It is also the case that I am in the process of bringing forward a comprehensive revision of the National Monuments Acts which I would hope to see before the Oireachtas in the next few months. This will provide a much simpler and more effective way of recording and classifying historical monuments. There will be an opportunity for all Members to provide an input to that process if they perceive there is a need to look at how the updated protection regime would measure up against any specific challenges on the ground. That is another reason I do not consider such a limited and case specific amendment appropriate or necessary at this point.

All the advancement of this Bill would do is to create an unnecessary distraction and introduce an unhelpful diversion into the discussions now under way with the owner of the Dublin central site under the aegis of the Moore Street advisory group. These discussions are going well. They are yielding positive results and they have the potential to produce an outcome that will revitalise this whole area. The Deputy hardly wants to jeopardise the 9,000 jobs that are in prospect. Up to 3,000 of these would be permanent and located in the constituency of the leader of his party. Does the Deputy think that is what the community wants? Does he believe that the present stagnation is what the street traders want either? I imagine they all want to see a renewed and vibrant area with thousands of people working in it, drawing in many times more visitors to contribute to and grow the economy and the supports and amenities that would follow. The Bill would certainly do nothing to bring that prospect forward. In fact, I would fear the opposite.

I want instead to give my support to the real prospect there is now of a positive meeting of minds between stakeholders to continue to encourage these parties to go on with the discussions through the Moore Street advisory group in order that we can all look forward to the beginning of the regeneration of this area for which everyone has been crying out for some time.

The buildings at Nos. 14-17 Moore Street, complete and original, are in the ownership of the State. The Government is ready to bring to fruition the restoration and 1916 commemorative centre project as soon as there is an agreed vision for the wider site of which they form part. I want to protect these buildings, which include key locations from the 1916 Rising, for the Irish nation and all its citizens and in honour of all those who took part in the Rising. The commemorative centre will complement the new visitor centre in the GPO. If we take a snapshot of that entire geographical area and consider the GPO, the proposed 1916 centre in Moore Street, the tenement museum in Henrietta Street, the proposed development of the Abbey Theatre and the Parnell Square central library, along with the connectivity between those sites, there is the potential for a huge lift for Dublin's north inner city area. I want to help rather than hinder that.

Against the background of all the positives I have outlined, in particular the significant headway made by the Moore Street advisory group whose work is currently at a key stage, I am afraid that the Deputy's Bill can only be seen as having the potential to upset all that progress. It could also put at risk the chances of a successful outcome in the future. In turn, this could endanger investment in the regeneration of a significant part of Dublin's north inner city with all the consequences this entails for employment and for economic gain for the local community, for the street traders and for local businesses which must be struggling in the present situation.

For that reason, the Government cannot agree to Second Stage proceeding while the work of the Moore Street advisory group is still ongoing and while it has a real and genuine prospect of succeeding, none of which the Bill would help if it were to continue at this particular time.

Acting Chairman (Deputy Bernard J. Durkan): There are six ten-minute slots remaining and that should ensure everyone will have enough time to contribute. I call Deputy Maureen O’Sullivan. Does the Deputy wish to take ten minutes?

Deputy Maureen O’Sullivan: Yes. A number of us here have been consistent and persistent in raising the issue of Moore Street. I have used opportunities during Leaders’ Questions, other questions and Topical Issue debates to discuss it. However, it has been a while since we had a discussion on Moore Street and a positive aspect of Deputy Tóibín’s Bill is that we have this opportunity to discuss it this evening. Moreover, the Minister has had an opportunity to speak, for the first time in the Chamber, on the issue of Moore Street.

It is incredible that, on the one hand, the historic street site was allowed to degenerate, become neglected and fall into disrepair in the way that has happened but on the other, it is not so incredible because we know, for example, that Kilmainham Gaol could have become an office or apartment block were it not for a number of committed activists. We know how much of our history we have lost in Dublin and in other parts of Ireland. Sadly, some of that was done wilfully and in that respect Wood Quay springs to mind. We can treat historical sites, monuments and buildings in a very good and sensitive way, and we see that in Kilmainham Gaol and Courthouse, Newgrange, Collins Barracks, Richmond Barracks, Glendalough, Clonmacnoise - there is an endless list. There is also, as the Minister mentioned, the Tenement Museum at 14 Henrietta Street, which she opened last week.

