

## Written Answers.

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**The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].**

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*Questions Nos. 1 to 4, inclusive, answered orally.*

### **Child and Family Agency Staff**

5. **Deputy Sean Sherlock** asked the Minister for Children and Youth Affairs the reason the CEO of Tusla has resigned; if she has met with the person since the resignation; if the CEO highlighted issues of concern to her; and the steps she will take to recruit a replacement. [38072/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Board of the Child and Family Agency, Tusla, informed me on 30 August, 2018 of the decision of the Chief Executive Officer, Mr Fred McBride to resign from his position.

The resignation is to take effect from 30 September 2018. Mr McBride has completed five years with Tusla, first as Chief Operations Officer and then as Chief Executive Officer, and has decided to leave the organisation at this point.

I know that the Board accepted the Chief Executive Officer's decision with regret, and acknowledged his contribution to the Agency over a period of five years.

I want to thank Mr McBride for his dedication and commitment to the work of Tusla, and to the well-being of children and young people. I believe he has made a very valuable contribution to the development of Tusla as an organisation, and I wish him well for the future.

I have not met with the Chief Executive Officer since the announcement of his resignation, nor have I had any discussion with him since then. I have, of course, had meetings and discussions with the CEO on a regular basis since I became Minister for Children and Youth Affairs in May 2016.

Under Section 28(1) of the Child and Family Agency Act, 2013, the Board of the Child and Family Agency is responsible for the appointment of the Chief Executive Officer in accordance with the Public Service Management (Recruitment and Appointments) Act, 2004.

The Board of the Child and Family Agency is currently considering the process for the appointment of a new Chief Executive Officer.

*Questions Nos. 6 to 12, inclusive, answered orally.*

*Question No. 13 answered with Question No. 9.*

## **Family Support Services**

14. **Deputy Niamh Smyth** asked the Minister for Children and Youth Affairs the steps she is taking to support stay-at-home parents; and if she will make a statement on the matter. [37903/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Government is committed to supporting parents in caring for young children at home in a range of ways.

Within the remit of my Department, a number of schemes provide support to parents whether they work full time, part time, or look after their children at home.

For example, from this month, all children will be entitled to access two years of free pre-school through the Early Childhood Care and Education programme (ECCE) during the two years before they start primary school. Some 114,000 children are expected to benefit, many of whom will be children of stay-at-home parents.

Furthermore the current targeted childcare schemes are available to families where parents are in receipt of certain social welfare payments, medical cards, or GP Visit cards, again many of whom are stay-at-home parents.

A universal childcare subsidy is available to all parents of children under the age of three, or whenever the child becomes eligible for ECCE, regardless of whether parents are working or not. The Affordable Childcare Scheme, ACS, which is under development will make childcare subsidies available on the basis of family income and will be available to stay-at-home parents. This is underpinned by the Childcare Support Act 2018.

My Department also provides funding for local parent and toddler groups to organise activities for parents and young children in the community to support their development through play. Working parents and stay-at-home parents participate.

More widely across Government, there are various initiatives that support stay-at-home parents. A child benefit payment of €140 per child per month is available for all children. Budget 2018 increased the home carer tax credit to €1,200 per year.

There has also been a number of new measures to support parents to spend time at home with children in their early years. Two weeks of paternity leave and benefit for fathers was introduced in 2016. In 2017, there was an extension to maternity leave and benefit to mothers of babies born prematurely.

My Department is currently drafting a cross-Government early years strategy. The strategy will include a range of measures to support families given the fundamental importance they play in shaping children's outcomes. I look forward to updating the House on those developments later this year.

## **Child Detention Centres**

15. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the rationale for not ordering the publication of a review (details supplied) preventing full public scrutiny of its findings; and if she will make a statement on the matter. [37906/18]

36. **Deputy Denise Mitchell** asked the Minister for Children and Youth Affairs when she

plans to publish the operational review of the children's detention centre at Oberstown; and if she will make a statement on the matter. [37915/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I propose to take Questions Nos. 15 and 36 together.

The Operational Review of Oberstown Children Detention Campus was commissioned by the Board of Management of Oberstown in September 2016. The final report was received by the Board in February 2017.

It is imperative that a report of this kind should observe due process and fair procedures, so that all persons referred to are treated appropriately. The Board of Oberstown has taken legal advice on the question of publication.

On the basis of careful examination, the Board was not in a position to satisfy itself, or me, that fair procedures had been applied before the report was finalised and submitted. In light of this advice, and of my own careful consideration of the matter, I have concluded that it is not appropriate to publish the full report.

However, the recommendations of the report, all of which are at the kernel of how we move forward, were published in July 2017 and are being implemented as part of a significant package of reform in Oberstown.

I am pleased that over the past 2 years there is evidence of positive change in the day to day operations. I met with some young people when I visited Oberstown on a number of occasions in recent months. These young people were anxious that the many positives about Oberstown should be highlighted.

In addition to the Operational Review, the Board commissioned a number of other reports at the same time, with a view to engaging external expertise to support the development of the Campus. These reviews included security, health and safety and behaviour management.

I established a Review Implementation Group which began work in March 2017 and has collated, categorised and analysed these recommendations. The Group's final report, received in December 2017, produced a coherent plan to implement the various recommendations. Many of the recommendations are matters relating to the operations of the Campus.

Others relate to the oversight, strategy and policy activity of both the Board of Management and the Irish Youth Justice Service within my Department. The updated Action Plan from the Review Implementation Group was completed in May 2018 and was published on my Department's website.

HIQA is authorised by me under Sections 185 and 186 of the Children Act 2001 to undertake inspections of Oberstown Children Detention Campus. The most recent was an unannounced inspection over 5 days last March.

In this context, HIQA accepted an invitation from Oberstown to review the report of the Operational Review. I would hope that the report of the findings from the inspection, which is due to be published shortly, will reflect the positive improvements at Oberstown. I understand the report will be published in the next few weeks.

A key priority for my Department is the implementation of key recommendations to bring about improvements in standards, which is now well underway. My Department will support and, where appropriate, monitor the changes which need to take place to ensure that international standards and best practice are observed and that any barriers or challenges to maintain-

ing an ethos of care are identified and addressed.

### **Family Resource Centres**

16. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs her views on whether family resource centres are in receipt of an appropriate level of funding; and if she will make a statement on the matter. [37972/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Tusla, the Child and Family Agency, administers the Family Resource Centre Programme.

Among my key priorities for 2018 was further investment in Family Resource Centres in local communities that deliver services to families, especially in disadvantaged areas across the country.

In 2018, I was pleased to secure a budget allocation of some €753 million for Tusla, an increase of some €40 million over 2017.

This increase in funding included an additional allocation of some €3 million for the Family Resource Centre Programme, bringing the total funding this year to €16.5m.

The investment has allowed Tusla to expand the Programme this year, with the inclusion of 11 additional centres, which brings the total number of Family Resource Centres to 120.

I allocated additional funding of up to €10,000 to all pre-existing Family Resource Centres this year. In financial terms, funding to the Programme is now the highest it has been for almost a decade.

Tusla has advised that funding for individual Family Resource Centres can differ, depending on a range of factors, including:

- the size and population of the catchment area,
- the degree of economic disadvantage in the area, and
- the existing distribution of services in the area.

Decisions with regard to funding levels in 2019 will be taken in the context of the Estimates process. For this reason, it is not possible at this stage to advise on what level of funding will be available to the Family Resource Centre Programme next year.

I am pleased to have been in a position to support the work of Family Resource Centres this year, through the targeting of additional resources to services that will impact positively on vulnerable children and families.

I am committed to the further development of Family Resource Centres and I will continue to seek funding for them as part of the Budget discussions for 2019.

### **Child Protection**

17. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the degree to which she is satisfied that children's support and welfare services are adequately geared and focused to deal with all situations that arise quickly and effectively when brought to the

attention of the authorities; if specific issues have emerged in the past which might indicate otherwise; and if she will make a statement on the matter. [38005/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I am satisfied that children's support, welfare and protection services are geared towards and focused on dealing with the situations brought to the attention of the authorities, because we have a national agency dedicated to doing just that.

Tusla, the Child and Family Agency, was established in 2014 to bring the exact focus that the Deputy is talking about to the welfare and protection issues affecting children and their families.

All urgent and emergency cases receive immediate attention by the local duty social work team. Other cases are screened as they arrive into Tusla and are referred to family support services or dealt with by child protection teams, as needed.

I am very aware of cases awaiting allocation to a dedicated social worker. These cases are given appropriate attention by the duty team, which can include checking with professionals who see the child regularly, or visiting the child and family at home, getting additional information about the child's situation and in some instances, where a child is in care, organising a Care Plan Review and visiting the child.

The Deputy may be aware that this week is Tusla's Child and Family Support Week. Tusla aims to provide information and raise awareness of the support services that are provided to parents, children, young people and communities right across Ireland. I urge everyone to familiarise themselves with the services in their area, and to look out for the events scheduled throughout the week.

It is important that Tusla works in an open, transparent way, and their child protection and welfare function is subject to scrutiny against standards. Tusla is inspected internally, by the Health Information and Quality Authority, and specific cases are referred to the National Review Panel.

The transition to a single national agency responsible for the welfare and protection of children has not always been easy and much work remains to be done. Challenges are ongoing in respect of the recruitment and retention of staff, the integration of key services for children and families and the vital cross agency working that allows for quick and effective responses to all the situations referred to or dealt with by Tusla.

### **Childcare Costs**

18. **Deputy James Browne** asked the Minister for Children and Youth Affairs her plans to develop targeted supports for parents and guardians in County Wexford paying for childcare; and if she will make a statement on the matter. [37905/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** My Department's childcare schemes are run on a national basis and hence are available to all counties. The staff and Boards of 30 City and County Childcare Committees assist my Department in ensuring that schemes and other initiatives we operate nationally meet local need.

The Government is committed to continuing to increase investment in high-quality childcare, prioritising families on low incomes. As part of our commitment to improving access to high quality and affordable childcare we have introduced a number of new developments:-

The universal Early Childhood Care and Education programme (ECCE) has been expanded to two full programme years from September 2018.

A new universal subvention payment worth up to €1040 per annum for children under 3 was introduced from September 2017.

A variety of targeted programmes provide for the most vulnerable children in Ireland and reinforce our strong social inclusion and equality agenda. The Community Childcare Subvention (CCS) Programme is a childcare programme targeted to support parents/guardians on a low income to avail of reduced childcare costs at participating community childcare services.

This scheme was expanded to the Community Childcare Subvention Plus (CCSP) Programme to enable privately owned childcare services to provide the same level of targeted subvention childcare for lower income families.

My Department is making strong progress in developing the new Affordable Childcare Scheme. The ACS will replace all of the existing targeted schemes. Officials from my Department, along with colleagues in Pobal, have been working to develop the legal, technical and administrative infrastructure required.

The scheme will provide financial support for parents, establish a sustainable platform for investment in the childcare sector for decades to come, and crucially allow us to continue to invest in giving our children the best start in life.

### **Mother and Baby Homes Inquiries**

19. **Deputy Maureen O'Sullivan** asked the Minister for Children and Youth Affairs if a geo-survey of a location (details supplied) will be committed to in order to ensure the preservation of the integrity of the cemetery, especially the angels' plot; and if her attention has been drawn to the possible implications of the sale. [37990/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** As the Deputy will be aware, Sean Ross Abbey is one of the institutions currently being investigated by the statutory Commission of Investigation into Mother and Baby Homes and certain related Matters.

As part of its terms of reference the Commission is directed to investigate and to make a report on burial arrangements in respect of persons who died while resident in these institutions.

It is a matter for the independent Commission to determine the methodology and approach it deems appropriate in the course of its investigations. The Commissions of Investigation Act 2004 provides the Commission with significant powers to support the conduct of its investigations.

Given the on-going work of the Commission, I have no plans to carry out any parallel or separate investigations at the site of this former institution. Any future decisions or actions will be informed by the outcome of the Commission's investigations on this and related matters.

With regard to the potential sale of any site or premises previously connected to the institutional care of unmarried mothers and their babies, the issue may not be the sale in itself, but the potential impact that might arise from a redevelopment of the site, and its effect on possible burials on the grounds on the site. Such a redevelopment could, of course, be proposed by existing owners as well as any potential new owners.

If any such a development was to be proposed, I understand there is scope within the planning process to address the existence and preservation of burial grounds and any related archaeological and heritage considerations.

### **Foster Care**

20. **Deputy Sean Sherlock** asked the Minister for Children and Youth Affairs if her attention has been drawn to the eleven HIQA reports to date in 2018 on foster services; and if she is satisfied that all recommendations and areas of concern are being addressed. [37909/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** My attention is drawn to every report HIQA publishes.

I can inform the Deputy that there have now been 12 HIQA reports published in 2018 on foster care services. Each report contains an action plan, agreed with HIQA in advance of its publication, to address all areas of concern. A designated Tusla official is given responsibility for executing the action plan within a specified time-frame. HIQA then undertakes follow-up inspections to examine progress being made.

In 2018, HIQA carried out themed inspections of foster care across seven Tusla areas. Five private foster care providers have also been thematically inspected. These announced inspections have examined the recruitment, assessment, approval, supervision and review of foster carers.

A number of positive findings have been reported this year: General assessments of foster carers have been of good quality. Foundation training of newly approved foster carers has also been generally good. There was also some good practice in relation to support and supervision.

However, HIQA reports have also raised concerns, such as a national approach to recruitment and retention of foster carers. The areas/providers in which HIQA have found such deficiencies will develop initiatives to improve on the numbers of approved foster carers via recruitment and retention strategies.

HIQA will follow up on progress in accordance with respective action plans. There are also challenges in the recruitment and retention of social work staff, who are a vital part of the success of foster care service.

Overall, foster care in Ireland is of a good standard, largely due to the dedication of foster carers and their social work teams. The concerns HIQA have raised serve to highlight what needs to be improved. I, and my officials, will continue to actively engage with Tusla with a view to addressing all concerns and delivering the highest possible standard of foster care.

I value the important work HIQA does to assess and monitor the quality of our foster care services.

*Question No. 21 answered with Question No. 7.*

### **Adoption Legislation**

22. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the reason for the delay in enacting the Adoption (Information and Tracing) Bill 2016. [37913/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Adoption (Information and Tracing) Bill 2016 has passed Second Stage in the Seanad. As I am sure you know, the Bill seeks to respect the rights to identity and privacy, which sometimes conflict with one another.

Given the constitutional context, striking the balance between these rights is proving challenging. It is an important piece of legislation for many people. Attempts to introduce a Bill, as far back as 2001, have failed.

I am conscious of Deputies' interest in this important issue, and of our shared desire to move things forward. It is essential that the Bill progresses as quickly as possible, as it places the information and tracing service on a statutory footing for the first time.

It will also protect relevant records by bringing them into the custody of the Adoption Authority of Ireland, It will create offences for the concealment, destruction, mutilation or falsification of such records.

The Bill impacts on people who are the subject of illegal registrations, as well as adopted people. Officials are currently reviewing its provisions, in the light of the recent evidence emerging on illegal birth registrations, to ensure that it is robust in addressing this issue. If additional amendments to the Bill are required to ensure this, this can be addressed as the Bill goes through the Houses.

My intention is that the Bill will be enacted by the end of the year. I recently met with advocacy groups and my Oireachtas colleagues which was informative and helpful. I intend to progress the Bill to Committee Stage in the Seanad as soon as possible.

I look forward to working with members of this House and of the Seanad so that all of us who wish to see this Bill implemented as soon as possible can work together to achieve this.

### **Mother and Baby Homes Inquiries**

23. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the methodology of the scoping exercise into illegal birth registrations, illegal adoptions and other irregularities at mother and baby homes including the number of files and homes that will be included in the exercise; and when it is due to be completed. [37907/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I have asked an Independent Reviewer, Ms Marion Reynolds to oversee a further analysis of relevant records held by Tusla and the Adoption Authority in the first instance.

The purpose of the exercise is to see if clear evidence of illegal registrations is evident in other records. The first meeting between Ms. Reynolds and the nominated representatives from Tusla and the Adoption Authority of Ireland took place in mid- June and I was expecting the final report within four months, i.e. by mid-October. However I have recently been advised that due to the complexity of the review, and in particular, issues arising in relation to data protection and the GDPR, it will be mid-December before Ms Reynolds will be in a position to provide me with the final report. I expect that details in relation to the methodology used in the review and the records reviewed, will be set out in that report.

The selection of records for examination will be agreed with the assistance of a statistician and the methodology overseen by Ms Reynolds.

Given the volume of records involved, in my view, we must first judge the likely incidence



of cases that can actually be identified, through this analysis. I will then be in a position to judge the next steps which may be required.

The analysis of records can only be applied to those records which are currently in the custody of the State, i.e. to those records that are in the possession of either Tusla or the Adoption Authority of Ireland.

The work of the Commission of Investigation into Mother and Baby Homes will also be important in dealing with a range of other adoption related matters.

It is examining adoption practices in the cases of mothers and children who were resident in the institutions, within its terms of reference. The Commission is also required to examine the interaction of Mother and Baby Homes with other institutions, organisations and individuals who had involvement with children from these institutions.

For example, the Commission is examining the practices and policies within adoption societies involved in the placement of children from these institutions. This will provide an important insight into any potential irregularities involved.

I believe that the further analysis of records which has commenced, together with the ongoing work of the Commission, will be extremely important in helping us shape any further steps to be taken.

### **Mother and Baby Homes Inquiries**

24. **Deputy Maureen O'Sullivan** asked the Minister for Children and Youth Affairs if the Commission of Investigation into Mother and Baby Homes has been able to give equal attention to the other 15 institutions; and her views on the need to examine the other 15 institutions. [37992/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Commission of Investigation into Mother and Baby Homes and certain related Matters is an independent statutory investigation. I am not therefore in a position to provide detailed progress updates on this work. Any available updates would be posted by the Commission directly to its website.

The Commission's terms of reference, attached as a schedule to Statutory Instrument No. 57 of 2015, task the Commission with examining a range of specific concerns in respect of 14 named institutions. The terms of reference also require the Commission to identify a representative sample of those County Homes which provided comparable services to unmarried mothers and their children. The Commission has selected 4 named County Homes for this purpose.

While there are significant variations in the respective scale and duration of the operation of the different institutions, the Commission is required to equally address all the specified matters of public concern in respect of each setting.

For ease of reference, the Mother and Baby Homes and the selected sample of County Homes are as follows:

(A) Mother and Baby Homes:

1. Ard Mhuire, Dunboyne, Co Meath;
2. Belmont (Flatlets), Belmont Ave, Dublin 4;

3. Bessboro House, Blackrock, Cork;
4. Bethany Home, originally Blackhall Place, Dublin 7 and from 1934 Orwell Road, Rathgar, Dublin 6;
5. Bon Secours Mother and Baby Home, Tuam, Co. Galway;
6. Denny House, Eglinton Rd, Dublin 4, originally Magdalen Home, 8 Lower Leeson St, Dublin 2;
7. Kilrush, Cooraclare Rd, Co. Clare;
8. Manor House, Castlepollard, Co Westmeath;
9. Ms. Carr's (Flatlets), 16 Northbrook Rd, Dublin 6;
10. Regina Coeli Hostel, North Brunswick Street, Dublin 7,
11. Sean Ross Abbey, Roscrea, Co Tipperary;
12. St. Gerard's, originally 39, Mountjoy Square, Dublin 1.
13. St. Patrick's, Navan Road, Dublin 7, originally known as Pelletstown; and subsequent transfer to Eglinton House, Eglinton Rd, Dublin 4, and
14. The Castle, Newtowncunningham, Co. Donegal.

(B) County Homes

1. St. Kevin's Institution (Dublin Union)
2. Stranorlar County Home, Co. Donegal (St. Joseph's)
3. Cork City County Home (St. Finbarr's)
4. Thomastown County Home, Co. Kilkenny (St. Columba's).