With Deputies Tóibín, Ó Cuív and Haughey, I have been a member of the Moore Street consultative group, which was set up by the then Minister with responsibility for this area, Deputy Humphreys. It was a highly representative group comprising members of all political parties, independents, relatives, support groups and the Moore Street traders, and operated under the very able chairmanship of Gerry Kearney. The group worked in a collaborative way holding public consultations, taking submissions and arranging presentations. Thirty one people agreed a report that was launched in March 2017. We were all on the same page in endorsing the report and its vision for the development of the Moore Street battlefield site as part of a historical cultural quarter that would capture “that moment in time experience”. Such experiences are also captured when one walks into Kilmainham Gaol, Newgrange, the Anne Frank House in Amsterdam, Auschwitz or Dachau. That moment in time experience in Moore Street gives a sense of how it was for those who evacuated the GPO and moved to Moore Street. It also should give that sense of a moment in time for the citizens of Dublin who were working and living in Moore Street, and for five of the signatories of the Proclamation who spent time there before the surrender and their eventual execution. Preserving that was endorsed by all of us, as was the regeneration of the Moore Street market to its full potential.

I believe that Moore Street and the surrounding lanes fall under the heading of a national monument, not just the designated national monument at Nos. 14 to 17. Anybody who walks the route from the GPO will be struck by the many incidents that took place on Moore Street, the surrounding lanes and in the historical buildings other than Nos. 14 to 17, as referenced in the Shaffrey report commissioned by Dublin City Council and the Frank Myles battlefield report commissioned for Chartered Land. I will give just one example, 10 Moore Street, which was the point of entry for those evacuating the GPO and the location of the overnight stay of

the leaders and the field hospital where the wounded were treated by Nurse O'Farrell and Julia Grennan.

The recommendations of the report of the consultative group are clear and can be realised. That is what we need to do to move on. The then Minister, Deputy Humphreys, accepted the report with its recommendations. In a press release issued in March 2017 she stated: "I believe that the recommendations in the Report can help find a way to breathe new life into the Moore Street area, while at the same time retaining its sense of history and enhancing its traditional street market."

The few traders left on Moore Street describe their position as being "on their knees". They are very fearful for their future and whether they will continue to have a presence in Moore Street. In the case of one particular family, three generations have been trading from their stall and they are very fearful. The continued lack of movement on addressing the Moore Street street is adding to their anxiety and certainly not helping them. The then Minister also said the following in her press release: "I am fully supportive of this constructive approach and I want to see the work of the Group being built upon, so we can progress to the next stage." I advise the current Minister, Deputy Madigan, that we are at the next stage. I am on the new group and there has to be engagement with the developer. The lack of engagement is part of the reason the process is moving slowly. The unfortunate reality is that a large part of the street, the historic battlefield site, is in the hands of a private developer. I wish that were not the case and the State had bought the street and surrounding lanes. However, we have to live with the reality of where we are now.

Hammerson, the private developer involved, has engaged with the group. It took some time but I have to say the company has a much better grasp, insight and knowledge of the historical and cultural significance of the area. I believe we can work together at this stage in the collaborative way we did in the period leading up to the report. I am convinced there will be aspects on which there cannot be compromise but there are areas on which compromise can be reached. However, this will depend on those involved - the State, the public representatives, the relatives and support groups, the local authority and the developer - showing a willingness to compromise.

Point 12 of the recommendations states: "As the ultimate custodian of our history, culture and history, as well as the provider of key services, the role of the State in the future of Moore Street and its environs is critical." Therefore, it comes down to the Minister and what she will do to support the group in implementing the recommendations.

I understand where Deputy Tóibín is coming from with his Bill and I agree with the sentiments contained in it. However, I also believe we have to support the Minister's amendment to see what support she will give to the forum to allow it move ahead on what needs to be done. The Minister stated we have to wait for the broader vision. Why can we not start with Nos. 14 to 17 now? Money was spent on securing the roofs of the buildings so some work has been done. However, the buildings are fragile and the longer they are left without restoration, the more potential there is for damage. I do not understand why we have to wait. It would be welcome if work were to start before winter to ensure the buildings are restored in the most sensitive way possible. We need a timeframe from the Office of Public Works, OPW, as to when it will get involved. There is a recommendation on timeframes in the report.

Another phrase in the report is that "it is essential to maintain momentum". We lose mo-

mentum once a report is published. It is important to get momentum going again and the Minister has a critical role in achieving that. While I want to accept her amendment, I also want to hear what has happened with the recommendations in our report. Has the Cabinet accepted all of them? Has the Minister discussed the issue with the Minister for Finance? We need to see much more support for the advisory group. At the very least, there should be more regular contact with the Deputies on the group. The Minister should also meet the group. I suggest she walk the battlefield site with the relatives because that gives a great sense of what happened on the site and its importance. That is even more urgent now because of the plans for the Parnell Street quarter, which were unveiled last week, and there are also plans for Mountjoy Square. There is a danger that Moore Street will be left again. Many mistakes have been made on Moore Street in the past. It would be good to get a commitment on timeframes and what exactly will happen to the Moore Street site. That would give us back the initial momentum we had.