### **Early Childhood Care and Education**

25. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs if her attention has been drawn to the considerable shortages that exist within the ECCE system; and if she will make a statement on the matter. [37969/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I understand that the Deputy's question refers to capacity in the Early Childhood Care and Education (ECCE) scheme, the fact that service providers may prioritise full time children over ECCE-only children, and that service providers do not always guarantee a childcare place for the second year of ECCE.

From September this year, the annual number of ECCE enrolments will be approximately 114,000. Given that over 118,000 places were filled in the last programme year, no significant overall capacity issues are anticipated for those expected to register for ECCE from September 2018. This is endorsed by preliminary data, to be published before the end of the year, from the annual Pobal Sector Profile, relating to ECCE places. My Department will continue to monitor this situation as registrations are received for the 2018/19 programme year.

Notwithstanding this, I recognise that there can be pressure in some localities. I would urge anyone experiencing difficulty securing an ECCE place to contact their local City or County Childcare Committee for assistance.

From September 2018, the ECCE Programme reverted to one single entry point only, in September, 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 that we have sufficient places to deliver on this important commitment.

With regard to capacity generally 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.

In relation to the question of prioritising full day places and not guaranteeing places for a second ECCE year, these are primarily matters for the service providers, who are free to set their own policies in this regard. However, my Department actively seeks to ensure adequate capacity to allow service providers latitude to accommodate all children. If a gap in capacity is objectively identified, we can consider a range of measures to address this in collaboration with the local Childcare Committee.

### **Child Abuse Reports**

26. **Deputy Denise Mitchell** asked the Minister for Children and Youth Affairs if she is satisfied with the progress made by Tusla with regard to failings identified in the 14 June 2018, HIQA report which included issues such as record keeping, the development of safety plans for children and the handling of allegations, including those made by adults regarding abuse suffered as a child; and if she will make a statement on the matter. [37917/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I understand that the Deputy is referring to the report of the Statutory Investigation into the management of allegations of child sexual abuse against adults of concern by Tusla, which I directed HIQA to undertake, and which was published in June of this year.

I can inform the Deputy that I am satisfied with the progress made by Tusla to date.

Tusla has developed a time bound action plan, as required by recommendation one of the report, to address all areas of non-compliance with National Standards for the Protection and Welfare of Children identified by HIQA, and all recommendations made throughout the report. This includes actions to address the issues raised by the Deputy. Specifically, a records management policy and a module for the National Child Care Information System will be developed to address deficits in record keeping. Safety planning and retrospective cases will be formalised, the terms will be defined and new processes will be implemented throughout the service. A revised policy on managing allegations, including retrospective allegations of abuse, will be implemented nationally.

The report also recommends the establishment of an Expert Assurance Group to support and advise Tusla and my Department on the implementation of the recommendations in the report.

I am pleased to report that I have established this Expert Assurance Group, which is chaired by Dr Moling Ryan. The members of the group have governance, social work, HR, child protection and legal expertise. The group has met and terms of reference are agreed. The group will continue to meet monthly and will formally consider Tusla's progress in implementing its

action plan.

My Department will continue to work with Tusla and to support the Expert Assurance Group to progress and monitor the implementation of the recommendations of this important report.

### **Childcare Services Funding**

27. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the position regarding funding for a location (details supplied). [37914/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** As the Deputy is aware, my Department does not directly provide childcare - rather we administer a number of schemes and initiatives to support accessible, affordable and high quality childcare. These schemes are available to regulated childcare providers which include individuals, companies and community/not-for-profit groups.

The organisation Pobal, and 30 City and County Childcare Committees around the country, are funded by my Department to assist in the administration of our schemes and initiatives and to support providers, both private and community/not-for-profit services. Following the closure of the existing childcare provider in this location, I requested that Pobal and Longford County Childcare Committee (CCC) work with local bodies and potential partners in relation to the re-establishment of a service for the local community.

Unfortunately, we did not receive a viable proposal for the creation of a childcare service at that time. However, my Department is currently in discussions with Longford CCC with the aim of progressing a procurement process to secure a suitable operator for a childcare service in this area. Funding to assist a childcare provider remains available pending the outcome of this procurement process.

### **Childcare Costs**

28. **Deputy Sean Sherlock** asked the Minister for Children and Youth Affairs if her attention has been drawn to the latest ESRI/Pobal research on childcare costs; if she will address the fact that mothers who face high childcare costs work fewer hours; her views on whether high childcare costs act as a barrier to employment for women, especially lone parents; and if she will make a statement on the matter. [37908/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** There is no doubt that the cost of childcare presents a challenge to families in Ireland and in particular for mothers who wish to return to work. A recent survey conducted by ICTU found that childcare costs sit alongside housing costs within the top two out of pocket expenses for families and this can only be amplified in the case of lone parents. This is consistent with more extensive research elsewhere. The early years sector has suffered from historical underinvestment over the last decades, resulting in Ireland lagging behind the European average for investment in this critical infrastructure.

It is for this reason that I have worked tirelessly since becoming Minister for Children & Youth Affairs to address this issue affecting so many Irish families. The investment in this sector has increased by 80% over the period 2015- 2018. Last year I introduced a range of measures focused on lowering the cost of childcare including a new non means tested subsidy of up to €1,040 for young children under three years of age and an increase of up to 50% in targeted

subsidy rates for families that need it most with up to €145 per week available to children up to 15 years of age.

The response to these measures has been extremely positive. Targets have been exceeded with over 84,000 registrations since the introduction last September, demonstrating the need to support families with their childcare costs through further significant, sustained investment.

Earlier this year the entitlement to financial support for childcare was put on a legislative footing for the first time in the history of the State with the passing of the Childcare Support Act. The development of the IT and administrative infrastructure for the Affordable Childcare Scheme is also continuing apace. There is no easy fix to the challenge of childcare costs in Ireland but we are now firmly putting the building blocks in place to benefit families for years to come and with continued investment I believe we are making progress to achieve the childcare system that families in Ireland deserve.

### **Departmental Functions**

29. **Deputy Mick Wallace** asked the Minister for Children and Youth Affairs the status of her Department's planned examination of its relationship with Pobal with a view to forming a closer statutory relationship; if the terms of reference for this examination have been agreed upon; and if she will make a statement on the matter. [38007/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Pobal is a not-for-profit company, which works on behalf of the Irish Government in managing programmes that contribute to social inclusion, equality and reconciliation.

Pobal operates under the aegis of the Department of Rural and Community Development (DRCD). Consequently, any decisions regarding its structure or statutory relationships require the consideration of my cabinet colleague, Minister Ring, the officials of his department, and the Pobal Board.

The services Pobal provides to my Department are managed under a multi-level governance framework, specifically service level agreements, programmes of work, and individual programme agreements, all of which are monitored closely via regular high level management meetings. As I previously stated in my answer to PQ 18842 from the Deputy on the 1st May 2018, my Department has no immediate plans to revise the basis of our relationship with Pobal.

I am currently advancing a cross-Government, ten year strategy for babies, young children and their families which I will publish before the end of the year. It will contain significant content relating to the provision of accessible, high quality and affordable childcare, as well as the governance, administrative systems and investment required to achieve these objectives. It is anticipated that this strategy will outline the parameters in a number of Early Years policy areas and any reviews planned within the Early Years section of my Department will be guided by it.

One such review the Early Years Strategy will set out important context for is the review of the systems and structures which exist nationally and locally to support childcare provision in this country. As I outlined to the Deputy in response to his May 2018 PQ, this review will include an analysis of the services provided to my Department by the City and County Childcare Committees, Pobal, and various National Voluntary Childcare Organisations; and the interactions between my Department and these entities.

This review will be undertaken after the content and priorities of the long-term strategy have been finalised.

## **Youth Services**

30. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department supports youth organisations with a view to ensuring a supportive backdrop and preparation for adulthood throughout the upcoming generation; and if she will make a statement on the matter. [38006/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** My Department maintains close contact with the national youth organisations and I and officials from my Department meet formally with these organisations twice a year to share knowledge and information on developments in the youth sector. A separate meeting is held on that day with national organisations in receipt of targeted youth funding to keep them updated on the ongoing work on the Value for Money and Policy Review reforms.

My Department administers a range of funding schemes and programmes to support the provision of youth services to young people throughout the country including those from disadvantaged communities. The funding schemes support national and local youth work involving approximately 1,400 youth work staff working in youth services and communities throughout the country.

I am pleased to confirm that I have allocated an extra €1.5m in current funding to support the provision of youth services in 2018. This will bring the total youth funding by my Department to €58.9m. The additional funding is being used for programmes that target disadvantaged young people.

These funding schemes include the Youth Service Grant Scheme under which funding is made available on an annual basis to thirty national and major regional youth organisations. In 2018, some €10.65m has been allocated under this scheme.

The funding provided under this scheme is intended to ensure the emergence, promotion, growth and development of youth organisations with distinctive philosophies and programmes aimed at the social education of young people. The goal of the youth organisations in receipt of this funding is to empower all young people to develop the knowledge, skills and confidence to realise their full potential and to actively participate in an inclusive society.

My Department provides leadership at a national level in implementing the National Youth Strategy 2015-2020 and ensuring the national policy is connected to local implementation. The strategy is based on the understanding of youth as a distinctive period of development between childhood and adulthood. It takes account of the social and economic factors that influence young people during this period, and the important roles of parents, families, friends and other adults and communities play in their lives.

The strategy sets out how stakeholders, including youth organisations, can work together to impact positively on the lives of young people and the funding provided under the Youth Service Grant Scheme assists with the implementation of these objectives.

The Local Youth Club Grant Scheme supports youth work activities at a local level. These grants are made available to all youth clubs and groups through the local Education and Training Boards. The scheme is open to some 1,600 youth groups and clubs, with an estimated 89,000 club members around the country. The scheme, which is open to new entrants, is advertised locally and applications for funding are invited by the Education and Training Boards from local groups in their respective areas. Each year, some 600 local youth clubs benefit from the scheme. In 2018, I have provided an additional 13% in funding to the scheme, bringing the total allocation to €1.79m.

## School Completion Programme

31. **Deputy Sean Sherlock** asked the Minister for Children and Youth Affairs the budget for the school completion programme; the status of the report of the expert panel convened to identify and examine a potential revised model of good practice and governance of the school completion programme; the number of children who come into contact with the programme; if staffing levels are adequate; and her plans to replenish its budget to ensure the effective delivery of same. [37910/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I am very conscious that the School Completion Programme delivers a valuable service for some of our most vulnerable young people. I want to achieve the best possible results for these young people for the professionals who deliver the service.

As referred to by the Deputy, the Board of Tusla convened an expert panel to identify and examine a potential revised model of good practice and governance of the School Completion Programme.

When I examined its findings, I decided to carry out some further discussions with a number of other stakeholders. To this end I hosted School Completion Consultation event in Farmleigh House on January 29th last. Matters discussed included best practice and governance within the School Completion Programme. There was a range of views expressed as to how both these elements could be improved.

In order to advance matters I have now decided that my Department will establish a task group to scope out a policy blueprint for the SCP and the EWS going forward. This group will take into account the findings of the expert panel and will consult with relevant stakeholders.

The Educational Welfare Service (EWS) of Tusla has advised that approximately 38,000 children and young people come into contact with the programme annually.

The funding available to the SCPs for the School year 2018/2019 stands at €24.7m. My Department is currently working with the EWS to ensure the necessary resources are available to ensure that staffing levels are sufficient to deliver a high quality service.

I can assure the Deputy that my Department and the EWS are fully committed to the future of the School Completion Programme and will continue to work to ensure that it will deliver the best possible outcomes for young people at risk of early school-leaving.

## Early Childhood Care and Education

32. **Deputy Anne Rabbitte** asked the Minister for Children and Youth Affairs if her attention has been drawn to the fact that children with additional learning needs cannot access an ECCE place and additional specialist preschool support; her views on whether this is appropriate; and if she will make a statement on the matter. [37971/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I am aware of the specific matter raised by the Deputy. Officials from my Department are in contact with colleagues in the Health Service Executive to examine the range of issues involved for a child seeking to access both specialist pre-school services and the ECCE scheme simultaneously.

While there is no specific provision in the ECCE rules which prevents a child attending a specialist HSE pre-school from also attending the ECCE programme, there remains issues to

be addressed. A critical question is whether attending two parallel pre-school services, on a five days a week basis, is in the best interests of the child, particularly where this might lead to an individual child attending structured, education focused pre-school services for up to 6 hours a day. The Deputy will be aware that pre-school education has been purposely designed to be shorter in hours than Junior Infants in Primary School in recognition of the younger age of the child and other developmental considerations.

A meeting is scheduled between officials from my Department and the HSE to examine these issues. Following this consideration, I have asked my officials to revert to the Deputy, particularly in the context of the individual case previously raised. I would like to clearly state that the paramount consideration in examining this matter is the best interests of the child.

The Deputy may be aware that several thousand children with disabilities access and participate in the ECCE programme every year. The Access and Inclusion Model (AIM) introduced in September 2016, and which continues to be rolled out, has greatly assisted ECCE services to offer inclusive services and to better meet the needs of children with disabilities. Whilst AIM provides supports under 7 levels, some of which are universal and some targeted, we know that over 6000 children with more complex disabilities have so far benefited from the targeted supports. An independent review of the first year of AIM's operation is expected to be finalised before the end of the year.

### **Affordable Childcare Scheme**

33. **Deputy Niamh Smyth** asked the Minister for Children and Youth Affairs the status of the affordable childcare scheme; and if she will make a statement on the matter. [37902/18]

34. **Deputy Aindrias Moynihan** asked the Minister for Children and Youth Affairs if the affordable childcare scheme is on target to launch in September 2019; and if she will make a statement on the matter. [38031/18]

37. **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. [37968/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I propose to take Questions Nos. 33, 34 and 37 together.

I am delighted to update you on the positive progress my department is making in developing the new Affordable Childcare Scheme.

Officials from my Department, along with colleagues in Pobal, have been working hard to develop the legal, technical and administrative infrastructure for the new Affordable Childcare Scheme. The scheme will provide financial support for parents, establish a sustainable platform for investment in the childcare sector for decades to come and- crucially- allow us to continue to invest in giving our children the best start in life.

The legislation establishing the new Affordable Childcare Scheme, the Childcare Support Act 2018, was signed by the President on Monday, 2nd July. The Act will be underpinned by detailed secondary legislation and formal policy guidelines. Work is currently ongoing on both of these and also on the development of regulations to provide, for the first time, for the registration of school-age childcare services by the Tusla Early Years Inspectorate. These latter 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 its inception.



With regard to the ICT system to underpin the scheme, my Department recently concluded a full open tender public procurement process and I have awarded a contract for the development of the system. The launch of the scheme is dependent on this ICT system. As such, now that a contractor is in place, my officials are finalising a detailed project plan and I will shortly confirm and communicate a planned start date for the Affordable Childcare Scheme.

Work is also progressing well on the administrative and communication elements of the scheme. This includes significant work in preparing timely and user-friendly information, resources and supports for parents, providers and other stakeholders. In tandem with the development of these resources, I am also committed to ongoing consultation and engagement with all stakeholders in the run-up to the introduction of the scheme.

The Affordable Childcare Scheme is ambitious in scale and complex in its design but I am delighted that we are making good progress and confident of the lasting impact it will have once launched.

In order to fast-track some of the benefits of the new scheme, last September I introduced a series of measures to make childcare more affordable for Irish families. These involved an increase of up to 50% in current targeted childcare subsidy rates and a new universal subsidy for all children aged between 6 months and 3 years who are in a Tusla-registered setting. To date, these measures have seen very good take-up rates and 84,000 children have benefited. The measures will continue to be available over 2018 and 2019, remaining in place until the Affordable Childcare Scheme goes live.

### **Child Abuse Reports**

35. **Deputy Aindrias Moynihan** asked the Minister for Children and Youth Affairs the status of a report (details supplied); the implications for the funding of the organisation; and if she will make a statement on the matter. [38030/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Scouting Ireland commissioned Mr Ian Elliott to carry out a review into the organisation's handling of an allegation of a serious sexual assault on an adult volunteer by another adult volunteer. I have not yet received a copy of this report.

While this alleged assault took place in 2009, it was only reported within the organisation in 2016. Following on from Mr Elliott's report on child protection matters, Scouting Ireland engaged a barrister to conduct a full investigation into this allegation, particularly with regard to the handling of the matter by certain senior volunteers. I will be receiving both reports once the investigation is completed.

In 2017 Scouting Ireland previously engaged Mr Ian Elliott to conduct a review of its child safeguarding/protection policies and procedures. An interim report was produced in October 2017 and a final report was produced in January 2018. Both of these reports were subsequently submitted to my Department in March 2018.

In view of the information available to me relating to the governance arrangements within Scouting Ireland I decided, in April this year, to withhold the drawdown of further funding to the organisation under the Youth Service Grant Scheme until I could be satisfied that the organisation's governance standards were up to the required level.

In May, I appointed Ms Jillian van Turnhout, as an independent expert, to examine the governance and related issues within Scouting Ireland. In accordance with her Terms of Reference

she was asked to provide me with a clear assessment of Scouting Ireland's governance arrangements. Ms van Turnhout submitted her final report on the Review of Scouting Ireland to me on 14th June. The report contained a number of recommendations in the areas of safeguarding, management of the organisation, governance proposals and charities regulation. Ms van Turnhout also indicated that the restoration of funding to Scouting Ireland should be clearly linked to the successful implementation of these recommendations.

The Board of Scouting Ireland subsequently confirmed its decision to fully implement all the recommendations contained in the Review of Scouting Ireland report. On 25th June I decided to provide Scouting Ireland with interim funding for a further three month period up until the end of September. This funding was provided in view of the significant progress achieved by Scouting Ireland in the implementation of a number of the required recommendations and to provide it with an opportunity to implement the outstanding recommendations.

In providing this interim funding I requested that Scouting Ireland provide me with a further report by 24th September detailing progress in the implementation of the outstanding recommendations contained in the Review of Scouting Ireland. On receipt of this report I will be in a position to consider if Scouting Ireland has achieved the strong governance standards required of organisations in receipt of public funding which would allow for the full restoration of funding to Scouting Ireland.

My hope is that Scouting Ireland will address all the outstanding issues relating to the standards of governance within the organisation. As Minister for Children and Youth Affairs, I believe the organisation does very good work and I would love to see it continue to play an important role in the lives of our children and young people.

*Question No. 36 answered with Question No. 15.*

*Question No. 37 answered with Question No. 33.*

### **Departmental Properties**

38. **Deputy Peadar Tóibín** asked the Taoiseach and Minister for Defence the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38054/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The following properties in Co. Meath are under the ownership of my Department. Gormanston Camp is an operational military installation used for Defence Force training and other military activities. There are 11-month land lettings surrounding the Aerodrome field for the purpose of maintaining grass levels in these areas. There is also a property of approximately 0.2 hectares in Navan that is in use as a Reserve Defence Force training centre. There is no other land in Co. Meath owned by my Department that is not in use or being used for agricultural purposes.

The provision of lands for housing purposes is, in the first instance, is a matter for my colleague the Minister for Housing, Planning and Local Government and the recently established Land Development Agency. I can advise the Deputy that my officials have proactively engaged with the LDA to identify suitable lands for their purposes. Consideration of the provision of suitable lands in Co. Meath has not arisen as part of these discussions.

## **Defence Forces Properties**

39. **Deputy Fergus O'Dowd** asked the Taoiseach and Minister for Defence if the Gormanston Army camp lands that are currently unused will be considered under the new Land Development Agency remit for purchase and development for housing; and if he will make a statement on the matter. [38171/18]

**Minister of State at the Department of Defence (Deputy Paul Kehoe):** The provision of lands for housing purposes is, in the first instance, is a matter for my colleague the Minister for Housing, Planning and Local Government and the recently established Land Development Agency. I can advise the Deputy that my officials have proactively engaged with the LDA to identify suitable lands for their purposes. Consideration of the lands referred to by Deputy has not arisen as part of these discussions.

## **Departmental Properties**

40. **Deputy Peadar Tóibín** asked the Tánaiste and Minister for Foreign Affairs and Trade the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38058/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** My Department does not own or control any land in County Meath. Any properties or land occupied by the Department of Foreign Affairs and Trade in the State are rented and discharged by the Office of Public Works.

## **Human Rights Cases**

41. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade if his attention has been drawn to the fact that the health of many political prisoners in Bahrain is severely deteriorating and they are being denied access to sufficient healthcare; if his attention has been further drawn to the specific concern over the health of person (details supplied); and if he will raise this issue and the case of the person with his Bahraini counterpart. [38102/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I am aware of the case referred to by Deputy Crowe, and of the reports that the individual in question, and other prisoners, have been denied adequate healthcare in prison. Ireland attaches great importance to safeguarding the human rights of all prisoners, with due regard for the international standards enshrined in the United Nations Standard Minimum Rules for the Treatment of Prisoners.

I remain very concerned about the deteriorating human rights situation in Bahrain. Although Bahrain has repeatedly stated its commitment to improving its human rights record and safeguarding human rights as enshrined in the Bahraini Constitution, there are ongoing instances of violations of fundamental freedoms there, including violations of freedom of opinion and expression. A number of worrying developments suggest an increasingly restrictive approach, targeting those who express views which oppose or challenge the Government in any way. The shrinking of civil and political space is particularly concerning in light of parliamentary elec-

tions which are due to take place in November this year.

Ireland's concerns about human rights issues in Bahrain are regularly conveyed to the Bahraini authorities, including through the Bahraini Embassy in London and through Ireland's (non-resident) Ambassador to Bahrain. In February of this year, officials from my Department met with the Ambassador of Bahrain in Dublin, and raised Ireland's concerns about the human rights situation in Bahrain, including the case referred to by the Deputy.

Ireland also regularly raises the case of human rights in Bahrain at the Human Rights Council (HRC) in Geneva, in the form of national statements and its support to EU Statements. In Ireland's most recent Item 4 Statement (human rights situations that require the Council's attention) at the HRC session in September 2018, we expressed our concerns about "the ongoing restrictions on civil society space and the treatment of human rights defenders in Bahrain". We also called on Bahrain "to respect freedom of opinion and expression, and the right to a fair trial." At the previous HRC session in June 2018, Ireland also raised concerns under Item 4, and the EU Item 2 Statement (on the reports of the Office of the UN High Commissioner for Human Rights) also highlighted the deterioration of the human rights situation, with particular reference to the shrinking of political space in Bahrain.

My Department will continue to monitor the situation in Bahrain, and will continue to call on the Bahraini Government to make good on their stated commitment to make progress in the area of human rights.

### **Overseas Development Aid Oversight**

42. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade the measures his Department is taking to ensure that Irish contributions to EU aid programmes are in line with Ireland's commitment to untied aid (details supplied); and if he will make a statement on the matter. [38103/18]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon):** The Government is strongly committed to delivering Ireland's Official Development Assistance (ODA) programme in the most effective way, providing humanitarian assistance and contributing to the fight against global poverty and hunger, including by working with multilateral partners and through the European Union.

Funding for multilateral organisations is kept under regular review by my Department, to ensure that it is targeted and provided to partners which can contribute most effectively to delivering the priorities of our foreign policy and our international development policy, as set out in the Global Island and in One World, One Future. In this way, we are playing a strong role in supporting the achievement of the Sustainable Development Goals.

In 2017, Ireland's total contribution to EU-managed Official Development Assistance, mostly assessed, amounted to €192.51 million. This equates to almost 26% of Ireland's ODA for the year. This was comprised of €143.22 million to the EU general budget, €35.66 million to the European Development Fund (EDF), €10.52 million to the Facility for Refugees in Turkey, €1.36 million to the European Investment Bank for its work in developing countries, and the balance of €1.75 million as a voluntary contribution to EU Trust Funds.

Throughout, the ability of these funding channels to reach the poorest and most fragile countries and regions in the world, and deliver real results on the ground, is at the forefront of Ireland's engagement. Untying aid – removing the legal and regulatory barriers to open competition for aid-funded procurement – increases aid effectiveness by reducing transaction costs

and improving the ability of partner countries to set their own course. Ireland is leading the way in this by making its bilateral Official Development Assistance 100% untied.

Ireland has also been to the forefront in encouraging the EU and its Member States to untie more of their aid. Progress is being made. The proportion of EU and Member State aid that is untied now stands at over 80%. The European Commission has increased its share of untied aid from 48% in 2010 to 72% in 2016. We will continue to encourage further progress in that regard.

### **Human Rights Cases**

43. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade if his attention has been drawn to the fact that an Egyptian court recently sentenced 75 persons to death over a 2013 protest in Rabaa; if he will condemn these death sentences and call for them to be reversed; if he will condemn the other sentences which were handed out in this trial; and if he will raise his concerns with his Egyptian counterpart. [38104/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** Ireland appreciates the magnitude of the challenges facing Egypt and we are committed to supporting Egypt in dealing with these. However, I believe that a strong and stable democracy cannot flourish without full respect for fundamental rights and freedoms.

In this regard, Ireland is unequivocal in its stance on the death penalty. We oppose and condemn its use in all circumstances. We further believe that the use of the death penalty is not only morally reprehensible, but counter-productive, both as a crime deterrent and as a punishment. The abolition of the death penalty is one of Ireland's international priorities, and my Department regularly conveys our stance on this issue to all countries where the death penalty is still in use.

We believe that the EU provides one of the most effective channels for raising concerns about human rights. In response to this particular case, the EU has publicly reiterated its call for the universal abolition of the death penalty. The EU has also issued a statement raising concerns about the conduct of the trial which "cast serious doubts on the respect of due process and in particular the defendants' rights to a fair trial".

The EU and Egypt adopted partnership priorities for 2017-2020 at the EU-Egypt Association Council, which took place in July 2017. The priorities make it clear that human rights – civil, political, economic, social and cultural rights, as set out in international human rights law, the Treaty on European Union and the Egyptian Constitution – are a common value and constitute the cornerstone of a modern democratic state. These agreed priorities commit Egypt and the EU to promoting democracy, fundamental freedoms and human rights as constitutional rights of all citizens, in line with their international obligations.

### **Human Rights Cases**

44. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade if his attention has been drawn to the jailing of two journalists in Myanmar after they were found guilty of breaching the country's official secrets Act while reporting on atrocities committed against the Rohingya by the Myanmar military in Rakhine state (details supplied); if he will raise this matter with his counterpart in Myanmar; and the steps Ireland is taking to stop this genocide and assist Rohingya refugees in Bangladesh. [38105/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** The recent sentencing of Wa Lone and Kyaw Soe Oo, two Reuters journalists working in Myanmar, to seven years in prison under the Official Secrets Act, is a cause of significant concern. That they were arrested for covering allegations of grave human rights violations by the Myanmar Military against the Rohingya community in Rakhine State makes this case all the more worrying.

Media freedom and critical journalism are essential pillars of democracy. A free press has a key function in promoting transparency and holding democratic governments to account. I continue to call for the immediate and unconditional release of the two journalists and call on the Myanmar authorities to ensure adequate conditions for journalists to carry out their work.

Ireland continues to actively engage with our international partners on these and other issues of grave concern through bilateral contacts in Myanmar and via participation in the EU and UN responses including at the ongoing 39th Session of the Human Rights Council and at the 73rd session of the UN General Assembly to which I will shortly travel.

More broadly, Ireland and the international community have taken a number of steps to address the Rohingya crisis which have focused on responding to the humanitarian crisis, promoting a political solution and pressing for accountability for crimes and other violations of human rights abuses that have occurred.

Ireland has also supported the intensive political response by the international community which continues to be pursued.

In addition, Ireland has consistently called for an independent and impartial investigation into the serious and credible allegations of human rights violations by the Myanmar security forces. In that regard, we have strongly supported the work of the Independent International Fact-Finding Mission on Myanmar (IIFMM) and UN Special Rapporteur to Myanmar Yanghee Lee, and the recent publication of the Report of the IIFMM has made for harrowing reading. The report of the IIFMM notes that the crimes in Myanmar “stem from deep fractures in society and structural problems that have been apparent and unaddressed for decades.”

It is therefore imperative that Myanmar and the international community respond comprehensively to the findings of the report and its recommendations in a way that both addresses the long-standing root causes of this crisis and in a manner that ensures the perpetrators of the crimes described in the report are swiftly brought to justice.

I have taken note of the recommendations and Ireland is actively engaging with our international partners in responding to the report, including at the current session of the Human Rights Council where this report is being formally presented.

While efforts aimed at achieving accountability and a political solution to the crisis are vitally important, there is an immediate need for a life-saving humanitarian response to the extremely difficult conditions faced by the huge numbers of displaced members of the Rohingya community now mainly in Bangladesh. To this end, Ireland has actively supported the international humanitarian response to the refugee crisis and we provided direct funding of €1 million in 2017 with an additional €1.1 million allocated for 2018. Our support has focused on food, nutrition, shelter, water and sanitation.

My Department will continue to liaise closely with EU and other international partners to press for progress in resolving this crisis including through our Embassies in Thailand and in Vietnam who are closely monitoring the situation.

## **Election Monitoring Missions**

45. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Foreign Affairs and Trade further to Parliamentary Question No. 149 of 10 July 2018, the number of applications received for the election monitoring panel competition which closed on 20 August 2018; and if he will make a statement on the matter. [38113/18]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon):** I refer the Deputy to the response to a previous parliamentary question on this matter Question 69 of 7 September 2018.

International election monitoring missions play an important role in the promotion of democracy and human rights. The Department of Foreign Affairs and Trade maintains a roster of observers for election monitoring missions. We aim to ensure that, when requested, Ireland is represented at an appropriate level on international observation missions for elections and constitutional referendums. Irish observers participate primarily in missions organised by the European Union or the Organisation for Security and Cooperation in Europe (OSCE).

The call for applications to establish a new Election Observation roster was issued on 2 July last and the call was open until 20 August 2018. Late applications were not accepted. The call was published on two Department of Foreign Affairs and Trade websites: [www.dfa.ie](http://www.dfa.ie) and [www.irishaid.ie](http://www.irishaid.ie). It was also publicised on social media.

The closing date for the submission of applications has only recently passed and the applications are still being verified and screened. I can confirm that a total of 395 applications were received by the deadline on the 20 August 2018.

## **Brexit Negotiations**

46. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade if there will be no change or diminution to the backstop proposal as agreed in December 2017 in negotiations between Britain and the European Union on Brexit; and if he will make a statement on the matter. [38193/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** From the outset of these negotiations, the Government has been clear and consistent in our position that a hard border between Ireland and Northern Ireland must be avoided under any circumstances. A legally operable ‘backstop’ which avoids a hard border and protects the integrity of the single market is essential for agreeing the Withdrawal Agreement, so as to provide the certainty that no matter what the outcome of the negotiations on the future relationship, there will be no hard border on the island of Ireland.

While our preference would be to see these issues resolved through the future relationship, this ‘backstop’ must be legally operable and, in the event that it is triggered, must be in place unless and until another solution is found. It cannot be temporary. This is what we agreed to, and what the UK committed to in December last year, and it is what the EU will hold them to.

On Tuesday I met with Michel Barnier and heard from him his assessment that it is time to ‘de-dramatise’ the Protocol and focus on agreeing the workable solutions that it offers at its core. Ireland fully supports this approach. Barnier confirmed once again his view that without a backstop there can be no Withdrawal Agreement.

This support was echoed by our partner EU27 Member States at the GAC Article 50 the

same day, and I remain grateful to them for the unity displayed in recognition of this as an essential element of the Withdrawal Agreement.

Both sets of negotiators have committed to bringing new energy to the talks, including on the Irish specific issues, and I welcome this. We remain confident that a deal can be reached, and refuse to be distracted by speculation or mischaracterisation of what the backstop is.

We cannot allow uncertainty about the border. It is not an academic issue, but one that affects the lives of tens of thousands of people every day, and has an impact on the peace process as well. A backstop that does not guarantee to remove this uncertainty is not acceptable to us, to the Task Force, or to the EU27. This shared position has, and will, remain constant.

## **Northern Ireland**

47. **Deputy Mary Lou McDonald** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has spoken to the Secretary of State for Northern Ireland, Ms Karen Bradley, recently. [37665/18]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney):** I am in ongoing engagement with the Secretary of State for Northern Ireland, Karen Bradley, as both Governments continue to work together as co-guarantors of the Good Friday Agreement, to address the ongoing absence of the power-sharing Executive and Assembly in Northern Ireland, as well as the North-South Ministerial Council.

I met with Secretary of State Bradley most recently on 24 August and on 17 September in Dublin and remain in regular contact by phone.

I have conveyed to Secretary of State Bradley the Government's deep concern at the continuing impasse with the devolved institutions, which she shares.

Both Governments are determined to get the devolved institutions up and running again and I am actively engaging with Secretary of State Bradley on how that can now be most effectively advanced.

I am hopeful that in the period ahead it will be possible to commence a political process to get beyond the current impasse and seek an agreement between the parties on operating the devolved institutions again, consistent with the full and effective implementation of the Good Friday Agreement and subsequent Agreements.

I do not underestimate the way to go in achieving that, but I firmly believe that a resolution is possible and that the calls from across all sections of the community in Northern Ireland for the devolved institutions to operate will be heeded.

I will continue to engage intensively, working with Secretary of State Bradley and the leaders of all of the political parties, to seek a way forward that will give the best prospects for getting the devolved institutions operating again as soon as possible.

The devolved, power-sharing institutions are at the heart of the Good Friday Agreement and are the best means for achieving accountable, representative decision-making for all the people of Northern Ireland.

The Good Friday Agreement is the indispensable framework for providing stable, inclusive, power-sharing government for all the people of Northern Ireland and for sustaining our interlocking relationships – within Northern Ireland, on the island of Ireland and between the UK



and Ireland.

The Government will continue to everything in its power, consistent with its responsibilities as a co-guarantor of the Good Friday Agreement, to secure the effective operations of all of the institutions of the Agreement.

### **Living City Initiative**

48. **Deputy Michael Healy-Rae** asked the Minister for Finance if the LCI tax incentive scheme will be extended to other counties (details supplied); and if he will make a statement on the matter. [38047/18]

**Minister for Finance (Deputy Paschal Donohoe):** The Living City Initiative was enacted in the Finance Act 2013 and commenced on 5th May 2015. The Initiative was extended beyond the original planned pilot cities of Limerick and Waterford, to include the cities of Dublin, Cork, Galway and Kilkenny. In line with my Department's commitment to evidence based policy-making, the inclusion of these additional four cities followed the completion of a comprehensive, independent ex-ante cost benefit analysis.

To date, take-up of the scheme has been lower than anticipated. A review was undertaken by my officials and this was published in the Report on Tax Expenditures (October 2016).

In light of the findings in the report, and in consultation with the relevant Councils and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, I announced a number of changes to the scheme in Budget 2017 to make the scheme more attractive and effective. The aim is to get the design of the initiative right and working in an effective manner. It is important that the underpinning scheme is made more effective, as until that has been achieved, extension of eligibility for it to other towns or cities may not be productive. Accordingly, I do not currently propose to extend the scheme beyond the present locations.

The Deputy may wish to note that "Realising our Rural Potential: Action Plan for Rural Development" contains a detailed list of actions and priorities with a view to revitalising rural Ireland generally. This effort is being led by the Minister for Rural and Community Development in conjunction with Ministers and officials from other Departments, as well as the Local Authorities and a range of other stakeholders.

A variety of actions included in this plan aim to assist in improving rural towns and making rural Ireland a better place to live. These include the Town and Village Renewal Scheme, under which funding of up to €12 million per annum is available to revitalise rural towns and villages, while there is also a commitment to develop and pilot an initiative to encourage increased residential occupancy in town and village centres.

### **Departmental Properties**

49. **Deputy Peadar Tóibín** asked the Minister for Finance the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38057/18]

**Minister for Finance (Deputy Paschal Donohoe):** The properties occupied by my Depart-

ment are provided and managed by the Office of Public Works and no land is owned by my Department.

I am informed that none of the bodies under the aegis of my Department owns land in County Meath. These bodies are:

Office of the Comptroller and Auditor General

Central Bank

Credit Review Office

Credit Union Advisory Committee

Credit Union Restructuring Board

Disabled Drivers Medical Board of Appeal

Financial Services and Pensions Ombudsman

Investor Compensation Company DAC

Irish Bank Resolution Corporation

Irish Financial Services Appeals Tribunal

Irish Fiscal Advisory Council

National Asset Management Agency

National Treasury Management Agency

Office of the Revenue Commissioners

Social Finance Foundation

Strategic Banking Corporation of Ireland

Tax Appeals Commission

While NAMA does not own land in County Meath, a subsidiary, the National Asset Residential Property Services DAC, owns twenty-nine housing units in Bettystown in County Meath which have been leased to an approved housing body for social housing.

### **Tax Code**

50. **Deputy Fergus O'Dowd** asked the Minister for Finance his plans to address the revenue discrepancies between couples who are married and couples who cohabit but remain unmarried (details supplied); and if he will make a statement on the matter. [38077/18]

**Minister for Finance (Deputy Paschal Donohoe):** The basis for the current tax treatment of married couples derives from the Supreme Court decision in *Murphy vs. Attorney General* (1980). This decision was based on Article 41.3.1 of the Constitution where the State pledges to protect the institution of marriage. The decision held that it was contrary to the Constitution for a married couple, both of whom are working, to pay more tax than two single people living together and having the same income.

Where a couple is cohabiting, rather than married or in a civil partnership, each partner is treated for the purposes of tax as a separate and unconnected individual. Because they are treated separately for tax purposes, tax credits, tax bands and reliefs cannot be transferred from one partner to the other. Cohabitants do not have the same legal rights and obligations as a married couple or couple in a civil partnership which is why they are not accorded similar treatment to couples who have a civil status that is recognised in law.

From a practical perspective, it would be very difficult to administer a regime for cohabitants which would be the same as that for married couples or civil partners. Married couples and civil partners have a verifiable official confirmation of their status. It would be difficult, intrusive and time-consuming to confirm declarations by individuals that they were actually cohabiting and it would be difficult to establish when cohabitation started or ceased. Furthermore, while there may be an advantage in tax legislation for a married couple or civil partners as regards the partial transferability of the standard rate band and tax credits, their legal status as spouses/civil partners has wider consequences from a tax perspective both for themselves and persons connected with them. To counter tax avoidance, numerous restrictive provisions regarding transactions between “connected persons” are contained in the various Tax Acts and the definition of “connected persons” extends to relatives and children of spouses and civil partners. Such provisions could be very difficult to prove and enforce in respect of persons connected with a cohabiting couple where the couple has no legal recognition.

To the extent that there are differences in the tax treatment of the different categories of couples, such differences arise from the objective of dealing with different types of circumstances while at the same time respecting the constitutional requirements to protect the institution of marriage. Any change to the tax treatment of cohabiting couples can only be addressed in the broader context of future social and legal policy development in relation to such couples.

### **Revenue Commissioners Enforcement Activity**

51. **Deputy Mattie McGrath** asked the Minister for Finance the amount paid to Revenue Commissioners sheriffs in poundage fees payments for each of the past three years; and if he will make a statement on the matter. [38107/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that the execution of Revenue warrants by Sheriffs in respect of tax debts is specifically provided for in Section 960 of the Taxes Consolidation Act, 1997, as amended.

Sheriffs are entitled to fees and expenses in relation to collection of tax debts and/or seizure of goods. Fees are not paid where the tax and/or interest is not paid. Once a certificate relating to unpaid debt has been issued to a Sheriff, the taxpayer becomes liable for payment of the associated Sheriff’s fees and expenses. The current fees and expenses payable to Sheriffs are set out in a Statutory Instrument, the Sheriff’s Fees and Expenses Order S.I. 644 of 2005. Sheriffs are entitled to a lodgement fee, currently €19, for each Revenue warrant sent to them. They are entitled to “poundage” (similar to commission) where collection is successful and this is calculated at the rate of 5% on the first €5,500 and 2.5% on any additional balance for the same warrant. They are also entitled to travelling expenses and any necessary expenses incurred in relation to seizure, storage and sale of goods or in executing orders by bailiffs.