Deputy Éamon Ó Cuíy: Cuireann sé áthas orm deis a bheith agam cúpla focal a rá maidir leis an mBille seo. Táim thar a bheith sásta go bhfuil sé á phlé sa Teach. Creidim féin go bhfuil sé fíorthábhachtach ní hamháin na láithrigh atá gar do Shráid Uí Chonaill ach gach láthair a bhaineann le 1916, chomh fada agus atá siad fanta anois, a chaomhnú agus a athnuaigh. Is ceann de na rudaí gur mhaith liom a fheicéail ná go mbeadh leacht soiléir curtha ar na foirgnimh ar fad a bhain leis an Éirí Amach. Ar ndóigh tá spéis faoi leith agamsa in ionad báicéireachta Uí Bheoláin. Chomh maith leis sin, is rud é nach n-aithníonn daoine go ginearálta ná go raibh Halla an Bhaile i nDroichead na Dothra lárnach san Éirí Amach. Ar ndóigh tuigimid faoi Clanwilliam House - nach bhfuil ann níos mó, faraor géar - ach sílim féin go mba cheart go mbeadh, ar a laghad, leacht ar na foirgnimh seo ar fad agus ar an gcineál ceann céanna ar fud na cathrach.

I am delighted to be here with my two colleagues. It is fair to say to Deputy Browne that Wexford has been involved in risings going back to 1798, and it was very involved in the Easter Rising. I am particularly pleased to be here with my colleague, Deputy Seán Haughey, whose grandfather, Seán Lemass, was in Moore Street in 1916. I often tease Deputy Haughey by saying Seán Lemass was one of the young people who was involved in the criminal damage to the buildings we now wish to preserve. I am sure he, as a young lad of 16, was one of the more active members of the squad that put the tunnels through the walls. I believe the court case was a watershed. It is a pity it had to come to that but I believe it had great importance. After the court case and the fallout everybody accepted the principle that Moore Street should be preserved. Unlike Deputy Tóibín I believe the Court of Appeal got it right because the national consequences of the High Court judgment, which were non-specific to Moore Street, could have been disastrous right around the State. One of the things to come out of that was the Moore Street forum where people from all sides, views and political parties got around the table and in a very short time produced this report. It basically cemented a clear vision, on a cross-party basis and involving all the relevant groups, that incorporated the key elements of the court case. Recommendation No. 3 of the report states:

The Group supports the retention of Moore Street and adjacent lanes so as to broadly capture the sense of how it would have appeared in 1916 – this covers the street and lanes, key buildings, street paving and lighting. It recognises that this needs to be approached on a practical and authentic basis given that a number of structures in place actually postdate Independence. The preservation of the existing lines of the street and the lanes and the restoration of streetscapes are essential.

Recommendation No. 4 states:

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The retention of historical structures and of the line and form of the block 10 – 25 Moore Street is also integral to this approach. Collectively these buildings can offer a mix of cultural, historic and commercial spaces. Quite critically, opportunities arise for the State to provide the centre point of historical focus and cultural celebration within 10 – 25 Moore Street.

In those recommendations there is a clear manifesto of what the new advisory committee is setting out to achieve. I believe the only way we can do that is in trying the collaborative approach of sitting around the table with the group that owns an awful lot of the land in the area. What this group does on the rest of that land also has an impact on the Moore Street area. For example, the original Chartered Land permission was for a very high building that would have overshadowed everything in Moore Street. The current proposal is much more modest.

As the Government amendment outlines, I believe we should keep with the processes we have put in place. The initial forum clearly sets out a vision and our job now is to deliver on that vision. They should be able to do that without hindrance. I agree, however, that there has been a long break between the end of the previous forum and where we are today, without the kind of progress all of us would like to see. We need to get a new dynamic and energy going. It has taken a long time to bring Hammerson to the table, and I regret that. A confidence building exercise was needed and I believe there was a change of mind about interacting with the forum, and recognising that the forum uniquely has a wide variety of voices involved in it and is reflective of a wide variety of views. I accept that Hammerson is now at the table and we should go forward.

I have been involved in many projects during my life and there are always the bumpy moments or the delays one wishes did not happen. When those things happen, the challenge is not to walk away or go off on some tangent but to stick with a good process that will bring results. I believe that we should now lay out our work programme on how to go forward.

I agree with a lot of what Deputies O’Sullivan and Tóibín have said. It is time for us once and for all to do a professional survey of the whole street from Nos. 10 to 25 to find out, without question, exactly what is in all those buildings and to get full agreement with the advisory committee on what aspects pre-date 1916. We also need to keep in the frame that there are certain places where replication of what was there might be appropriate. We need to keep the streetscapes as they were but we also have to balance that with the reality that we need to have a viable development on that site to finish its dereliction once and for all.

I agree with the need to have an immediate plan for Nos. 4 to 17, which are in State ownership. I ask the Minister, Deputy Madigan, that there would be intensified engagement with the State because in the national development plan the State has made provision for a possible new site for a museum. I believe this site has the footfall and it is near the Luas and rail lines. There is also talk of an Irish language cultural centre and I understand from what the Minister has said that this should certainly be considered for this area. We need to move forward speedily with that proposal in the national development plan.

While the Bill may find itself in a situation where there was not continuous and successful engagement with the developer, some have said that the plan may go back to the Chartered Land permission. In that scenario, where we would have engaged in a meaningful way and if they were to walk away and take the nuclear option, the Bill may then be needed in a hurry. In the meantime we are much better to work through the advisory committee, working steadily in

the process that we all agreed to and working collaboratively. It is fair to say the Bill was never discussed in detail by the advisory committee. We need to work collaboratively. It takes great patience to do it that way. If we can get agreement from the developer and from every party at the advisory group table, and if we all go forward together, then I would be hopeful that we could see the restoration of Moore Street to what we all dream of. I do not believe that anyone here is of a different view. I believe we are all agreed that we could see the development of Moore Street in a way that fits in with history rather than a continuous stand-off that leaves the street as one of the most derelict and neglected parts of our capital city so near to the GPO. We will support the Government amendment on the basis that at this moment we should not deflect. As Pearse said in his poem, *ba cheart dúinn ár n-aghaidh a thabhairt ar an mbóthar seo romhainn* - I think we should keep our focus on the road in front of us and not get deflected. If we do that collaboratively we will be successful in ensuring a sympathetic development of Moore Street and the O'Connell Street area.

Deputy Caoimhghín Ó Caoláin: I wish to share time with Deputy Adams.

Acting Chairman (Deputy Bernard J. Durkan): Agreed.

Deputy Caoimhghín Ó Caoláin: I put it to the Minister, Deputy Madigan, that the fact we have to stand here today not just to debate but defend this Bill is a damning indictment of how the Minister's party and Government views the sacrifices that were made by Ireland's revolutionary heroes. It is nothing short of scandalous. It is more than possible that the Minister or I would not be standing here today representing the views of our respective constituents but for the bravery of the men and women who took on the British Empire in the course of the Easter Rising in 1916. How a Government that was elected by the people as custodians of our heritage could even consider, or worse facilitate, the bulldozing of one of our most precious national sites is beyond belief.

6 o'clock

No other state or government worldwide would ever consider destroying its heritage to allow a developer to speculate for profit.

The handling of this issue by the Government has been nothing short of a disgrace. Our heroes of 1916, those brave souls who sacrificed all for the birth of our Republic, must be turning in their graves wondering what it was all for if this is the way their struggle is to be remembered. To drive this matter through the Irish courts, along with relatives of our patriot dead, to railroad a commercial development and destroy the remembrances of our heroic past is a national betrayal.

I applaud, as I have done in the past, the relatives of our heroes, along with others, who protested, occupied, highlighted or presented in court to stop the shameless intent of the Government that would reduce this revolutionary quarter of our capital city to worthless rubble. We have so much to be thankful to them for.

There were two welcome outcomes arising from the relatives groups' pursuance of their cause through the courts. First, a stop was put on the destruction of the battlefield site and the surrounding buildings. Second and of most importance, it is now without doubt and clear as day following the Government's Court of Appeal case that the power to designate this significant battlefield a constituted monument site of national importance lies solely with the Minister. I note that she has submitted what I can only view as a blocking amendment. I am sorry that others seem to think it is the appropriate thing to do to support it. It is a blocking amendment

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to the Bill that purports to favour allowing the Moore Street advisory group “to continue and conclude its deliberations”. No one is seeking to prevent the group from continuing its work; on the contrary.

I wish to record my sincere appreciation for the 1916 Relatives Association, the Save No. 16 Moore Street Committee, the Moore Street traders association, my fellow elected Deputies from across the political spectrum, including those who have spoken today, and all those councillors who have invested their time and energies in this group over a long period.

I put it to the Minister that there is a deep flaw in her interpretation of the current situation. The Moore Street advisory group was set up in September 2016 on foot of the initial court case taken by the relatives in January 2016, which determined that the area was the site of the last battle. The Government’s appeal in February of this year determined that the power to issue preservation orders lies in the hands of the Minister rather than in the hands of the courts. Therefore, I suggest that the work of the advisory group can contribute to the site’s future. In fact, I commend that it does. The truth is, however, that there is no inhibitor whatsoever preventing the Minister, along with the Government, from recognising the Moore Street battlefield as a site of national importance. The Minister can finally correct her Department’s and the Government’s woeful treatment of these revolutionaries’ legacies and the hard work and campaigning of their relatives. She can do the right thing and designate this site here and now. It is within her gift.

I commend the Bill to the House and I thank my colleague, Deputy Tóibín, for introducing it.