Statistics on the amount of poundage fees paid to Sheriffs in respect of tax debts due to Revenue is not reported to nor collated by Revenue, however audit verification is routinely carried out to ensure the levying of poundage fees is in accordance with the Statutory Instrument.

## Summer Economic Statement

52. **Deputy Róisín Shortall** asked the Minister for Finance if the cost of the indexation of income tax bands and income tax rates has been factored into the discretionary measures amount of €0.8 billion as set out in the summer economic statement; and if the cost of so indexing would form part of the €0.8 billion figure. [38114/18]

**Minister for Finance (Deputy Paschal Donohoe):** As the Deputy is aware, the Programme for Partnership Government 2016, indicates that the income tax system will not be indexed.

The estimated Exchequer yield from non-indexation of the income tax system would be in the region of €0.6 billion on a full year basis. As this is a revenue generating measure (discretionary revenue measure) it increases the amount by which government expenditure can increase under the expenditure benchmark rule.

This is shown in table 3 of the Summer Economic Statement 2018 (*h. discretionary revenue raising measures*).

## Stamp Duty

53. **Deputy Róisín Shortall** asked the Minister for Finance the number of leases in 2017 on which stamp duty on residential leases has been paid at the 1% rate; the yield in 2017; and if he will make a statement on the matter. [38131/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that Stamp Duty information in respect of residential property leases is stored on a grouped basis across certain specific categories.

The individual categories are:

- leases not exceeding 35 years or leases for any indefinite term, which are liable to a rate of 1% on average annual rent in addition to 1% on first €1 million of premium consideration and 2% on premium consideration in excess of €1 million, (only applies where the annual rent is greater than €40,000 (€30,000 if the lease was executed before 25 December 2017).

- leases for a term exceeding 35 years but not exceeding 100 years, which are liable to a rate of 6% on average annual rent in addition to 1% on first €1 million of premium consideration and 2% on premium consideration in excess of €1 million.

No Stamp Duty applies where the period of the lease does not exceed 35 years, or is for an indefinite period, and where the annual rent does not exceed €40,000 (€30,000 if the lease was executed before 25 December 2017).

Revenue has confirmed that while it is not possible to provide a breakdown between the different categories of residential property leases at the 1%, 2% and 6% rates, the total number in 2017 was 331 with Stamp Duty of €0.2 million paid.

## Living City Initiative

54. **Deputy Fergus O'Dowd** asked the Minister for Finance his plans to implement the living city initiative in Drogheda to help drive residential numbers up and vacant properties down in view of the growing population of Drogheda and the possibility it will become a city

in the very near future based on CSO projections; and if he will make a statement on the matter. [38179/18]

**Minister for Finance (Deputy Paschal Donohoe):** As the Deputy will be aware, the Living City Initiative was enacted in the Finance Act 2013 and commenced on 5th May 2015. The Initiative was extended beyond the original planned pilot cities of Limerick and Waterford, to include the cities of Dublin, Cork, Galway and Kilkenny. In line with my Department's commitment to evidence based policy-making, the inclusion of these additional four cities followed the completion of a comprehensive, independent ex-ante cost benefit analysis.

As I have advised the Deputy, to date the take-up of the scheme has been lower than anticipated. A review was undertaken in 2016 by my officials and this was published in the Report on Tax Expenditures (October 2016) that was released on Budget Day 2016.

In light of the findings in the report, and in consultation with the (now) Department of Culture, Heritage and the Gaeltacht, my predecessor announced a number of changes to the scheme in Budget 2017 to make the scheme more attractive and effective. The aim is to get the design of the initiative right and working in an effective manner. It is important that the underpinning scheme is made more effective, as until that has been achieved, extension of eligibility for it to other towns or cities would be largely meaningless. Accordingly, I do not currently propose to extend the scheme beyond the present locations.

### Fuel Rebate Scheme

55. **Deputy Pearse Doherty** asked the Minister for Finance the estimated cost of reducing the floor applied to the fuel rebate scheme to €0.85 per litre based on current prices and forecasts made by his Department regarding the price of petrol and diesel. [38190/18]

56. **Deputy Pearse Doherty** asked the Minister for Finance the estimated cost of changes to the fuel rebate scheme in order that the maximum rebate available under the scheme is increased from 7.5 cent to 15 cent per litre and payable once the price reaches €1 excluding VAT and that the rebate would continue to be payable on a sliding scale but commencing when the diesel price is at €0.85 excluding VAT and reaching the maximum rebate of 15 cents once the price reaches €1 excluding VAT. [38191/18]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 55 and 56 together.

A relief on Mineral Oil Tax (MOT) paid on auto-diesel purchased within the State by qualifying operators, on or after 1 July 2013, is provided for by Section 99A of the Finance Act 1999 (as inserted by Section 51 of the Finance Act 2013).

The repayment amount is calculated by reference to a sliding scale based on the average price at which auto-diesel is available for purchase during a repayment period. The maximum relief is 7.5 cents per litre for fuel purchased at €1.54 or over and no relief applies where the purchase price is €1.23 or less. Full details on the requirements for qualifying operators in relation to repayments under the scheme are available on Revenue's website at [www.revenue.ie/en/tax/excise/diesel-rebate-scheme](http://www.revenue.ie/en/tax/excise/diesel-rebate-scheme).

I am advised by Revenue that the total volume of diesel submitted for relief on MOT from the period 2014 to 2017 ranged from a high of 416m litres in 2014 to a low of 55m litres in 2016. In the absence of data on potential future uptake, the costings provided below are based on the average volume of qualifying diesel consumption for the years 2014/2015 (approximate-

ly 326m litres) and the current national average purchase price per litre in July 2018 of €1.364 (€1.109 VAT exclusive).

The cost of reducing the ‘floor price’ from €1.00 per litre (excluding VAT) to €0.85 per litre, assuming the maximum repayment value of 7.5c per litre would remain unchanged, is estimated by Revenue to be in the region of €5.2 million.

In relation to Question 38191/18, at the current national average purchase price for diesel of €1.364 per litre (July 2018), all qualifying consumption would be eligible under the proposal for the full relief of 15c per litre. Revenue has advised me that the estimated cost of the proposal would be approximately €51m per year.

### **Insurance Fraud**

57. **Deputy Brendan Smith** asked the Minister for Finance if consideration will be given to the concerns outlined by an association (details supplied) relating to fraudulent claims and increasing insurance costs; his plans to implement measures to deal with these issues; and if he will make a statement on the matter. [38195/18]

**Minister for Finance (Deputy Paschal Donohoe):** I welcome the proactive role that the Alliance for Insurance Reform is taking in regard to the issue of the cost of insurance, particularly for businesses and voluntary organisations. Both the Minister of State for Financial Services and Insurance, Mr. Michael D’Arcy TD, and I are very conscious of the problems arising from false or exaggerated personal injury claims and the impact that the volatility in insurance prices generally in the last few years has had on Alliance members, as well as other businesses and organisations.

Minister D’Arcy has formally met with the Alliance on a number of occasions, mostly recently on Tuesday last (September 18), and issues related to the Alliance’s “10 asks” were discussed to some level of detail, including the four specifically related to the issue of insurance fraud highlighted in the Alliance’s press release last week.

All four relevant issues were comprehensively examined and considered by the Cost of Insurance Working Group in the course of producing its two reports, namely the Report on the Cost of Motor Insurance and the Report on the Cost of Employer and Public Liability Insurance. Indeed, at least two of the four measures proposed by the Alliance are in the process of being implemented.

The Department of Justice and Equality has prepared Draft Heads in relation to amending section 8 of the Civil Liability and Courts Act 2004 to ensure defendants are notified within one month of a claim having been lodged against their policy and it is expected that the amendments will be progressed by the end of the year.

Pursuant to Recommendation 13 from the Liability Insurance Report, a procedure to ensure exaggerated and misleading claims are referred to the Gardaí for investigation and prosecution, if appropriate, has been established. In particular, a new set of guidelines in respect of the reporting of suspected fraudulent insurance claims has been agreed between An Garda Síochána and insurance entities. These guidelines are due to become operational shortly. A separate stream of work relates to an examination of the court process in circumstances where the court believes there to be an element of fraud or exaggeration in the claim which should be investigated by the Gardaí. Measures which could be taken to ensure that the appropriate action is taken in such circumstances are being examined.

In addition, another “spin-off” occurrence from the implementation of this recommendation has been a commitment for the Garda National Economic Crime Bureau and Insurance Ireland’s Anti-Fraud Forum to meet on a regular basis in order to discuss and act upon current and ongoing general issues which arise in the area of insurance fraud. This positive development is an opportunity for greater communication and improved processes and it is hoped that it will lead to a better understanding on both sides of the issues arising in the investigation and reporting of fraud.

In relation to the establishment of a dedicated Garda insurance fraud unit, Insurance Ireland communicated the outcome of its cost/benefit analysis at the start of July 2018, recommending industry funding of such a unit. I understand that the new Garda Commissioner has yet to form a view on the proposal, and there are a number of serious issues which will require further consideration before any decision whether or not to proceed in this manner is taken. It is important to note that while the idea of a dedicated Garda Fraud Unit has been the focus of a lot of attention, it was in fact one proposal within the overarching Recommendation 26 in the Motor Report which called for “further cooperation between the insurance sector and An Garda Síochána in relation to insurance fraud investigation”, and, as outlined above, significant progress has been achieved in this regard.

Finally, in relation to the proposal to regulate claims management companies, my officials have been looking at this issue to understand the precise scale and nature of the perceived problem. Engagement has taken place with the relevant regulatory authority in the UK, as well as relevant parties here, including the Law Society of Ireland and the insurance industry. It should be noted that the Law Society has taken a very proactive role against “claims harvesting” websites operating in Ireland, and its investigations have led to a number of websites having been taken down over the past couple of years. I understand that the number of such websites operating in Ireland has decreased significantly over the past couple of years overall, but my officials will continue to examine this issue and take appropriate action accordingly.

### **Departmental Reports**

58. **Deputy Brendan Smith** asked the Minister for Finance the progress to date in implementing the report of the cost of insurance working group; and if he will make a statement on the matter. [38196/18]

**Minister for Finance (Deputy Paschal Donohoe):** As the Deputy is aware, the Cost of Insurance Working Group undertook an examination of the factors contributing to the cost of insurance in order to identify what short, medium and long-term measures could be introduced to help reduce the cost of insurance for consumers and businesses.

The initial focus of the Working Group was the issue of rising motor insurance premiums and the Report on the Cost of Motor Insurance was published in January 2017, containing 33 recommendations with 71 associated actions.

In its second phase, the Working Group examined the cost of business insurance, in particular employer liability insurance and public liability insurance. This work culminated in the publication in January 2018 of the Report on the Cost of Employer and Public Liability Insurance, with 15 recommendations and 29 associated actions to be carried out.

Both of the primary Reports contain an Action Plan, setting out the agreed timelines for implementation, and also a commitment that the Working Group will prepare quarterly updates on its progress. The Working Group has published six such updates, most recently in August.

The Sixth Quarterly Update shows that 58 of the 71 deadlines placed on actions across the two reports to date have been completed. One of the actions achieved during this time was the delivery of the final report of the Personal Injuries Commission, which merges the content of what had been intended to be two reports. This report was published on Tuesday this week and the implementation of its key recommendations should have an impact upon the awarding of personal injury damages in the future.

As well as the actions which have been finalised, it is important also to consider the continued progress being made on some of the large scale actions. One area of significant progress has been the markedly enhanced levels of engagement and cooperation between An Garda Síochána and the insurance industry since the creation of the Fraud Roundtable. This has led not only to the agreement of a protocol between An Garda Síochána and insurers in relation to the reporting of suspected fraudulent personal injury claims but also a commitment for the Garda National Economic Crime Bureau and Insurance Ireland's Anti-Fraud Forum to meet on a regular basis in order to discuss and act upon current and ongoing relevant issues in this area.

Much progress has also been made on putting in place a National Claims Information Database with the recently published Central Bank (National Claims Information Database) Bill 2018. The second stage debate on that legislation is scheduled to take place in the Dáil today. The enactment of this Bill will provide us with much greater insight into, in particular, the identification of settlement channel information which should lead to a greater consistency in award levels and a greater use of the Personal Injuries Assessment Board. This would result in a more stable claims environment, in turn positively influencing the price of insurance paid by consumers.

I believe that the reforms which we have been implementing since January 2017 are already showing positive results. The cost of private motor insurance as measured by the Central Statistics Office on a monthly basis has fallen by over 20% since the high premiums seen in July 2016. I appreciate that these figures represent a broad average however we have to recognise that these are the same figures that showed the large increase that many commentators regularly reference. Therefore, I think it has to be recognised that the overall trend currently is downward, which is welcome.

## Tax Yield

59. **Deputy Michael McGrath** asked the Minister for Finance the revenue received from the vehicle registration tax in the past five years and to date for 2018 by CO2 bands in tabular form; and if he will make a statement on the matter. [38199/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am informed by Revenue that the receipts received from the Vehicle Registration Tax in the past five years and to July 2018 by CO2 bands is as set out in the following table.

Bands	2013	2014	2015	2016	2017	2018*
gCO2/km	€m	€m	€m	€m	€m	€m
A1 (0 - 80)	0.08	0.39	1.60	4.45	6.39	8.90
A2 (81-100)	26.94	59.93	85.01	109.76	102.66	70.82
A3 (101-110)	36.18	72.04	136.89	178.51	183.14	146.49
A4 (111-120)	116.70	124.44	125.95	189.80	198.97	176.00
A5 (121-130)	65.64	74.53	84.89	106.83	113.42	105.22
A6 (131-140)	89.31	93.67	87.08	77.10	85.35	68.72



Bands	2013	2014	2015	2016	2017	2018*
A7 (141-155)	46.31	46.35	44.86	53.79	53.70	51.50
A8 (156-170)	16.31	19.86	21.80	18.59	24.49	21.54
A9 (171-190)	11.77	9.07	15.07	15.23	18.73	18.18
A10 (191-225)	9.57	12.96	6.54	6.16	6.76	5.37
A11 (226 & over)	2.95	3.92	4.35	4.97	4.90	4.17
Total Cars	421.77	517.17	614.03	765.17	798.53	676.92
Total Other Vehicles	15.54	24.93	35.56	49.04	42.07	42.62
Total Net Receipts	437.31	542.10	649.59	814.21	840.60	719.54

\*provisional data as at end July 2018

### Vehicle Registration

60. **Deputy Michael McGrath** asked the Minister for Finance the impact of the new world-wide harmonised light vehicle test procedure on the vehicle registration tax; if VRT is likely to increase due to the new test; the amount by which it is expected to increase; when the WLTP will be in use for VRT purposes; and if he will make a statement on the matter. [38200/18]

**Minister for Finance (Deputy Paschal Donohoe):** Ireland's Vehicle Registration Tax regime is based on CO2 emissions in order to encourage the purchase of vehicles with lower CO2 emissions. This is in line with broader climate change policy as well as EU Regulations which set ever lower binding emissions targets on the automotive industry in relation to new car and van fleets. I understand that the introduction of the WLTP will more accurately reflect the CO2 emissions produced by motor vehicles and officials from my Department are currently examining options around the potential impact of the introduction of the WLTP on motorists, the motor industry, and the Exchequer.

More information about the options under consideration can be found in the Department's Energy and Environmental Taxes TSG paper, published last month: <https://www.finance.gov.ie/what-we-do/tax/the-tax-strategy-group/>

### NAMA Property Sales

61. **Deputy Michael McGrath** asked the Minister for Finance his views on the sale by NAMA of a site (details supplied) in Dublin 8 in view of the establishment of the national Land Development Agency; his further views on whether this land could have been used under the LDA for social and affordable housing; if he was consulted regarding the sale; and if he will make a statement on the matter. [38201/18]

**Minister for Finance (Deputy Paschal Donohoe):** I wish to advise the Deputy that as Minister, I have no role to play in NAMA's operations or in its commercial decisions. NAMA is prohibited, under Section 99 and Section 202 of the NAMA Act 2009, from disclosing confidential information relating to its debtors and for that reason, I do not propose to make any comment in relation to the particular issue raised by the Deputy.

In relation to the Land Development Agency, this is a new agency to ensure the optimal usage of State land and will have an immediate focus on managing the State's own lands to develop new homes, and regenerate under-utilised sites. It is important to recognise that NAMA does not own property, rather, NAMA owns loans secured by property which is owned by its debtors and therefore such sites are not included within the immediate focus of the Land Development Agency.

### Tax Code

62. **Deputy Willie Penrose** asked the Minister for Finance if a farmer incurs losses in excess of three years, the way in which such losses are treated in the income tax code in respect of section 662 of the Taxes Consolidation Act 1997, as amended, in which relief in respect of losses in farming or market gardening are restricted for a three year period in the context of circumstances in which there would be a sustained period of losses in excess of that which is permitted; and if he will make a statement on the matter. [38215/18]

**Minister for Finance (Deputy Paschal Donohoe):** I am advised by Revenue that there are specific provisions relating to losses from a farming or a market gardening trade set out in section 662 TCA 1997.

In general, a trading loss incurred in farming or market gardening may not be set off against other profits unless the claimant can show that the farming or market gardening trade was operated on a commercial basis and with a view to profit. In addition to, and independently of, this test, loss relief is not available for set off in a fourth year if losses have been incurred in each of the three preceding years. Any loss arising in the fourth year may be carried forward for offset against future profits of the same farming trade but is not available for offset against other income under section 381 TCA 1997.

There are a number of exceptions to the above general rules, whereby the restrictions on loss relief will not apply in the following circumstances:

- where the farming or market gardening trade forms part of, *and* is ancillary to, a larger trading undertaking (Section 662 (2)(e));

- where the farming or market gardening trade was set up and commenced within the prior three tax years (Section 662 (5)); or

- where the person claiming the relief can show in the fourth year that the farming or market gardening activities are of such a nature, and carried on in such a way, that if undertaken competently, they would give rise to a reasonable expectation of future profits and that the business could not reasonably have been expected to become profitable until after the fourth year (Section 662 (2)(d)).

### Disabled Drivers and Passengers Scheme

63. **Deputy Brendan Smith** asked the Minister for Finance when he plans to amend and improve the criteria pertaining to the primary medical certificate; and if he will make a statement on the matter. [38223/18]

**Minister for Finance (Deputy Paschal Donohoe):** As you may be aware, the Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme provides relief from VAT and VRT (up to a certain limit) on the purchase of an adapted car for transport of a person with specific

severe and permanent physical disabilities, payment of a fuel grant, and an exemption from Motor Tax.

To qualify for the Scheme an applicant must be in possession of a Primary Medical Certificate. To qualify for a Primary Medical Certificate, an applicant must be permanently and severely disabled within the terms of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994 and satisfy one of the following conditions:

- be wholly or almost wholly without the use of both legs;
- be wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs;
- be without both hands or without both arms;
- be without one or both legs;
- be wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg;
- have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

The Scheme represents a significant tax expenditure. Between the Vehicle Registration Tax and VAT foregone, and the fuel grant, the scheme is estimated to have cost €65m in each of 2016 and 2017. This figure does not include the revenue foregone in respect of the relief from Motor Tax provided to members of the Scheme.

Given scale and scope of the scheme, I have no plans to amend the qualifying medical criteria at this time.

## **Budget 2019**

64. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform if there is a spending overrun for 2018 (details supplied); if so, the precise impact the spending overrun will have on the fiscal position for budget 2019 and the funds available for allocation in 2019; the implications on the €800 million available for allocation in budget 2019 if the overspend in the Department of Health was to persist for the entire year; and if he will make a statement on the matter. [38090/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** Managing the delivery of public services within budgetary allocations is a key responsibility of every Department and Minister. My Department is in regular contact with all other Departments and Offices to ensure that expenditure is being managed within the overall fiscal parameters. The drawdown of funds from the Exchequer is reported on each month against expenditure profiles in the Fiscal Monitor published by the Department of Finance. As outlined in the Fiscal Monitor, at the end of August, overall gross voted expenditure of €39.4 billion was €152 million (0.4 per cent) behind profile but up by 7.9 per cent in year-on-year terms, with a key element of the year-on-year increase being expenditure in the Health sector.