Deputy Gerry Adams: Ba mhaith liom buíochas a ghabháil leis na daoine a bhí ag obair ar son na cúise seo, go háirithe gaolta na bhfear agus na mban a bhí páirteach san Éirí Amach. I pay homage and thanks to the save Moore Street groups and the 1916 relatives, and I express solidarity with the Moore Street traders.

It is a scandal that we have not developed a proper and appropriate national monument on the Moore Street battlefield site. It is a metaphor for the state that we are in and says it all - private developers rule. More than 100 years on since a small band of men and women took on the largest empire in the history of humankind and made a proclamation that set out a republic, one that is yet to be achieved, successive Governments have yet to develop the site as other states in the world would have.

The Minister lauded the Government’s 1916 commemoration. Revisionism rules. Yes, the 1916 commemoration was a wonderful success, but mostly because of the great enthusiasm of those people who organised many events in Ireland and abroad in a real sense of patriotic and national pride in the men and women of 1916 and the republic they proclaimed. Does the Minister remember the video that the Government used to launch its programme? It did not even mention the leaders. Such was the outrage that the Government had to change tack. It was well done eventually.

The Government is once again being sly in how it is dealing with this Bill. It is not opposing the Bill, but it is kicking it to touch by tabling an amendment that blocks it from proceeding to Committee Stage.

The Minister has a responsibility - I believe it to be an obligation - to protect national monuments. She has the authority to vest that status on the Moore Street battlefield site. It is what

she should do. She described the Bill as an “ineffectual gesture” and “unnecessary distraction”. What have her Government and its predecessors been doing for the past 100 years? What have they been doing since I entered the Dáil? Why did relatives have to go to court? Patrick Pearse had a phrase for it: “Mór mo náir. Mo chlann féin a dhíol a máthair.” The Minister should change her mind, support this Bill and, as is appropriate, develop a national monument on the battlefield site at Moore Street.

Deputy James Browne: I grew up in Enniscorthy under Vinegar Hill on songs and stories of 1798 and 1916. The tricolour first flew in Enniscorthy on 7 March 1848, the same day Thomas Francis Meagher flew it in Waterford city. A plaque was erected at the cathedral in 1968 to mark that event. There is a great deal of history and heritage in my home town of Enniscorthy.

The Moore Street area is a central part of our heritage, and it is critical that it be preserved appropriately to honour the sacrifice of those who fought for Irish freedom and self-determination. The historic buildings associated with the 1916 Rising at Nos. 14-17 Moore Street and the surrounding areas must be protected.

For those of us in Enniscorthy, the Athenaeum is our GPO and Moore Street combined. It was built as a town hall and theatre in 1892, and there is a proud tradition of theatre in my home town. In March 1916, Patrick Pearse visited Enniscorthy for the commemoration of Robert Emmet and made a fine speech in the Athenaeum. The 1916 rebellion began in Enniscorthy in the early morning on Thursday of Easter week, with the Athenaeum in the centre of the town as its headquarters.

The republican tricolour flew for a week over Enniscorthy in 1916. My great-grandfather, Andy Putty Doyle, and the grandfather of Fianna Fáil councillor, Keith Doyle, also called Andy Doyle, marched together from the Shannon side of the town to Enniscorthy town centre. Fianna Fáil Councillor, Barbara Anne Murphy’s grandfather, Philip Murphy, was also involved in freeing the town that day. By Saturday morning, 1,000 insurgents had been mobilised in the town and surrounding areas. I want particularly to mention the women of Enniscorthy in 1916. When a republican flag was hoisted over the Athenaeum when the rebellion began and was saluted with a bugler and a firing party, three women hoisted the flag who were members of Cumann na mBan. They were Greta Comerford, Una Brennan and Marion Stokes. Cumann na mBan set up an emergency hospital and kitchen. One member claimed 70 or 80 women were billeted in the Athenaeum during the Rising. The diary of Sean Etchingham, a future Minister, conveys the sense of liberation and exhilaration experienced by the volunteers in Enniscorthy:

We had at least one day of blissful freedom. We have had Enniscorthy under the laws of the Irish Republic for at least one day and it pleases me to learn that the citizens are appreciably surprised... a more orderly town could not be imagined. The people of the town are great.