The Mid-Year Expenditure Report outlined a risk in relation to the continuation of the trend in health expenditure given that while at the end of June health expenditure was just 2 per cent above profile, the year-on-year increase was almost 9½ per cent. As expenditure in the subsequent two months has continued broadly in line with the run rate in the first half of the year,

health expenditure at the end of August is €0.3 billion or 3 per cent above profile, indicating a requirement for a significant Supplementary Estimate. Work is ongoing to determine the scale of such a Supplementary Estimate and its potential impact on aggregate voted expenditure in both 2018 and 2019.

Given the priority placed on achieving the fiscal targets for 2018 and 2019 outlined in the Summer Economic Statement, a key consideration is the impact of such additional expenditure in the health sector on the overall fiscal position. Any increase in expenditure in one sector, unless offset by expenditure underspends elsewhere, either voted or non-voted, or additional revenues, would result in a deterioration in the general government deficit from a projected 0.2 per cent of GDP this year and 0.1 per cent of GDP next year. Looking to Budget 2019, the Summer Economic Statement indicated the importance of fiscal policy targeting an improvement in the headline position. As such, all voted expenditure developments will need to be considered along with a range of other revenue and expenditure moving parts across General Government in the context of the overall fiscal arithmetic to be updated for October's budget.

### **Departmental Properties**

65. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38062/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** My Department does not own any land in County Meath. With the exception of the Office of Public Works (OPW), this is also the case for the bodies under the aegis of my Department.

The OPW manages a diverse property portfolio, on behalf of the State, which includes office accommodation, Garda stations, heritage properties and visitors centres. In County Meath, the Commissioners of Public Works (CPW) own a number of heritage properties with associated land at Trim Castle, Newgrange, the Hill of Tara and the Oldbridge Estate, all of which are open to the public. The CPW also own land in Stirrupstown, Clonmellon. The land, consisting of approximately half an acre, is leased with eighteen years left to run on the lease.

As part of an internal system of information sharing, the OPW highlights to other State bodies all properties, including land, that it considers surplus to its requirements. Information on such surplus properties is available to Meath County Council.

As a matter of policy, no property is disposed of on the open market until other State bodies, including the local authority sector, are advised of its availability. If the Council express an interest, then there is a mechanism for the transfer of that land to Meath County Council at a value set independently by the Valuation Office.

This mechanism was introduced in 2015 and the OPW has used it to transfer land to Meath County Council.

In addition, the OPW engages with the Department of Housing, Planning and Local Government on the potential use of land in public ownership.

### **Flood Prevention Measures**

66. **Deputy John Brassil** asked the Minister for Public Expenditure and Reform the position regarding the pending applications from the OPW and Kerry County Council regarding the clearing of the Glenflesk river, Glenflesk, Killarney, County Kerry; and if he will make a statement on the matter. [38067/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I am advised that the River Flesk does not form part of any Arterial Drainage Scheme which would fall under the remit of the Office of Public Works (OPW) under the 1945 Arterial Drainage Act. The OPW therefore has no responsibility for the maintenance of this river.

The applications submitted under the OPW Minor Flood Mitigation Works and Coastal Protection scheme by Kerry County Council for projects on the Flesk river are currently under consideration. A meeting has taken place with Kerry County Council and further information has been received. A decision will issue shortly to the Council.

### **Capital Expenditure Programme**

67. **Deputy Róisín Shortall** asked the Minister for Public Expenditure and Reform the areas it is proposed to allocate the €1.5 billion in extra capital spending set out in the summer economic statement, by Department; and the projects and areas that are being covered. [38126/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** In my role as Minister for Public Expenditure and Reform I am responsible for setting the overall capital allocations across Departments and for monitoring monthly expenditure at a Departmental level.

I do not have a direct role in relation to project selection. Decisions on how Departmental allocations are invested and what projects are selected, are a matter in the first instance for my ministerial colleagues.

I can however inform the Deputy that capital expenditure allocations by Ministerial Vote Group for the years 2018-2022 were published in Annex 1 of the National Development Plan (NDP) and these allocations remain valid.

As detailed in Annex 1 of the NDP, capital expenditure will increase by €1446 million between 2018 and 2019. This is a sizeable increase of approximately 25% between 2018 and 2019. The total capital expenditure allocation for 2019 is €7.3 billion. This increase in capital expenditure is detailed in the table.

This will result in capital expenditure increases across almost every Department. For example, the Department of Housing, Planning and Local Government's capital allocation will increase by approximately €400 million next year, that's a year-on-year increase of 25%.

The Department of Health's capital allocation will increase by approximately €174 million next year, a year-on-year increase of 35%.

Details on the projects which this funding is committed to are set out in the NDP as part of a total funding package of €116 billion over the next 10 years. Further details are available from the relevant Departments.

It is important to stress that the increase in capital expenditure which is detailed in the NDP has been structured to underpin the implementation of the National Planning Framework (NPF) and support the development of all counties and regions across Ireland, both urban and rural areas. Aligning our investments to the ten National Strategic Outcomes (NSOs) detailed in

the National Planning Framework will help us to ensure that we achieve long-term economic, social and environmental sustainability in the period to 2040.

The NDP includes many new projects and programmes which were not listed in the previous plan which covered the period 2016-2021. For example new projects specifically detailed in the NDP include the M20 Cork to Limerick road, the New Hospital for Cork, BusConnects Programmes for Cork, Dublin and Galway and a major investment programme across the cultural institutions, to name just a small portion of the new investments now planned. While some projects may have been signalled previously, they are now clearly included in the long-term funding framework of the NDP.

In order to increase transparency relating to the details of specific capital projects, a major update of the capital projects tracker will be published in September 2018 on the website of the Department of Public Expenditure and Reform. This tracker has been compiled with information supplied by Government Departments relating to their own investment plans and is intended to facilitate better coordination and more efficient planning of public infrastructure investment in order to deliver Project Ireland 2040.

The tracker will also inform citizens of the variety of projects currently in the planning and construction phase and to give greater clarity to the construction sector on investment commitments and opportunities.

Capital Envelope (€ million)	2018	2019	Difference	% change
Agriculture, Food & the Marine	248	255	7	3%
Business, Enterprise, & Innovation	555	620	65	12%
Children & Youth Affairs	28	32	4	14%
Communications, Climate Change & Natural Resources	209	256	47	22%
Culture, Heritage and the Gaeltacht	54	75	21	39%
Defence	77	106	29	38%
Education and Skills	745	941	196	26%
Employment Affairs and Social Protection	10	14	4	40%
Finance Group	26	25	-1	-4%
Foreign Affairs and Trade Group	13	17	4	31%
Health Group	493	667	174	35%
Housing, Planning & Local Government	1,631	2,033	402	25%
Justice Group	145	241	96	66%
PER Group	174	203	29	17%
Rural and Community Development	88	141	53	60%
Transport, Tourism, & Sport	1,327	1,643	316	24%
Sum Total	5,823	7,269	1,446	25%

### Public Sector Staff Remuneration

68. **Deputy Róisín Shortall** asked the Minister for Public Expenditure and Reform the full remaining cost of ensuring that all public sector workers recruited on lower salary levels since 2011 are brought to pay levels that match colleagues at the same grade; and the way in which

he plans to address this inequality. [38135/18]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Public Service Stability Agreement 2018-2020 (PSSA), provided that an examination of remaining salary scale issues in respect of post January 2011 recruits at entry grades would be undertaken within 12 months of the commencement of the Agreement and on conclusion of this work the parties would discuss and agree how the issues might be addressed under the terms of the PSSA.

Additionally, as the Deputy is aware, this Government accepted an amendment at Section 11 of the Public Service Pay and Pensions Act 2017, that within 3 months of the passing of the Act, I would prepare and lay before the Oireachtas a report on the cost of and a plan in dealing with pay equalisation for new entrants to the public service.

In accordance with the legislation I submitted a report to the Oireachtas on the 16th of March. As detailed in the Report, the costs are annualised and an increment date of 1 January is assumed to give the full one year cost for over 60,500 staff identified as new entrants. However, increment dates across the year vary significantly by individual and sector while salary scales and the structure of such scales across the public service as they affect individuals is not consistent. The report also quantified the cost of a two point adjustment as approximately €200m and the potential benefit to the individual as €3,301 on average.

In recognition of this, since the publication of the report, my Department, in support of the discussions between the parties, has engaged in further work to assess and model the potential budgetary implications and impacts through phasing of the overall quantum. This work is currently on-going.

Discussions on the issue with public service trade unions and representative associations, commenced in October 2017, with a further plenary meeting taking place on 27th of April last following the publication of the report. Further discussions are ongoing as the parties continue to work through the various aspects of this issue.

### **School Transport Administration**

69. **Deputy Fergus O'Dowd** asked the Minister for Education and Skills his plans to overhaul the school transport system to ensure children have confirmation of available bus spaces well in advance of the commencement of school terms; and if he will make a statement on the matter. [38037/18]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** School transport is a significant operation managed by Bus Éireann on behalf of the Department.

In the 2017/18 school year over 117,000 children, including over 12,000 children with special educational needs, were transported in over 4,500 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres annually at a total cost of almost €190 million in 2017.

Children are generally eligible for school transport if they satisfy the distance criteria and are attending their nearest school.

Children who are eligible for school transport and who have completed the application process on time have been accommodated on school transport services for the current school year where such services are in operation.

Children who are not eligible for school transport may apply for transport on a concessionary basis only and will be facilitated where spare seats are available after eligible children have been accommodated.

The closing date for parents to submit their payment details is generally the last Friday in July and Bus Éireann begin the process of issuing tickets in the first weeks of August each year.

Bus Éireann has been asked to examine the communication strategy to determine if it is possible to issue earlier emails to families, taking into account the application process deadlines and route design requirements.

The terms of the School Transport Schemes are applied equitably on a national basis.

### **Schools Building Projects Status**

70. **Deputy Pat Casey** asked the Minister for Education and Skills when the building programme for a school (details supplied) in County Wicklow will be commenced, including a full site investigation and timetable for completion; and if he will make a statement on the matter. [38045/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I can confirm to the Deputy that a Major Capital Project for the provision of permanent accommodation for the school in question to cater for a Long Term Projected Enrolment of 1,000 pupils is being addressed through my Department's Capital Programme.

It is envisaged that permanent accommodation for the school will be provided through a campus arrangement with a local Institute of Further Education on its current site. This project will also include the redevelopment and provision of enhanced accommodation for the Institute. In the context of initiating architectural planning for the project, my Department is liaising with Kildare and Wicklow Education and Training Board (KWETB) and will be in further contact with the school's Parton in this regard as soon as possible.

### **Departmental Properties**

71. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38055/18]

**Minister for Education and Skills (Deputy Richard Bruton):** Regarding land in my ownership made available to Meath County Council for the purposes of house building, Meath County Council has been engaging with my Department in relation to the proposed acquisition of a portion of a site in my ownership in Ashbourne, County Meath under an intra-state transfer process.

Meath County Council has indicated to my Department that, subject to the relevant funding approvals being obtained, it wishes to proceed with the purchase of the portion of the land in question for the purposes of housing and a public park.

There are no other vacant lands in Co Meath in my ownership for which there are not plans



for development for educational use.

### **Education Costs**

72. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will address a matter (details supplied) regarding the cost of education; and if he will make a statement on the matter. [38065/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I strongly support any measures that can be put in place to reduce costs for parents.

To deliver on my ambition to be the best we have to improve information and complaint procedures for parents and students, particularly in relation to costs.

I want to give parents a strong voice in ensuring costs are always kept to a minimum. My Department published Circular Letter 32/2017 which details the measures to be adopted by schools to reduce the cost of school uniforms and other costs. The publication of this Circular was one of the actions outlined in the Action Plan for Education 2016-2019.

Schools have to do everything possible to keep costs down for parents, including the use of generic items, sew on or iron on crests, and making sure that various elements of the uniform can be purchased in multiple stores.

In the Action Plan for Education I have committed to the restoration of capitation payments and increasing the financial support for book rental schemes, in order to reduce or eliminate school book costs for parents. However, I must be prudent in the context of ongoing budgetary pressures and prioritise where it is not possible to do everything that I would like to do in the education sector in any one year.

I believe that full transparency in relation to the use of any voluntary contributions is important information for parents to have. The Parent and Student Charter will require every school to set out a financial statement, which will include information on how any voluntary contributions are used.

This is part of a suite of measures including legislation regarding School Admissions which is intended to reform information and procedures around the process of school enrolment, and the commencement of fitness to teach, which for the first time allows a complaint to be made about a registered teacher to the Teaching Council.

My colleague, the Minister for Employment Affairs and Social Protection, has also increased the back to school allowance by €2.1m this year, bringing the total investment in the scheme to €49.5m.

I believe that these actions will significantly strengthen the focus on reducing school costs for parents.

### **Pupil-Teacher Ratio**

73. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the changes that have taken place in the pupil teacher ratios for one, two, three and four teacher schools since 2010; the years in which these changes took place; his plans to reverse these changes in view of the improvement in the economy; and if he will make a statement on the matter. [38084/18]

**Minister for Education and Skills (Deputy Richard Bruton):** Budget 2012 increased the appointment and retention ratios for small schools (i.e., schools with up to four classroom teachers). Improvements to the staffing of these schools were announced for the 2015/16 school year. These improvements are improved retention thresholds for the 2nd, 3rd and 4th classroom teacher and also the improved appointment and retention thresholds for one-teacher schools situated 8km or more from the nearest school of the same type of patronage and/or language of instruction. In addition, Budget 2016 announced a 1 point improvement to the primary staffing schedule with this improvement implemented in the 2016/17 school year.

Budget 2017 announced two adjustments in relation to one teacher schools. Where the school is the sole primary school on an island the school will be able to appoint a second teacher. In relation to single teacher schools generally with an enrolment of 15 or more pupils the school can apply to the staffing appeal board for a second post where the single teacher has children across 6 or more class groups.

Improvements to the staffing schedule announced in Budget 2018 brings the teacher allocation ratio in all primary schools to the most favourable ever seen at primary level and these improvements were introduced in the current school year.

The staffing process includes an appeals mechanism for schools to submit a staffing appeal under certain criteria, including small schools that were affected by the Budget 2012 changes, to the Primary Staffing Appeals Board.

Any additional improvement in the pupil teacher ratio would have to be considered as part of the next annual budgetary process, alongside the many other demands from the education sector.

The enrolment thresholds required for 2, 3 and 4 teacher schools since 2010 are as follows.

Year	2 teacher school		3 teacher school		4 teacher school	
	Appoint-ment	Retention	Appoint-ment	Retention	Appoint-ment	Retention
2010/2011	12	12	49	49	81	81
2011/2012	12	12	49	49	81	81
2012/2013	14	14	51	51	83	83
2013/2014	17	17	54	54	85	85
2014/2015	20	20	56	56	86	86
2015/2016	20*	19*	56	53	86	83
2016/2017	19*	18*	55	52	85	82
2017/2018	19*	18*	55	52	85	82
2018/2019	18*	17*	54	51	84	81

\* A threshold of 15 pupils applied for the appointment and retention of the second teacher in schools situated 8km or more from the nearest school of the same type of patronage and/or language of instruction.

### Special Educational Needs Data

74. **Deputy Ruth Coppinger** asked the Minister for Education and Skills the number of children in west County Dublin diagnosed with autism spectrum disorder who are leaving primary school and require a secondary school place. [38123/18]

75. **Deputy Ruth Coppinger** asked the Minister for Education and Skills the number of children in west County Dublin diagnosed with autism spectrum disorder in receipt of home school grants; and the annual cost of same. [38124/18]

76. **Deputy Ruth Coppinger** asked the Minister for Education and Skills the number of children with autism spectrum disorder who are either on reduced hours or excluded from school; and the number in west County Dublin. [38125/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 74 to 76, inclusive, together.

This government is committed to ensuring every child with special educational needs has the opportunity to fulfil their full potential.

In 2018, almost €1.8 billion will be invested in Special Education, nearly one fifth of the overall Education budget, and up 43% since 2011.

The Department's policy is to provide for the inclusive education of children with special educational needs, including Autism (ASD), in mainstream school settings, unless such a placement would not be in the best interests of the child concerned, or the children with whom they will be educated.

The NCSE policy advice on Supporting Students with Autism Spectrum Disorder (2016) noted that there were almost 18,000 students diagnosed with autism in schools. This indicates a national ASD prevalence rate of 1.55% or 1 in every 65 students.

The greater proportion of children with ASD attend mainstream class, where they may access additional supports if required.

Some students with ASD, although academically able to access the curriculum in mainstream, may find it too difficult to manage full-time placement there and placement in an ASD special class is an option for them.

Special school placements are provided for other students with ASD and very complex special needs who wouldn't manage in a mainstream school even for part of the week.

The National Council for Special Education (NCSE) which is a separate independent statutory body, plans and co-ordinates the provision of education and support services to children with special educational needs, in consultation with the relevant education partners and the Health Service Executive (HSE). The NCSE is responsible, through its network of Special Needs Organisers, for the development and delivery and co-ordination of education services to children with Special Educational Needs, including the establishment of special class and special school placements.

Since 2011, the NCSE has increased the number of such classes by over 130% from 548 in 2011 to 1,456 across the country now, of which 1,192 are Autism Spectrum Disorder (ASD) special classes. This network includes 129 ASD early intervention classes, 742 primary ASD classes and 321 post-primary ASD classes in mainstream schools.

There are 37 special schools and 235 special classes attached to mainstream schools in Dublin. Of these, 17 are ASD early intervention classes, 138 are primary ASD classes and 40 are post primary ASD classes. The number of ASD special classes in Co. Dublin have increased from 66 in 2011/2012 to 195 in 2017/2018.

The NCSE is aware of emerging need from year to year in Dublin, and where special provi-

sion is required it is planned and established to meet that need. I have arranged for the Deputy's question on emerging need to be forwarded to the NCSE for their attention and direct reply.

My Department continues to work with the NCSE to ensure that there is appropriate planning in place to ensure that all children who require special class placements can access such placements in schools within their communities.

All children must be enrolled in the primary school system, whether through placement in mainstream classes, in special classes or in special schools in the September prior to their sixth birthday.

Where there is no placement available for a child with Special Educational Needs, my Department will consider applications under the Home Tuition Grant Scheme, where a student can receive up to 20 hours home tuition per week as an interim measure until a placement becomes available.

Applications can be made at any point of the school year, based on when the child receives a diagnosis and recommendation for a specialised placement.

The Home Tuition Grant Scheme also makes provision for early educational intervention for children with ASD aged 3 – 5 years seeking an early intervention placement who meet the scheme's criteria.

Over the course of the 2017/18 school year, 60 children with special education needs over the age of 6 availed of this interim provision (20 in Co. Dublin).

Over the course of the 2017/18 school year, 804 children aged 3-5 years of age availed of home tuition provision. (330 in Co. Dublin).

Statistics for the current school year are not readily available. While the scheme has commenced, Statistics have yet to emerge as the Department has only begun to receive applications under the 2018/19 scheme.

The cost of providing funding for 1 child towards the provision of 20 hours home tuition per week during the 2017/18 school year was approx. €31,000 per annum.

The NCSE also works in collaboration with the Educational Welfare Services (EWS) of the Child and Family Agency which is the statutory agency that can assist parents who are experiencing difficulty in securing a school place for their child or can offer assistance where a child is out of school. The local service is delivered through the national network of Educational Welfare Officers (EWO). Contact details are available at <http://www.tusla.ie/get-in-touch/education-and-welfare/>.

Circular 11/95 and the Rules for National Schools provide that the minimum length of the normal full school day at primary level comprises of a period of not less than 5 hours and forty minutes ([www.education.gov.ie](http://www.education.gov.ie)).

The Rules for National Schools also provide that pupils in infant classes may have a school day that is one hour shorter than the length of the normal school day.

It is a matter for the Board of Management of a particular school to decide whether this concession should be applied in the case of its school. If pupils in infant classes are being given a shorter day, their parents should be notified accordingly and invited to collect them at time of dismissal.

Where the implementation of the shorter day for pupils in infant classes may cause issues

for some parents, the Department would encourage school authorities to engage with parents locally with a view to arriving at a mutually acceptable resolution.

The Department does not support the position of any school which may take a unilateral decision to shorten the school day for any pupil, irrespective of whether the pupil may have a special educational need or not. It is the position of the Department that all school children are entitled to participate fully in their school. If there are reasons why an earlier finishing time should be applied in the case of any child, any such arrangements should be agreed with the parents of the child in advance of their implementation.

As per the EWS guidelines on a code of behaviour, suspending a child for part of a school day (or reducing their hours without the parent's agreement to do this) is considered a suspension.

If a child is suspended like this for more than 20 school days in a school year, the parent can decide to take a Section 29 appeal if they wish.

My Department does not hold information on specifics of special needs for parents taking appeals under Section 29 and accordingly the figures requested by the Deputy in relation to the number of children with Autism that may be either on reduced hours or excluded from school is not readily available.

### **Pupil-Teacher Ratio**

77. **Deputy Róisín Shortall** asked the Minister for Education and Skills the estimated cost of each one point reduction in the primary school pupil-teacher ratio. [38134/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The criteria used for the allocation of teaching posts is published annually on the Department website. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the previous 30 September. The staffing schedule also includes an appeals mechanism for schools to submit an appeal under certain criteria to an independent Appeals Board.

The staffing schedule operates in a clear and transparent manner and treats all similar types of schools equally irrespective of location.

Budget 2018 includes a further one point improvement in the staffing schedule in primary schools which brings the position to the most favourable ever seen at primary level. This measure will further assist all schools at the upper end of their individual respective bands. This budget measure delivers on a commitment made in the Confidence and Supply Agreement and Programme for Government to reduce primary schools class size.

These changes have come into effect this month for the 2018/19 school year.

Each 1 point adjustment to the primary staffing schedule is estimated to cost in the region of €16.5m per annum.

### **Third Level Charges**

78. **Deputy Róisín Shortall** asked the Minister for Education and Skills the estimated cost of each €100 reduction in the student contribution charge at third level. [38137/18]

**Minister for Education and Skills (Deputy Richard Bruton):** Based on the number of students that qualified for free fees funding in the academic year 2016/17, and taking into account overall projected increases in student numbers, it is estimated that the net cost to my Department of reducing the Student Contribution by each €100 per student per annum is €6.7 million

It should be noted that the figures presented incorporate the resulting reduction to my Department's Student Grant Scheme budget, as the exchequer pays the Student Contribution (or part of it) on behalf of almost 50% of undergraduate students who are in receipt of student grant assistance.

### **Student Grant Scheme**

79. **Deputy Róisín Shortall** asked the Minister for Education and Skills the estimated cost of changing the qualifying criteria for the non-adjacent rate of the third level grant from 45 km to 24 km. [38138/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The cost of reversing the change to the distance criterion from the existing 45kms to 24kms, is estimated to be in the region of €26m.

The above costing assumes that a change to the distance criterion would result in a similar percentage of students qualifying for the higher non-adjacent grant support, as existed pre Budget 2011.

### **Student Grant Scheme**

80. **Deputy Róisín Shortall** asked the Minister for Education and Skills the estimated cost for each 1% of extra funding allocated to the SUSI grant scheme. [38139/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The outturn for Student Grants and Related Costs in 2017 was €375m. Therefore, the estimated cost for each 1% of extra funding would be approximately €3.75m.

### **Post-Leaving Certificate Courses Fees**

81. **Deputy Róisín Shortall** asked the Minister for Education and Skills if asylum seekers residing in direct provision centres are now being charged international student rates of €3,650 in respect of PLC courses; the basis for introducing such charges and making this change of policy; and if the decision will be reviewed in view of the exceptionally limited income profile of this cohort of students. [38144/18]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** Access to PLC provision for eligible international protection applicants is subject to the payment of the full economic fee. This is broadly in line with arrangements in the higher education sector.

Arrangements in relation to payment of the full economic fee for international protection applicants have not changed since 2001 and it is the responsibility of each individual course provider to collect this fee.

More broadly, the Government decision to opt in to the EU (recast) Receptions Conditions Directive (2013/22/EU) has given international protection applicants, who have been waiting 9 months or more for a first instance recommendation, access to all aspects of further education and training. While this modifies some of the earlier arrangements regarding access, it does not change the situation regarding the payment of the full economic fee for PLC programmes.

### **Special Educational Needs Staff Data**

82. **Deputy Róisín Shortall** asked the Minister for Education and Skills the estimated cost of each extra special needs assistant recruited in 2019. [38154/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The estimated cost of a new entrant Special Need Assistant in 2019 is €27,200. This is inclusive of employers PRSI.

### **Post-Leaving Certificate Courses Data**

83. **Deputy Thomas Byrne** asked the Minister for Education and Skills the number of funded places in PLC courses that were not taken up or not used in ETBs; and if a policy will be enabled for the distribution of leftover or surplus courses to other ETBs. [38161/18]

**Minister of State at the Department of Education and Skills (Deputy John Halligan):** SOLAS, the Further Education and Training Authority are responsible for the allocation of Post Leaving Cert (PLC) places to Education and Training Boards (ETBs) within the overall national provision and this is done through their annual service planning process. ETBs are then responsible for the allocation of places to PLC colleges in their areas.

The national allocation for PLC places is 30,136. The last available enrolment figure was 30,870, which is higher than the number of places allocated.

The issue of regional reallocation of PLC places is one of the recommendations arising from the PLC Review which is being examined by the PLC Programme Improvement Advisory Group.

### **Schools Building Projects Status**

84. **Deputy Fergus O'Dowd** asked the Minister for Education and Skills the status of a project (details supplied); the details of the delays to date; and if he will make a statement on the matter. [38169/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The project to provide a new building for the school to which the Deputy refers has been devolved for delivery to the local County Council. The project is currently at stage 2 b of the architectural planning process which is the detailed design stage. This stage also involves obtaining the necessary statutory planning permission approvals. The project will proceed to tender and construction once the stage 2 b process has been satisfactorily completed.

### **Teacher Data**

85. **Deputy Mary Butler** asked the Minister for Education and Skills the number of teach-

ing principals who have retired or left their post as a teaching principal prior to retirement age by county since 2015, in tabular form; and if he will make a statement on the matter. [38181/18]

**Minister for Education and Skills (Deputy Richard Bruton):** Information on the retirement of primary teachers in each of the years 2015-2017 is outlined in Table 1. The information sets out the total number of teachers and from those teachers, the number of principal teachers who retired each year.

Table 2 shows the number of teachers and principals who retired on a per county basis.

Information distinguishing teaching principals from other category of principal teachers is not recorded on my Department databases.

**Table 1 - Primary School Teacher Retirements 2015-2017**

Year	Overall number of Teacher Retirements	Number of Principal Teacher Retirements
2015	654	188
2016	538	157
2017	609	181

**Table 2 - Primary School Teacher Retirements per county 2015-2017**

-	2017	2017	2016	2016	2015	2015
County	Overall Retirees	Principals	Overall Retirees	Principals	Overall Retirees	Principals
Carlow	13	5	3	1	12	1
Cavan	7	1	13	4	9	5
Clare	17	3	12	1	14	0
Cork	73	20	63	12	75	19
Donegal	19	4	21	8	29	8
Dublin	140	34	140	28	172	52
Galway	34	16	26	12	28	9
Kerry	32	9	24	12	17	4
Kildare	20	7	25	9	30	4
Kilkenny	16	4	14	2	12	6
Laois	6	3	13	4	10	1
Leitrim	1	0	2	2	1	0
Limerick	26	8	18	10	30	8
Longford	2	2	8	2	6	1
Louth	21	3	18	8	18	1
Mayo	16	7	14	7	29	12
Meath	30	10	19	6	29	7
Monaghan	7	4	8	2	14	8
Offaly	9	1	9	3	13	5
Roscommon	9	3	8	4	9	5
Sligo	9	3	7	3	8	6



-	2017	2017	2016	2016	2015	2015
County	Overall Retirees	Principals	Overall Retirees	Principals	Overall Retirees	Principals
Tipperary	23	6	15	5	18	6
Waterford	20	8	11	1	21	7
Westmeath	7	0	10	6	8	1
Wexford	29	9	21	4	23	6
Wicklow	23	11	16	1	19	6
Total	609	181	538	157	654	188

### Schools Building Projects Status

86. **Deputy Thomas Byrne** asked the Minister for Education and Skills the status of school building projects (details supplied). [38187/18]

**Minister for Education and Skills (Deputy Richard Bruton):** I wish to advise the Deputy that the current status of large-scale projects being delivered under the school building programme may be viewed on my Department's website, [www.education.gov.ie](http://www.education.gov.ie) and this is updated monthly. A list of large scale projects completed from 2010 to date may also be viewed on the website.

In addition, the following major building projects have recently been completed and these will be reflected in the next update on the Department's website at the end of September 2018:

Bremore ET, Post Primary School, Balbriggan

SN Bhríde, Lackagh, Turloughmore

Dun Dealgan N.S., Dundalk

Ardee Community School, Louth.

### Schools Establishment

87. **Deputy Willie Penrose** asked the Minister for Education and Skills if he has reviewed the N4 study carried out regarding a requirement for secondary school provision; his plans for the establishment of a secondary school (details supplied) in Kinnegad, County Westmeath, in this regard; and if he will make a statement on the matter. [38209/18]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department's means of analysing demographic trends and data have changed considerably since the report to which the Deputy refers was completed in 2005.

In order to plan for school provision and analyse the relevant demographic data, my Department divides the country into 314 school planning areas and uses a Geographical Information System, using data from a range of sources, to identify where the pressure for school places across the country will arise. With this information, my Department carries out nationwide demographic exercises to determine where additional school accommodation is needed at primary and post-primary level.

Where demographic data indicates that additional provision is required, the delivery of such additional provision is dependent on the particular circumstances of each case and may, depend-

ing on the circumstances, be provided through either one, or a combination of, the following:

- Utilising existing unused capacity within a school or schools,
- Extending the capacity of a school or schools,
- Provision of a new school or schools.

As the Deputy may be aware, I announced plans for the establishment of 42 new schools over the next four years (2019 to 2022). This announcement follows nationwide demographic exercises carried out by my Department into the future need for primary and post-primary schools across the country and the 4-year horizon will enable increased lead-in times for planning and delivery of the necessary infrastructure.

In addition to the new schools announced, there will be a need for further school accommodation in other areas in the future. Based on the current analysis, this need can be addressed through either planned capacity increases in existing schools or additional accommodation or extensions to existing schools.

While the announcement did not include a new post-primary school in Kinnegad (which is located in the Killucan school planning area), I have highlighted that the requirement for new schools will be kept under on-going review and in particular would have regard for the increased rollout of housing provision as outlined in Project Ireland 2040.

### **Teachers' Remuneration**

88. **Deputy Willie Penrose** asked the Minister for Education and Skills if he has received a submission from a group (details supplied) advocating changes to the pay and conditions of teachers and principals, including issues pertaining to the allocation of a release day per week to principals, the creation of national clusters of panels to enable release time to be covered and the restoration of pay equality to all teachers; and if he will make a statement on the matter. [38212/18]

**Minister for Education and Skills (Deputy Richard Bruton):** The Department received a submission from the National Principals' Forum in September 2018.

Building on measures in previous budgets to enhance school leadership, Budget 2018 made €0.4 million available to fund almost 4600 additional release days for teaching principals in primary schools. This additional funding will see an increase in the number of release days available to teaching principals in the 2018/19 school year to 17, 23, or 29 days depending on the size of the school.

I recently announced an extension to the arrangements for school with teaching principals to cluster their release days into full time posts, with one teacher covering the release days of all the schools in the cluster. Up to 50 principal release cluster posts will be put in place for the 2018/19 school year. This measure will assist teaching principals to more effectively plan their release days for the benefit of the school.

Any additional increase in the number of release days will be considered as part of the next annual budgetary process alongside the many other demands across the education sector.

Regarding new entrant pay, Section 11 of the Public Service Pay and Pensions Act 2017 provides that "the Minister [for Public Expenditure and Reform] shall, within three months of the passing of this Act, prepare and lay before the Oireachtas a report on the cost of and a plan

in dealing with pay equalisation for new entrants to the public service.”

The report laid before the Oireachtas on foot of this provision by the Minister for Public Expenditure and Reform assesses the cost of a further change which would provide a two scale point adjustment to new entrants recruited since 2011. The total cost of such an adjustment across the public sector is of the order of €200 million, of which Education accounts for €83 million. The report also acknowledges that, during the financial crisis, there were policy changes which affected remuneration in different occupations across the public sector (including education). Addressing any issues arising from changes which are not specifically detailed in the report would give rise to additional costs over and above the foregoing figures.

The matter of new entrant pay is a cross sectoral issue, not just an issue for the education sector alone. The Government supports the gradual, negotiated repeal of the FEMPI legislation, having due regard to the priority to improve public services and in recognition of the essential role played by public servants.

The Minister for Public Expenditure and Reform’s report will inform discussions among the parties to the agreement on remaining salary scale issues in accordance with the commitment in the Agreement to consider the issue of new entrants’ pay. That process commenced with a first meeting on 12 October 2017. The three teacher unions attended that meeting. Further talks were held on the 27th of April with all public service unions in relation to new entrant pay. Engagement between the Department of Public Expenditure and Reform and the trade unions has been ongoing and meetings are currently taking place as the parties continue to work through the various aspects of this issue.

### **Schools Building Projects Status**

89. **Deputy Brendan Smith** asked the Minister for Education and Skills the position regarding a proposed building project at a school (details supplied); and if he will make a statement on the matter. [38224/18]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy is aware my Department is committed to a PE Hall build and modernisation programme, starting in the second half of the Project Ireland 2040 period, that will ensure that students in all post-primary schools have access to state of the art facilities to support PE provision, particularly in the context of the roll-out of P.E. as a leaving certificate subject.

### **Student Grant Scheme Eligibility**

90. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if a person (details supplied) will qualify for a higher education grant; and if he will make a statement on the matter. [38253/18]

**Minister for Education and Skills (Deputy Richard Bruton):** Student Universal Support Ireland [SUSI], the grant awarding authority, opened for grant applications for the 2018/19 academic year, last April.

SUSI has advised that it has no record of an application from the student in question.

SUSI is still accepting applications for the current academic year. The student in question should submit an application as soon as possible to SUSI to have his eligibility for grant support assessed.

## **UN Convention on the Rights of Persons with Disabilities**

91. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality the status of Ireland's ratification of the UN Convention on the Rights of Persons with Disabilities; the steps now required to ensure that the State meets the terms of the ratification; and if he will make a statement on the matter. [38036/18]

**Minister of State at the Department of Justice and Equality (Deputy Finian McGrath):** As the Deputy will be aware, Ireland ratified the Convention on the Rights of Persons with Disabilities (CRPD) following a cabinet decision on the 30th of January 2018. Following the passing of a resolution in the Dáil, the instrument of ratification was deposited with the UN on the 20th of March and the Convention came into force for Ireland on the 19th of April.

I was pleased to visit the UN on that date to mark the event and to participate in the Conference of the States Parties to the Convention in June 2018 to speak of Ireland's progress in ratifying and implementing the Convention.

With ratification now in place, I am focusing on using the Convention to better equip and resource people with disabilities to improve their quality of life.

A number of implementation requirements for the Convention remain to be fulfilled. These include the enactment of the Disability Miscellaneous Provisions Bill containing the final legislative amendments required to bring Ireland fully into line with the terms of the Convention, and a standalone Bill being worked on by colleagues in the Department of Health to contain provisions on deprivation of liberty.

Work is ongoing on each and we hope that it will be possible to enact both by the end of the year. In addition, work is ongoing on the establishment and operation of the Decision Support Service (DSS) within the Mental Health Commission to facilitate the commencement of the Assisted Decision Making Capacity Act 2015.

## **Garda Deployment**

92. **Deputy Brendan Smith** asked the Minister for Justice and Equality the progress to date in establishing a Garda insurance fraud unit; and if he will make a statement on the matter. [38197/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I understand that the Garda National Economic Crime Bureau (GNECB) have engaged with Insurance Ireland in relation to this matter and submitted a mechanism for establishing an insurance fraud unit to Insurance Ireland in the first half of 2017.

Following receipt of the reply from Insurance Ireland in July 2018, I met with the GNECB and the Assistant Commissioner, Special Crime Operations, on 30 August to discuss this recommendation further. I understand that, at this stage, the Garda Commissioner has yet to form a view on the recommendation, and no proposal or recommendation has yet been submitted to me as Minister.

## **Human Trafficking**

93. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to

which the trafficking of children continues to be an issue for urgent attention by his Department and others; and if he will make a statement on the matter. [38268/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The identification and protection of victims of human trafficking, and especially child victims of trafficking, is a key priority of our anti-trafficking strategy and of efforts by An Garda Síochána to combat trafficking and crimes against children.

It is important to distinguish between human trafficking involving children, and offences under section 3(2) of the Child Trafficking and Pornography Act 1998 (as amended by the Criminal Law (Human Trafficking) Act 2008), which criminalises the sexual exploitation of a child.

Historically, the overwhelming majority of child victims of trafficking included in Irish statistics are Irish child victims of sexual exploitation, usually carried out for personal gratification rather than commercial gain, and often by someone known to the child. While there have been cases of commercial sexual exploitation involving children, both EEA and non-EEA nationals, these cases are rare. As with all crimes, members of An Garda Síochána are vigilant in their efforts to combat the crime of human trafficking and especially the trafficking of children.

International evaluations have consistently queried Ireland's inclusion of child sexual exploitation statistics in overall human trafficking statistics. As a result, my Department's Annual Report on Trafficking in Human Beings in Ireland 2017, due to be published shortly, will no longer include these statistics as child trafficking cases. This is intended to provide a more accurate picture of the extent of trafficking in Ireland, while making Irish data more comparable to that of other jurisdictions.

At the same time, we recognise the value in maintaining data on child sexual exploitation offences, and will continue to provide information on this crime, separately to information provided on human trafficking.

### **Naturalisation Applications**

94. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if and when a person (details supplied) can be considered for naturalisation; and if he will make a statement on the matter. [38046/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the application for a certificate of naturalisation from the person referred to by the Deputy continues to be processed and will be submitted to me for decision as expeditiously as possible.

As the Deputy will appreciate, the granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

It is recognised that all applicants for citizenship would wish to have a decision on their application without delay. While most straightforward cases are now processed within six months, the nature of the naturalisation process is such that, for a broad range of reasons, some cases will take longer than others to process. In some instances, completing the necessary checks can take a considerable period of time.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Departmental Properties**

95. **Deputy Peadar Tóibín** asked the Minister for Justice and Equality the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38061/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The majority of properties occupied by my Department are owned or leased on its behalf by the Office of Public Works (OPW). My Department, including agencies under its remit, does not own any land in County Meath.

### **Immigration Status**

96. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the status of the determination of applications pursuant to section 3 of the Immigration Act 1999, as amended, in the case of a person (details supplied); and if he will make a statement on the matter. [38086/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, in response to a notification pursuant to the provisions of Section 3 of the Immigration Act 1999 (as amended), written representations have been submitted on behalf of the persons concerned.