When a copy of Pearse’s surrender was presented to Seamus Doyle, the officer in command, and his officers in the Athenaeum, he refused to believe it. Both he and Sean Etchingham applied to the British officer in command, Colonel French, for permission to travel to Dublin to see Pádraig Pearse for confirmation. Surprisingly, Colonel French agreed. Pádraig Pearse, in Arbour Hill prison, confirmed the surrender to Etchingham and Doyle. Pearse agreed to sign a written order to Wexford volunteers confirming that surrender and Doyle and Etchingham brought it back to Enniscorthy. The volunteers duly surrendered. The garrison leaders were marched from the Athenaeum in Enniscorthy to Wexford town’s military base and almost 400

rebels were arrested, including prominent Cumman na mBan members. The Athenaeum in Enniscorthy was beautifully restored in advance of the 1916 commemorations to mark and remember its theatre traditions and its 1916 traditions. I hope that Moore Street can be preserved with the same dignity and respect with which the Athenaeum in Enniscorthy was preserved and I hope the Minister has an opportunity to visit the Athenaeum in Enniscorthy some time.

Deputy Seán Haughey: I will comment on the contribution of my colleague, Deputy Éamon Ó Cuív, and thank him for the huge effort and commitment he has made to dealing with this matter, which was beyond the call of duty. His grandfather was involved and he has a significant interest in all matters concerning the Easter Rising. He has been particularly active about saving Moore Street and we are all grateful to him for that. This was the birthplace of the Republic and 14 to 17 Moore Street is a national monument. All of us are calling for the preservation of the entire Moore Street terrace. As a Dublin City councillor between 2014 and 2016, huge pressure was brought to bear on us to sell 24 and 25 Moore Street to Chartered Land. Had we yielded to that pressure, planning permission would have been brought into force, there would be a huge shopping centre now in place there, and much of the terrace would have been destroyed. It was not the finest hour for city management but thankfully there were enough of us Dublin City councillors to prevent the disposal of 24 and 25 Moore Street. We are talking about a battlefield site and laneways of history. All of it must be preserved.

I sit on the Moore Street advisory group and we produced the report with recommendations of how we should proceed with the matter. I join with other Deputies in praising the Moore Street traders. Moore Street and the trading which takes place there are synonymous with Dublin but they are fighting against authority and bureaucracy all the time. Dublin City Council management has not been particularly supportive of them by providing basic services such as a tap for running water. They seem to be fighting all the time over little issues like that to preserve their trade. It is great to see the recommendations in this report to enhance and preserve what they are doing. As Deputy Ó Cuív said, my grandfather, Seán Lemass, was a young volunteer in the 1916 Rising, based in the GPO. His brother, Noel, was based in the Imperial Hotel opposite the GPO. He had to evacuate the GPO when the call came to do so. He wrote a vivid account of his activities during those few days and has spoken about how they went into 10 Moore Street and had to tunnel their way through the houses down Moore Street. Those tunnels and the holes in the wall are still there. I have been fortunate enough to have a viewing of the national monument, 14 to 17 Moore Street. It is emotional to see those tunnels still there and it brings to life just what those brave men and women did at that time. My family would be disappointed in the lack of progress with the matter. Everybody knows what has to be done and, from the point of view of the Lemass family, we need to proceed with this and we are disappointed with the lack of progress on the issue.

Like other speakers, I would like to praise the relatives' groups. Were it not for them, that massive shopping centre proposed by Chartered Land would now be in place, dwarfing the national monument. They fought a long battle and it was good to see all the various groups of relatives from different backgrounds coming together in that forum to produce the recommendations which are now there for action by central and local government. The site itself and the area around O'Connell Street is in a terrible state of dereliction. This does not reflect well on central and local government and heads have to be knocked together to bring this project to fruition. I agree with others that we need to work together. There is a vision in place and a collaborative approach is needed. A process is in place and it would be outrageous if this opportunity was squandered.

It was difficult to get all the interest groups and interested parties together to produce one report and to sing off the same hymn sheet. Those who gave up their time voluntarily are becoming impatient with the lack of progress with this. It is important to engage with the new owners. We have to accept what they have said to us in good faith. I hope we can get down to teasing out the details of any new planning application that they will submit in the near future. I am disappointed with the lack of progress and interest shown by Government in this matter. Maybe the process was delayed while we tried to get Hammerson to the table but at the end of the day the company came willingly. There are many things the Government could be doing now. Funding is an issue for the mixed development proposed for the Moore Street terrace. As the Minister agrees budgets going forward, she needs to be conscious of the recommendations of this report and what public funding can be provided for, for example, an Irish language centre, as Deputy Ó Cuív has outlined. The time has long passed for the regeneration of this site. The Minister must play a leading role in the matter. It would be great if the Taoiseach were to become more involved in the matter. A Taoiseach has great power in many respects and if he showed a personal interest in this project it would be helpful. He is a Dublin Taoiseach and this is a Dublin project, albeit with an important national dimension. I agree with the sentiments expressed by many speakers, in particular my colleague, Deputy Éamon Ó Cuív. I hope we can make progress quickly on the issue.

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): I thank all of the Deputies for their contributions. I listened carefully to everything that was said and I acknowledge the more considered contributions that took account of the realities we are putting forward. While I accept the sentiments and the motivation behind Deputy Tóibín's Bill, I reiterate that the Government cannot support it.