These representations, together with all other information and documentation on file, will be fully considered, under Section 3 (6) of the Immigration Act 1999 (as amended) and all other applicable legislation, in advance of a final decision being made.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Departmental Expenditure**

97. **Deputy Mattie McGrath** asked the Minister for Justice and Equality the amount paid to county and District Court sheriffs in poundage fees payments for each of the past three years; and if he will make a statement on the matter. [38106/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The fees charged by

Sheriffs in the execution of Court Orders are set out in the Sheriff's Fees and Expenses Order 2005 (Statutory Instrument No. 644 of 2005).

Sheriffs are officers of the court and are independent in the exercise of their functions and duties under statute and rules of court. The Sheriff is responsible to the court for the enforcement of the court orders and the law and procedures governing the execution of court orders are contained in the Enforcement of Court Orders Acts, 1926 to 1940 and the Rules of Court made thereunder and the Minister for Justice and Equality has no function in the matter.

Records relating to the amounts in poundage fees collected by sheriffs for the execution of court orders are not held in my Department. However, in order to be of assistance to the Deputy, I will make enquiries and I will write to the Deputy directly in early course.

### **National LGBTI Strategy**

98. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality the proposed timeframe for and the details of the LGBTI inclusion strategy; and if he will make a statement on the matter. [38108/18]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):** Following on from the development of the LGBTI+ National Youth Strategy launched in June 2018, the Department of Justice and Equality has commenced developing the National LGBTI Inclusion Strategy.

The Strategy will dovetail with the recommendations of the Youth Strategy and on the recently published Gender Recognition Act 2015 review.

Preliminary consultation has taken place with a range of stakeholders including LGBTI representative and community bodies, mental and sexual health practitioners, and legal experts.

The first inter-departmental meeting on the development of the National LGBTI Inclusion Strategy took place in the Department of Justice and Equality on 27 June 2018. Representatives from fourteen departments and agencies were present to identify the key areas on which the proposed strategy should focus and discuss how departments can work together to address the issues identified in specific sectors.

A series of public consultation sessions are planned for the autumn. To assist in this consultation, a facilitator has been identified to conduct a series of workshop sessions to take place in Dublin and a number of other regional locations. The target audience for these workshops are Civil Society Groups/NGOs, Community Groups, Experts, Government Departments and State Agencies, and interested members of the public.

The aim of these workshop sessions is to present a brief outline of the research findings on Irish society and policy matters which are identified and can be addressed through potential actions.

I am seeking to finalise the strategy early next year.

### **Direct Provision System**

99. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality the criteria transgender persons in direct provision must meet to be accommodated in centres of their

preferred gender; and if he will make a statement on the matter. [38109/18]

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):**

All persons seeking international protection are offered accommodation under regulation (7) of the European Communities (reception conditions) Regulations 2018. In offering that accommodation a number of factors are considered including whether a person requires any special reception needs

Where a person concerned has disclosed their self-determined identity to the Reception and Integration Agency, they are, in so far as is possible and practicable, assigned accommodation based on their needs. At any time during a recipient's stay in an accommodation centre, the option to request a transfer to a more suitable centre is also available to them. The policy of the Reception and Integration Agency is to promote equality, prevent discrimination and protect the human rights of all. Staff within accommodation centres receive regular training to equip them with the skills to support all residents.

### **Legislative Reviews**

100. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Justice and Equality the proposed timeframe for and the details of the review of the Prohibition of Incitement To Hatred Act 1989; and if he will make a statement on the matter. [38110/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Government is committed to ensuring that the legislative tools are in place to address racism and xenophobia in all forms. Equality and protection of minorities form important components of the work of the Department of Justice and Equality, and Minister Stanton and I want to ensure that Ireland is a safe and secure country for all.

There is a wide body of criminal law which is used to combat racism and xenophobia. Where criminal offences such as assault, criminal damage, or public order offences are committed with a racist motive, they are prosecuted as generic offences through the wider criminal law. The trial judge can take aggravating factors, including racist motivation, into account at sentencing.

The Prohibition of Incitement to Hatred Act 1989 also creates offences of incitement to hatred on account of race, religion, nationality, ethnic or sexual orientation. Under the provisions of the Act, it is an offence to use words, behave, publish or distribute written material, or broadcast any visual images or sounds which are threatening, abusive or insulting and are intended, or are likely, to stir up hatred. "Hatred" is defined as "hatred against a group of persons in the State or elsewhere on account of their race, colour, nationality, religion, ethnic or national origins, membership of the travelling community or sexual orientation."

My Department is currently engaging in a review of the provisions of the Prohibition of Incitement to Hatred Act 1989. The review is ongoing and will take into account the views of all interested parties, and I would welcome any views the Deputy or other colleagues in the House would have in this regard. Important research into the issue of hate crimes in Ireland has been carried out by the Irish Council for Civil Liberties and the University of Limerick, and the findings and recommendations arising from their recent report on hate crimes will be given careful consideration in the context of the review.

### **Immigration Status**



101. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current and expected residency status in the case of a person (details supplied); and if he will make a statement on the matter. [38115/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I have been informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the information provided by the Deputy is not sufficient to establish the correct identity of the individual concerned in order to provide a response on the matter.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Immigration Status**

102. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current and expected residency status in the case of a person (details supplied); and if he will make a statement on the matter. [38118/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that it would appear the person's presence in the State may be unlawful as his most recent permission to reside in the State expired in June, 2011.

The Deputy will appreciate that, under the relevant provisions of the Immigration Act, 2004, a non-national may not be in the State other than within the terms of a permission from the Minister for Justice and Equality. In order to allow for a full examination of the person's circumstances, INIS wrote to the person concerned on 19 September, 2018 seeking further information. The matter will be given consideration on receipt of a response from the person concerned.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Refugee Resettlement Programme**

103. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in the determination of an IHAP proposal form in the case of a person (details supplied); and if he will make a statement on the matter. [38119/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The person concerned submitted a proposal under the Irish Refugee Protection Programme (IRPP) Humanitarian Admission Programme 2 (IHAP), which was received on the 26th June. The IHAP is a humanitarian admissions programme which gives persons granted International Protection in the State,

and Irish citizens, the opportunity to apply to bring family members, who are nationals of one of the top ten major source countries of refugees, as listed in the UNHCR Annual Global Trends report, to this State.

Processing of proposals received under the IHAP is ongoing. All proposals have been acknowledged at this stage and proposers have been advised that they will be notified as soon as a decision has been made in their case. A large number of applications have been received, in respect of over 2,200 people. The Deputy will appreciate that given the volume received it will take some time to process and to carry out the necessary verification checks on proposals. Nevertheless good progress has been made, and consultations are ongoing with the UNHCR and the Red Cross among others in terms of the criteria and methodology used in processing.

### **UN Convention on the Rights of Persons with Disabilities**

104. **Deputy Róisín Shortall** asked the Minister for Justice and Equality the budget allocation he is proposing for the establishment of the UNCRPD implementation working group and oversight committee; and his target date for the full establishment of same. [38129/18]

**Minister of State at the Department of Justice and Equality (Deputy Finian McGrath):** As the Deputy will be aware, article 33 of the UNCRPD requires State Parties to designate a focal point within government for matters relating to the implementation of the Convention and to establish a framework, including one or more independent mechanisms, to promote, protect and monitor implementation of the CRPD. It also requires the involvement and participation of civil society and, in particular, persons with disabilities in the monitoring process.

The monitoring framework for the Convention will include the involvement of both the Irish Human Rights and Equality Commission (IHREC) and the National Disability Authority (NDA). IHREC, as Ireland's National Human Rights Institution and who is independent of Government will, with the assistance of the NDA, play a key a role in supplying periodic independent reports to the UN.

The Equality Division in the Department of Justice and Equality will be the designated focal point for the Convention as it has policy responsibility for the equality aspects of disability matters. The Division already provides the Secretariat to the National Disability Strategy Implementation Group (NDSIG) which I Chair. The existing infrastructure in place through the NDSIG will be utilised to oversee Ireland's implementation of the Convention.

It is not possible to arrive at a precise budgetary figure in relation to the monitoring or implementation of the Convention as the process I outlined above is still evolving and it also includes co-ordinated efforts across a range of Government Departments. Individual actions across different Departments have associated cost implications which are included in the votes of the relevant Departments.

I have always placed a strong emphasis on securing adequate funding with €1.76 Billion allocated by the Department of Health for disability services in 2018 representing an increase of 4.4% on 2017. Furthermore, in December of 2017, I announced the securing of an additional €10 million funding for respite care.

### **UN Convention on the Rights of Persons with Disabilities**

105. **Deputy Róisín Shortall** asked the Minister for Justice and Equality the estimated extra

funding required to fully implement the UNCRPD. [38130/18]

**Minister of State at the Department of Justice and Equality (Deputy Finian McGrath):**

As the Deputy will be aware, Ireland ratified the Convention on the Rights of Persons with Disabilities (CRPD) following a cabinet decision on 30 January. Following the passing of a resolution in the Dáil, the instrument of ratification was deposited with the UN on 20 March and the Convention came into force for Ireland on 19 of April.

Article 33 of the UNCRPD requires State Parties to designate a focal point within government for matters relating to the implementation of the Convention and to establish a framework, including one or more independent mechanisms, to promote, protect and monitor implementation of the CRPD. It also requires the involvement and participation of civil society and, in particular, persons with disabilities in the monitoring process.

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The Equality Division in the Department of Justice and Equality will be the designated focal point for the Convention as it has policy responsibility for the equality aspects of disability matters. The Division already provides the Secretariat to the National Disability Strategy Implementation Group (NDSIG) which I Chair. The existing infrastructure in place through the NDSIG will be utilised to oversee Ireland's implementation of the Convention.

It is not possible to arrive at a precise budgetary figure in relation to the monitoring or implementation of the Convention as the process I outlined above is still evolving and it also includes co-ordinated efforts across a range of Government Departments. Individual actions across different Departments have associated cost implications which are included in the votes of the relevant Departments.

I have always placed a strong emphasis on securing adequate funding with €1.76 Billion allocated by the Department of Health for disability services in 2018 representing an increase of 4.4% on 2017. Furthermore, in December of 2017, I announced the securing of an additional €10 million funding for respite care.

## **Garda Recruitment**

106. **Deputy Róisín Shortall** asked the Minister for Justice and Equality the estimated cost for each ten extra gardaí recruited in 2019. [38132/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate, in accordance with the Garda Síochána Act 2005, it is the Garda Commissioner who is responsible for carrying on and managing and controlling generally the administration and business of An Garda Síochána, including by arranging for the recruitment and training of the members of An Garda Síochána. Further, the allocation of Garda resources is a matter for the Commissioner, in light of the availability of resources and his identified operational demands. As Minister I have no direct role in these matters.

I have been informed by the Garda authorities that the estimated full year cost to An Garda Síochána of employing 10 new Gardaí recruited in 2019 would be approximately €238,370.

I am further advised by the Garda authorities that this estimated costing relies on the assumption that all 10 new recruits commence training on 1st January 2019. Payroll costs for new Garda recruits include a basic allowance of €184 per week. After 32 weeks of training, Garda recruits are attested and move on to the first point of the Garda pay scale which, on the basis of the pay scale in operation on completion of training in August 2019, would be €29,996. I am advised that these estimated figures include Employer's PRSI and an estimation of allowances which Garda members may qualify for, contingent on their assigned duties. The annual cost would increase as the members moved up the Garda Pay scale each year.

### **Garda Civilian Staff Data**

107. **Deputy Róisín Shortall** asked the Minister for Justice and Equality the estimated cost for each ten extra Garda civilian staff recruited in 2019. [38133/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** As the Deputy will appreciate that it is the Garda Commissioner who is responsible for carrying on and managing and controlling generally the administration and business of An Garda Síochána, including by arranging for the recruitment and training of personnel. Further, the allocation of Garda resources and distribution of personnel are a matter for the Commissioner, in light of the availability of resources and his identified operational demands.

It should be noted that current civilian positions in An Garda Síochána range from clerical support and financial management functions to specialised roles in HR, IT and telecommunications, teaching, finance and procurement, internal audit, communications, research and analysis, accommodation, scene-of-crime support, legal and medical services. In addition, civilians also work in operational areas including the Garda Central Vetting Bureau, the Garda Information Service Centre, the Fixed Charge Processing Office and the Command and Control Centre. These offices have a large number of civilian staff.

I have been informed by the Garda authorities that the cost of employing ten new Garda civilian staff is estimated at €450,000. This was calculated by using an estimated cost per civilian employee of €45,000 and includes the impact of scheduled public sector pay increases and employer's PRSI at a rate of 10.85%.

### **Immigration Status**

108. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress in the determination of an application pursuant to section 3(11) of the Immigration Act 1999, as amended, in the case of a person (details supplied); and if he will make a statement on the matter. [38142/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is the subject of a Deportation Order signed on 25 August 2017. This Order requires the person to remove themselves from the State and remain outside the State. The enforcement of the Deportation Order is a matter for the Garda National Immigration Bureau.

Representations were received on behalf of the person concerned requesting that the deportation order be revoked, pursuant to the provisions of Section 3(11) of the Immigration Act 1999 (as amended). This request will be considered as soon as possible.

The Deputy might wish to note that the decision to ensue from the consideration of this request will be to have the existing deportation order ‘affirmed’ or ‘revoked’. Once such a decision has been made, this decision will be notified in writing. In the meantime, the deportation order remains valid and in place.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy’s view, inadequate or too long awaited.

### **Insurance Fraud**

109. **Deputy Fergus O’Dowd** asked the Minister for Justice and Equality his plans regarding the review and reform of regulations and laws surrounding fraudulent personal injury claims in the workplace to help protect small and medium size businesses from fraudulent claims; and if he will make a statement on the matter. [38175/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The issues raised by the Deputy are among those being considered by the Cost of Insurance Working Group that was established in July 2016 and is chaired by Minister of State, Michael D’Arcy TD. The objective of the Working Group is to identify and examine the drivers of the cost of insurance, and recommend short, medium and longer term measures to address the issue of increasing insurance costs, taking account of the requirement for the need to ensure a financially stable insurance sector. A significant factor identified by the Working Group in its reports, which are available with action updates on the Department of Finance website, is the impact of fraudulent insurance claims.

In relation to workplace health and safety, it should be noted that responsibility for policy in this area, and for the governance of the Health and Safety Authority, rests with the Department of Business, Enterprise and Innovation which also includes the Personal Injuries Assessment Board within its remit and advocates across Government to ensure the needs of small and medium size enterprise are taken into account in the execution of national policy. Both that Department and my own and a number of the key State Bodies concerned are, therefore, represented on the Cost of Insurance Working Group and are working together on the implementation of its recommendations. Moreover, the relevant representative bodies of the business and enterprise sectors are actively engaging with the Working Group in making their respective concerns known.

In its Report on the Cost of Motor Insurance published in January 2017, the Working Group reviewed sections 25 and 26 of the Civil Liability and Courts Act 2004. Section 25 deals with false evidence and provides that a person who gives false or misleading evidence in a personal injuries action is guilty of an offence. Section 26 deals with fraudulent actions and provides for the dismissal by the court of a personal injuries action where the plaintiff gives evidence that is false or misleading.

The Cost of Insurance Working Group noted that the number of recorded prosecutions and convictions for the offence of false evidence in section 25 is very low and that this suggests a need for further co-operation between the insurance industry and An Garda Síochána. The Working Group noted its understanding that while the majority of the initial applications in respect of fraudulent actions under section 26 were refused it would appear from more recent

reported judgments that more claims are now being dismissed following a successful action under section 26. The Working Group concluded that it is satisfied that sections 25 and 26 do not need further review.

However, a number of other measures are being taken by way of ensuring that sections 25 and 26 can have their intended effect in relation to insurance fraud. Key to this approach has been the convening of a roundtable by the Department of Finance in late 2017 to listen to the views of key stakeholders in relation to insurance fraud and which has met several times since to progress a number of specific recommendations contained in the Cost of Insurance Working Group's Report of January 2018 relating to the Cost of Employer and Public Liability Insurance.

Recommendations 11 and 12 of that report concern the production of statistics by An Garda Síochána and the Courts Service on complaints, investigations, prosecutions and convictions relating to fraud within the personal injuries area. My Department has actively engaged with the Garda authorities and the Courts Service this year in relation to the implementation of these recommendations, and I am informed that a Garda PULSE release comprising a number of new fraud incident types, including insurance fraud, will go live on 27 September 2018. This PULSE release will facilitate the production of statistics on complaints, investigations, prosecutions and convictions relating to insurance fraud by An Garda Síochána.

Recommendation 13 of the same report recommends that Insurance Ireland, An Garda Síochána and the Office of the Director of Public Prosecutions agree a set of guidelines in respect of the reporting of suspected fraudulent insurance claims. While guidelines were published in 2004, the Working Group noted that these were used to a very limited extent over the years. The Working Group proposed that a new set of guidelines should be developed, using the 2004 iteration as a starting point. In line with the intention to use the existing guidelines to inform the drafting of new, more fit for purpose guidelines, An Garda Síochána produced a draft document, which proposed a number of changes to the section of the existing guidelines concerning the station or section within An Garda Síochána to which a formal complaint should be made. Insurance Ireland signalled its agreement with the changes proposed, following which further consultations were arranged with other key stakeholders, including insurance providers not represented by Insurance Ireland. I understand that the guidelines are now ready to be finalised, in the context of all of the feedback received, and the intention is to publish the guidelines by the end of the current month.

As I think the Deputy will appreciate from these developments, a concerted policy approach is being taken with the support of the Cost of Insurance Working Group to address the issue of insurance fraud including as it impacts on small and medium enterprises and the broader business community. This is being done by means of a series of mutually reinforcing measures. At the same time they are intended, in their collective implementation, to give greater effect to the existing provisions of sections 25 and 26 of the Civil Liability and Courts Act 2004.

### **Garda Resources**

110. **Deputy Brendan Smith** asked the Minister for Justice and Equality his plans to restore the budgets for the Garda divisions in the northern region which were recently reduced; if his attention has been drawn to the fact that such reductions impede the essential policing requirements of Border divisions; and if he will make a statement on the matter. [38203/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Deputy will be aware that the Garda Commissioner is the Accounting Officer for the Garda Vote and as such is

responsible for the effective and efficient use of the resources at his disposal. Those resources have reached unprecedented levels, with an allocation for 2018 of more than €1.6 billion, including almost €100 million for overtime. I am informed by the Garda authorities that policing requirements are addressed in accordance with operational requirements, as determined by the Commissioner.

This budgetary provision as well as the significant capital investment in An Garda Síochána in recent years are in support of the Government's commitment to ensuring a strong and visible police presence throughout the country, to maintain and strengthen community engagement, provide reassurance to citizens and deter crime.

The Deputy will be aware that the Government has put a plan in place to achieve an overall Garda workforce of 21,000 Garda personnel by 2021, comprising 15,000 Garda members, 2,000 Reserve members and 4,000 civilians. Taking account of projected retirements, Garda numbers are expected to reach 14,000 by the end of this year and 15,000 during 2021.

In terms of capital investment, €342 million is being invested in Garda ICT infrastructure between 2016 and 2021 to enable An Garda Síochána to deploy the latest cutting edge technologies and to deliver projects associated with the Garda Modernisation and Renewal Programme. The Capital Plan 2016-2021 also provides €46 million for investment in the Garda Fleet to ensure that An Garda Síochána has a modern, effective and fit-for-purpose fleet, in addition to the investment of almost €30 million in the fleet in the period 2013 to 2015. Significant investment is also being made in addressing deficiencies in the Garda estate. In particular, the Garda Síochána Building and Refurbishment Programme 2016-2021 is an ambitious 5-year programme, based on agreed Garda priorities, involving over €60 million exchequer funding and benefiting over 30 locations around the country.

### **Policing Issues**

111. **Deputy Róisín Shortall** asked the Minister for Justice and Equality if his attention has been drawn to a recently published report (details supplied); his views on the report's finding that there has been a failure to comprehensively implement a human rights based approach throughout An Garda Síochána; and if he will make a statement on the matter. [38219/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Deputy refers to the recently published report of the Irish Council for Civil Liberties (ICCL) on a human rights-based approach to policing. I am aware of that report, which was provided to me and my Department by the ICCL. The report is a substantial one covering a broad range of topics and drawing in particular on the experience of policing reform in Northern Ireland. I expect that its analysis can contribute to public debate on these matters.