I will pick up on a couple of points in the time available. I am pleased to hear Deputy Maureen O'Sullivan supports the Moore Street report. As she is aware the advisory group is working to implement it. The landowner is now looking at saving more existing buildings in the area and we have a chance to progress that now in a way that we did not before. I hope that will benefit all the street traders the Deputy mentioned. I am also pleased to hear her encouraging words about Hammerson's engagement with the advisory group. I appreciate her support. We will start with Nos. 14 and 17 as soon as we know what is agreed for the adjoining buildings. The buildings are being maintained by the Office of Public Works and funding for Nos. 14 to 17 should not be a problem. The Cabinet is aware of the developments and takes an interest and is very supportive of everything to do with the environs of Moore Street.

I note Deputy Ó Cuív's comments on Boland's Mill and Clanwilliam House. The new monuments Bill which I hope to bring forward before the end of this year will allow the buildings to be recorded as monuments. My Department is looking at what cultural uses we could insert into the wider development of such buildings. The Deputy referred, for example, to the Irish language. I appreciate his assessment that the new plans are better and worth pursuing. He mentioned the word "collaborative" a few times. I agree that is the approach to take. I also agree that Hammerson's was slow to engage but as the Deputy said, we need patience, and the company is now engaging, which can only be a positive thing. We can consider having a professional survey of Nos. 10 to 25 at some point. I thank Deputy Ó Cuív for his contribution.

Deputy Ó Caoláin is not present, nor is Deputy Adams. I appreciate Deputy Browne's support. I assure him that the State-owned buildings, Nos. 14 to 17, will be completed to the highest standard. I will also endeavour to visit the theatre in Enniscorthy. I thank him for the history lesson in that regard.

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Deputy Haughey is aware that the terrace from Nos. 10 to 25 Moore Street is being examined by the developers. We know that the Moore Street report asked for the retention of the line and form of the terrace. I was interested to hear about his grandfather, Seán Lemass, and the history he outlined. We know the traders have primitive conditions and any solution must include them. Like Deputy Haughey, I have been unhappy about the delays in the progress of the project but I hope we are now on the cusp of a solution. It goes without saying that the Taoiseach does take a keen interest in the issue. The Deputy also mentioned the Irish language centre. That is something I am working on as well at the moment.

Overall, the group is engaging positively with the new owners of the site surrounding the national monument on Moore Street and it has put forward radical changes to what was previously on offer in terms of architectural heritage, urban regeneration, the community benefit and social amenity. It has also brought the commemoration of events relating to 1916 to the centre of the revised plans. I referred to future jobs and employment for people in the north inner city. The needs of the street traders have been long neglected and should be properly addressed. However, the Deputy's Bill would, unfortunately, make no contribution to any of those ideals and instead would divert and distract the stakeholders from focusing on securing a vision for the regeneration of the area with which everyone could be happy. We need to support the Moore Street advisory group in its work and not detract from the positive headway we have been making. We will not do so by advancing any legislation that puts a negative perspective on the real prospect that there is now going to be a happy outcome. For those reasons and what I said earlier, the Government believes the Bill is premature and should not proceed while the Moore Street advisory group that represents all stakeholders, including Oireachtas Members, has still to finalise its work. For that reason I cannot support the Bill proceeding any further at this time.

Deputy Peadar Tóibín: There is great disappointment on this side and among many of the campaigners with regard to the Government's decision on the matter. The only reason Fianna Fáil and Fine Gael would refuse to recognise Moore Street as a national monument is to leave the door open to development in Moore Street that is not in sympathy with a national monument. If that were not the case, Members would simply declare it a national monument today. The decision they are making with their vote is to leave the door open to the destruction of parts of a national monument.

Deputy Éamon Ó Cuív: That is not true.

Deputy Peadar Tóibín: That is true. For ages we have seen excuse after excuse from the establishment of this State for not simply making Moore Street a national monument. It is incredible. The parties will always find a reason.

I was told during the Government's appeal of the High Court case that it was not about Moore Street and its importance as a national monument, it was simply about planning issues that would lead to issues arising right around the country. At the time I suggested separating the Moore Street issue from that potential consequence. The Bill does exactly that. It separates the consequence of the High Court case that the Government pursued.

The art of politics in Ireland is to say one thing and do nothing or say one thing and do the opposite. The Government and the Opposition in terms of Fianna Fáil are saying they support Moore Street being a national monument but refuse to make it one. That is deeply frustrating because there is a cynicism involved in that regard. The honest thing to do would be to vote against the Bill on the basis of not thinking it is a national monument.

The truth of the matter is whether it is housing, healthcare, education or even the battlefield sites that gave birth to the Republic, there is a strain and instinct among the establishment that says, “Thou shall not inhibit private interests”. There is always a deference to the private interests in the State. I believe there should be commercial energy within the State and a national monument allows for commercial energy but it must be in sympathy with the objectives of a national monument. It really is heartbreaking to witness the failure of another opportunity to finally protect the Moore Street area. Does the Minister think the national battlefield site at Moore Street is a national monument?

Acting Chairman (Deputy Bernard J. Durkan): We will continue.

Deputy Peadar Tóibín: It is an interesting question.

Acting Chairman (Deputy Bernard J. Durkan): It is of course.

Deputy Peadar Tóibín: It is the central question relating to the issue.

Acting Chairman (Deputy Bernard J. Durkan): The Deputy is not allowed to ask questions at this time of the night.

Deputy Josepha Madigan: I am not getting into a discussion.

Deputy Peadar Tóibín: The Minister is not going to answer the question.

Acting Chairman (Deputy Bernard J. Durkan): There are no questions and answers.

Deputy Josepha Madigan: The Deputy is not clear about what a preservation order means.

Acting Chairman (Deputy Bernard J. Durkan): There is no provision for a question and answer session.

Deputy Peadar Tóibín: We are already in conversation here.

Acting Chairman (Deputy Bernard J. Durkan): We would have announced it at the beginning if it was intended to have one.

Deputy Josepha Madigan: I will send a response to the Deputy setting out exactly what is the position.

Deputy Peadar Tóibín: I ask the Minister not to reply to me now but, rather, to send me a short reply by email stating whether she agrees that the Moore Street battlefield site is a national monument. If she, Fianna Fáil, Sinn Féin and Independent Deputies all believe it is, let us make it such.

Deputy Éamon Ó Cuív: The fact is that-----

Deputy Peadar Tóibín: That is the sad thing. Members stood up here today and-----

Deputy Josepha Madigan: I have answered that question.

Deputy Éamon Ó Cuív: The answer is in this document, The Moore Street Report - Securing History.

Deputy Peadar Tóibín: Members have lauded the campaign groups. The campaign groups

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want it to be recognised as a national monument. This is Irish politics to the core - saying one thing, embracing a campaign and then doing the opposite. There is no reason commercial development could not take place on the site if it is made a national monument. I want commercial development to take place on it because it will otherwise remain derelict as, by God, the State will not develop it. As Deputy Gerry Adams stated, 100 years have passed but the State has not developed the site.

Interestingly, the Minister referred to the inadequacy of the Bill. The current condition of Moore Street is inadequate. A quarter of our capital city, adjacent to some of its principal streets, is derelict. It is used for alcohol and drug consumption. People defecate on the street next to traders who are trying to eke out a living. The Minister is sitting on her hands yet she called the Bill inadequate. The Government should be ashamed of the state that Moore Street is in. That shame should engender a response. However, inertia is the response because the rule in this country is that if a private interest is involved in something, be it healthcare, housing or anything else, we must defer to it.

The forum is functioning but, as many Members indicated, it has hit a rocky stage in recent times. The owners of the land have met the forum possibly twice. I have been pushing hard for them to meet with members of the forum. I am not a purist in terms of the outcome here. I want a reasonable compromise. I do not want people to be arguing about the tiniest details forever. I want a result. The way to get a result is to set the parameters within which it can be achieved. National monument status is the relevant parameter.

Teachta Ó Cuív has raised The Moore Street Report - Securing History. That document is gathering dust. When first asked to sit on the forum, I was extremely cautious about doing so because my instinct was that the Government wanted to kick the issue of Moore Street to touch and believed that by filling the forum with many interested parties, it would create a talking shop that would go on forever. However, there is deep frustration on this issue and I guarantee that unless the Government grabs it by the scruff of the neck, we will still be discussing it in several years' time.

The Government and Fianna Fáil have agreed what they wish to do on the issue. It is not new. This is so-called new politics. It is a pity. We will go back to the forum and do our best to resolve the issue of Moore Street being a national monument. However, this issue will not be dropped. Neither I nor many others on the forum will accept any development of Moore Street that does not take place as part of its being a national monument. Anything that is contrary to it being a national monument will not be-----

Deputy Éamon Ó Cuív: We are all agreed on that. It is all in this report.

Deputy Peadar Tóibín: If Members agreed with that report, they would vote in accordance with its recommendations. Unfortunately, they are refusing to vote to make those recommendations a reality, which is a pity.

Amendment put.

Acting Chairman (Deputy Bernard J. Durkan): In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 27 September 2018.

Dáil Éireann

Teachtairacht ón Seanad - Message from Seanad

Acting Chairman (Deputy Bernard J. Durkan): Seanad Éireann has passed the Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018 without amendment.

The Dáil adjourned at 6.35 p.m. until 2 p.m. on Tuesday, 25 September 2018.