I would remind the Deputy that the report of the Commission on the Future of Policing in Ireland was published earlier this week on 18 September. The report of the Commission has approached policing from a fresh perspective and has redefined policing as a multi-disciplinary, cross agency effort built on the foundation of protecting human rights. Indeed the report clearly states that human rights are the foundation and purpose of policing and recommends that An Garda Síochána should have a human rights strategy and a human rights unit to develop, implement and monitor that strategy.

The Commission's report will now receive detailed consideration by Government and I and my Department will consult with the Garda Commissioner, other relevant Departments and Agencies on its implementation. Once that process is complete, I intend to seek the Gov-

ernment's approval for a High-level Implementation Plan to take forward the Commission's report. In addition, I have requested my Department, in consultation with the Department of the Taoiseach, to move quickly to put arrangements in place for the establishment of the Implementation Group for Policing Reform and Implementation Programme Office as recommended by the Commission.

I am confident that the centrality of human rights in policing, as raised by the Deputy, will receive appropriate attention as part of that process.

### **Liquor Licensing Laws**

112. **Deputy Róisín Shortall** asked the Minister for Justice and Equality his views on home delivery of alcohol in view of a report (details supplied) calling for legislation to regulate this practice; his plans in this regard; the position regarding the difficulties in enforcing sale of alcohol legislation; and if he will make a statement on the matter. [38220/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The statutory position is that section 31 of the Intoxicating Liquor Act 1988, as amended, makes provision for offences relating to the sale and delivery of alcohol products to persons under the age of 18 years. It is an offence under section 31(2) for a licensee to sell or deliver, or to permit any other person to sell or deliver, alcohol products to any person for consumption off his or her licensed premises by a person under the age of 18 years in any place except with the explicit consent of the person's parent or guardian in a private residence in which he or she is present either as of right or with permission. The penalty on conviction for this offence is a fine of up to €1,270 for a first offence and up to €1,904 for a second or subsequent offence. In addition, the Intoxicating Liquor Act 2000 provides for the mandatory temporary closure of licensed premises in cases where a licensee is convicted of an offence under section 31 of the 1988 Act (up to 7 days for a first offence, or at least 7 and not more than 30 days for a second or subsequent offence).

Under section 17(3) of the Intoxicating Liquor Act 2003, it is an offence for a licensee, with intent to evade the conditions of the licence, to take intoxicating liquor from the licensed premises for the purpose of its being sold on the account or for the benefit or profit of the licensee, or to permit any other person to do so. The penalty on conviction is a fine of up to €1,500 for a first offence and up to €2,000 for a second or subsequent offence. As the Deputy is aware, enforcement of the licensing laws is a matter for the Gardaí.

In its 2008 Report, the Government Alcohol Advisory Group considered issues relating to distance sales of alcohol products. It took the view that sales of alcohol products which have been ordered by telephone or text messaging and which are paid for on delivery do not comply with licensing law requirements and are, therefore, illegal. The Group recommended that the Gardaí target dial-a-can and similar delivery services with a view to prosecuting the offending licensees.

I am aware of concerns raised about this issue in the context of the publication of the Report referred to by the Deputy, and I note the call from Dr Geoffrey Shannon for further regulation of the area of alcohol home delivery in the forthcoming Public Health Alcohol Bill. That Bill is being taken forward by the Minister for Health and any proposed amendments are a matter for that Department in the first instance. I look forward to publication of the Report and I am sure that recommendations therein, whether they relate to legislation or to other Actions, will be given proper consideration by all relevant Departments and Agencies.



### Naturalisation Applications

113. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if all documentation requested from a person (details supplied) has been received in the relevant section of his Department; when it is expected the case will be processed with a view to early naturalisation; and if he will make a statement on the matter. [38248/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the processing of the application for a certificate of naturalisation from the person referred to by the Deputy is currently at an advanced stage and on completion of the necessary processing the application will be submitted to me for decision as expeditiously as possible. There is no further documentation requested at this time. Additional information may, if required, be requested in due course.

As the Deputy will appreciate, the granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

It is recognised that all applicants for citizenship would wish to have a decision on their application without delay. While most straightforward cases are now processed within six months, the nature of the naturalisation process is such that, for a broad range of reasons, some cases will take longer than others to process. In some instances, completing the necessary checks can take a considerable period of time.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### Naturalisation Applications

114. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current and expected position in regard to residency in the case of a person (details supplied); and if he will make a statement on the matter. [38249/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the processing of the application for a certificate of naturalisation from the person referred to by the Deputy, who currently has permission to reside in the State until 22 January 2019, is on-going. On completion of the necessary processing the application will be submitted to me for decision as expeditiously as possible.

As the Deputy will appreciate, the granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements, not only within the State but also at European Union level, and it is important that appropriate procedures are in place to preserve the integrity of the process.

It is recognised that all applicants for citizenship would wish to have a decision on their application without delay. While most straightforward cases are now processed within six months,

the nature of the naturalisation process is such that, for a broad range of reasons, some cases will take longer than others to process. In some instances, completing the necessary checks can take a considerable period of time.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Residency Permits**

115. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when it is expected all investigations in respect of issues relating to an application for the update of stamp 4 in the case of a person (details supplied) will be concluded and documentation returned as previously indicated; and if he will make a statement on the matter. [38250/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, in response to a notification pursuant to the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned has submitted written representations.

With a view to having the case of the person concerned progressed, a representative of the INIS will write to the person concerned shortly regarding the submission of specific documentation. The position in the State of the person concerned can be further considered upon receipt of the requested documentation.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Immigration Status**

116. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if copies of letters in the case of a person (details supplied) will be provided to the person; and if he will make a statement on the matter. [38254/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that copies of the letters dated 21 December 2017 and 5 January 2018 have been re-issued to the person referred to by the Deputy. Upon receipt of the requested documentation the case will be further processed.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the

INIS is, in the Deputy's view, inadequate or too long awaited.

### **Succession Act**

117. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if adequate provisions exist to protect against legal or professionals who may seek to befriend a person who may be vulnerable for health or other reasons resulting in obtaining the confidence of the vulnerable person to the exclusion of the person's siblings in the production of a will as in the case of a person (details supplied); and if he will make a statement on the matter. [38262/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** The Deputy will be aware that it would be inappropriate for me to comment on individual cases.

By way of general information, I can inform the Deputy that Part VII of the Succession Act 1965, sets out the legal requirements for the making of a valid will. These are:

- it must be in writing;
- the testator must be over 18 years of age (the testator may be under 18 if he or she is or has been married);
- the testator must be of sound mind;
- the testator must sign or mark the will in the presence of two witnesses;
- the two witnesses must sign the will in the testator's presence;
- the witnesses cannot be beneficiaries of the will;
- the witnesses must see the testator sign the will;
- the signature of the testator must be at the end of the will.

Section 89 of the Succession Act, 1965 provides that a will speaks and takes effect from the death of the testator unless a contrary intention appears from the will.

It is, of course, possible for a person to challenge a will on the grounds of the capacity of a person to make a valid will or their ability freely to make decisions in disposing of their property by will.

Under existing case law (in the matter of the estate of Brian Rhatigan. deceased [2011] 1 I.R. 630), there are essentially three criteria to be taken into account in determining whether or not a person has the capacity to make a will: (a) whether the deceased understood the nature of the act of making a will and its effect; (b) whether the deceased understood the extent of the property of which he/she was disposing; and (c) whether the deceased understood and appreciated the claims to which he/she ought to give effect.

Where undue influence is alleged, existing case law (In re Kavanagh: Healy v. McGillicuddy and Another [1978] I.L.R.M.) places the onus of proving undue influence rests on the person alleging it. In order to do that it must be proven:

- (a) that the person alleged to exert the influence had the power or opportunity to do so;
- (b) that undue influence was in fact exerted;
- (c) that the will was the product of influence.

I have no plans to amend existing legislation in this area.

### **Residency Permits**

118. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the correct procedure to be followed in the case of a person who has worked in the home care sector here for ten years or more and who wishes to regularise their residency; and if he will make a statement on the matter. [38263/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that it is not possible to provide a targeted response in the absence of detailed information in relation to the current immigration status of the person concerned.

I am, however, further informed that if the person concerned is seeking to renew or vary an extant permission to reside in this State they may write to Unit 2, Domestic Residence and Permissions Division, INIS, 13/14 Burgh Quay, Dublin 2 setting out the particular circumstances of their current immigration status. Any such request will be given detailed consideration by INIS upon receipt of the relevant information and documentary evidence from the individual concerned. Alternatively, the person concerned may consult the INIS website (<http://www.inis.gov.ie/en/INIS/Pages/Immigration%20information>) to identify an immigration pathway that may suit their individual circumstances.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Question process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Residency Permits**

119. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedure to be followed in the case of a person (details supplied) to regularise their residency; if travel documentation can issue in the interim; and if he will make a statement on the matter. [38264/18]

**Minister for Justice and Equality (Deputy Charles Flanagan):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned was granted refugee status in the state on 20 March 2002. Due to their status, the person was given a Stamp 4 which is valid until 19 May 2019, at which point it will need to be renewed. Stamp 4 indicates permission to stay in Ireland for a specified period, subject to conditions.

I am also advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that an Irish travel document is a document which assists qualifying non-Irish nationals to travel. In line with the provisions of Section 55(1) of the International Protection Act 2015, the Minister, on application by the person concerned, shall issue a travel document to a qualified person and family member, subject to the provisions of Section 55(2) of the Act. As per Section 2 of the International Protection Act 2015, a "qualified person" means a person who is either a refugee and in relation to whom a refugee declaration is in force, or a person eligible for subsidiary protection and in relation to whom a subsidiary protection declaration is in force. However,

the deputy may wish to note that as per Section 55(2)(C) of the 2015 Act, a travel document may not be issued to a qualified person if, “the Minister considers that to issue it would not be in the interests of national security, public security, public health or public order or would be contrary to public policy”.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy’s view, inadequate or too long awaited.

### **Departmental Properties**

120. **Deputy Peadar Tóibín** asked the Minister for Business, Enterprise and Innovation the land her Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38050/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** My Department does not own any land in Co. Meath.

IDA Ireland maintains a supply of available sites that can be offered to firms considering making job-rich investments in Ireland. This helps encourage investors to locate here, particularly in the regions. In Meath, I am informed that IDA Ireland has 24.21 hectares of land available for this purpose at its Business and Technology Park in Boyerstown, Navan, and 22.53 hectares of land available at its Business Park in Donore Rd. Drogheda. This location is on the Meath-Louth border and IDA now classifies this land as part of its Co. Meath inventory.

The IDA is doing everything it possibly can to showcase these properties to investors and to convince them to locate there. The Agency actively brings regional locations and suitable sites to the attention of all its clients, whether it’s for existing companies in Ireland that are looking to expand or first-time clients overseas.

It should be stressed that the IDA works closely with city and county councils to ensure that its property acquisitions are in line with local area, county and city development plans.

### **Work Permits Applications**

121. **Deputy Bernard J. Durkan** asked the Minister for Business, Enterprise and Innovation the progress to date in the determination of an application for a work permit in the case of a person (details supplied); when the application is likely to be concluded; and if she will make a statement on the matter. [38078/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The Employment Permits Section of my Department inform me that that a Trusted Partner application for a General Employment Permit for the named person (details supplied) was received on 4 September 2018.

My officials inform me that as the Employment Permits Section is currently processing

Trusted Partner applications received on 7 August 2018, this application should be considered within the next four weeks.

### **Work Permits Applications**

122. **Deputy Bernard J. Durkan** asked the Minister for Business, Enterprise and Innovation the progress to date in the determination of an application for a work permit in the case of a person (details supplied); when the application is likely to be concluded; and if she will make a statement on the matter. [38080/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** The Employment Permits Section of my Department inform me that that a Trusted Partner application for a General Employment Permit for the named person (details supplied) was received on 3 September 2018.

My officials inform me that as the Employment Permits Section is currently processing Trusted Partner applications received on 7 August, this application should be considered within the next four weeks.

### **Copyright Legislation Review**

123. **Deputy Willie Penrose** asked the Minister for Business, Enterprise and Innovation the steps her Department is taking to ensure that legislation is progressed to protect copyright of various artists, musicians and songwriters in the context of royalties for their work and productions and particularly in the context of the recent vote in the European Parliament to ensure the protection of such artists in securing appropriate royalties and dividends for their works and productions; and if she will make a statement on the matter. [38210/18]

**Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys):** On 14 September 2016, the EU Commission published a package of copyright reform proposals as part of its Digital Single Market strategy. This included a Directive on copyright in the Digital Single Market (hereinafter the “Copyright Directive”). The intention of the Directive is to craft modern copyright legislation suitable for all European citizens.

Among the Directive’s many proposals are provisions aimed at ensuring greater rights for rightholders, such as musicians and songwriters. This includes a provision intended to address the “value gap”, where rightholders are receiving less remuneration despite the increased usage of their works online (Article 13) and a series of articles that will allow rightholders to receive more detailed and regular information on the use of their works, to re-negotiate contracts based on this information, and to have access to a dispute resolution mechanism (Articles 14-16).

Officials of my Department have been engaged in exhaustive negotiations since publication of this proposal and have been successful in achieving a number of amendments to address the concerns of our stakeholders. On 25 May, the Copyright Directive was discussed by Ambassadors at Coreper and the Presidency gained approval for a mandate to commence negotiations with the European Parliament. The Parliament voted to endorse its approach at its plenary session on 12 September. Trialogue negotiations are now expected to begin in early October.

I fully support the proposed Directive which is vitally important to both the digital economy and to rightholders seeking greater protection of their works in the digital age. Our focus has always been on achieving the best balance for the competing interests of all stakeholders, includ-

ing digital economy actors, rightsholders, and citizens. To that end, there has been extensive engagement with stakeholders across the various issues in Ireland, Brussels, and with other EU Member States, including at Ministerial level.

My Department will engage positively with the negotiations on the proposal going forward to ensure that Ireland can benefit from its many merits as soon as possible.

In the domestic context, the Deputy will also be aware that Minister Halligan is currently progressing the Copyright and Other Intellectual Property Law Provisions Bill 2018 (the “Copyright Bill”) through the Houses of the Oireachtas. This bill, aimed at modernising Irish copyright legislation, contains a large number of proposals that will be of benefit to rightholders and users alike and will ensure that Ireland has a copyright regime suitable for the digital age. Having completed all stages in the Dáil before the summer recess, the Copyright Bill is now scheduled for Second Stage in the Seanad on 26 September.

### **Long-Term Illness Scheme Coverage**

124. **Deputy Gerry Adams** asked the Minister for Health if treatments for haemochromatosis such as scheduled phlebotomies will be made available under the long-term illness scheme; the consideration that has been given to extending the scheme with a view to include such treatments; the financial supports available to persons with the condition to assist with the cost of treatments; and if he will make a statement on the matter. [38038/18]

**Minister for Health (Deputy Simon Harris):** Under the Long Term Illness (LTI) Scheme, patients receive drugs, medicines and medical and surgical appliances directly related to the treatment of their illness, free of charge. Medical procedures are not covered by the scheme.

Haemochromatosis is not a condition which is covered under the LTI and there are no plans to extend the list of conditions.

People who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the HSE can take into account medical costs incurred by an individual or a family.

People who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of GP consultations.

### **Disease Incidence**

125. **Deputy Gerry Adams** asked the Minister for Health the number of persons by county who suffer from haemochromatosis. [38040/18]

**Minister for Health (Deputy Simon Harris):** The Deputy’s question relates to service delivery matters and accordingly I have asked the HSE to respond directly to him.

### **Open Disclosures Policy**

126. **Deputy Clare Daly** asked the Minister for Health if ring-fenced funding will be made available to the HSE for investment in training of personnel in order to support the introduction of mandatory open disclosure as contained in the patient safety Bill 2018; if so, the amount of

same; and if he will make a statement on the matter. [38041/18]

127. **Deputy Clare Daly** asked the Minister for Health if the HSE has drawn up training plans for personnel to support them through the culture change necessary to ensure the full and smooth implementation of mandatory open disclosure provisions as contained in the patient safety Bill 2018 [38042/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 126 and 127 together.

As Minister for Health I have always been and remain fully committed to open disclosure. This is demonstrated by:

- the publication of monthly maternity and hospital patient safety statements;
- the publication of an annual national healthcare quality report;
- the introduction last year of an annual patient experience survey;
- progressing a patient safety licensing bill to provide for statutory regulation of public and private hospitals; and
- progressing a patient safety bill to provide for mandatory disclosure of serious patient safety incidents.

On 8 May last, the Government approved the development of a new Patient Safety Bill. This Bill incorporates the patient safety elements of the Health Information and Patient Safety Bill, dealing with the external notification of patient safety incidents, clinical audit and extending HIQA's remit to the private health service. The Bill also provides for the provision of mandatory open disclosure which compliments the provision made by the Houses of the Oireachtas for voluntary open disclosure in the Civil Liability (Amendment) Act, 2017, which comes into effect on 22 September 2018.

My belief in mandatory open disclosure has been further reinforced by Dr Gabriel Scally's recent final report of the Scoping Inquiry into the CervicalCheck Screening Programme. The report provides an enormous opportunity to examine the system failures in the care process based on patient and family accounts of their experiences and incorporate the learning into ensuring patient safety is paramount to driving and shaping policy.

I have consistently maintained that creating a culture of open disclosure and learning from the things that go wrong is the bedrock of making services safer. Mandatory open disclosure, is an open and consistent approach to communicating with patients and their families when things go wrong in healthcare. This includes expressing regret for what has happened, keeping the patient informed, providing feedback on investigations and the steps taken to prevent a recurrence of the adverse event. The Scally Report clearly identified significant deficits in the current HSE open disclosure policy and HSE/State Claims Agency guidelines and these account for 5 of the 50 recommendations in the Report. The Report also makes recommendations in relation to the open disclosure policies of both the Medical Council and CervicalCheck.

The questions raised by the Deputy are service issues and as such I have referred them to the HSE for direct reply. However, I wish to assure the Deputy that I wrote to the Director General of the HSE in June last, asking him to identify a clear governance framework at national level for open disclosure in the HSE and ensure an update of the HSE Open Disclosure Policy to take into account the current and pending legislation. I also requested open disclosure programmes be in place at national and local level.



The Director General was also requested to identify a senior person in the HSE, with corporate responsibility, authority and accountability to deliver all elements of open disclosure, from governance, national roll out, compliance and resources, to be the point of contact for my Department. The HSE was also tasked with building capacity and expertise within the Organisation, nationally, regionally and locally to be prepared in advance for the requirements of the Patient Safety legislation.

I am also committed to an early evaluation of the implementation of the Civil Liability (Amendment) Act 2017 (Prescribed Statements) Regulations 2018 which will come into effect on 23 September, 2018.

### HIQA Investigations

128. **Deputy Stephen S. Donnelly** asked the Minister for Health the number of times he or one of his predecessors has required HIQA to undertake an investigation in accordance with section 9 of the Health Act 2007; the reason for each request; and if he will make a statement on the matter. [38043/18]

**Minister for Health (Deputy Simon Harris):** The Minister for Health and HIQA have instigated a number of investigations, detailed in the following table, following the commencement of Section 9 of the Health Act 2007. The table also includes the basis for each investigation.

The investigations undertaken by HIQA under Section 9 of the Act have resulted in considerable learnings which have been applied at both the individual hospital level, as well as nationally, and have undoubtedly made a significant contribution to the ensuring that health services are delivered as safely as possible.

Hospital or Service Investigated	Date	HIQA - Investigation Instigator	Reason
National Maternity Hospital	3/11/17	Minister for Health	Investigation instigated following the death of Malak Thawley where the Minister for Health formed a belief that a serious risk existed in relation to the practice of surgery outside of core hours in maternity services and beyond, the seniority of staff out of hours and the readiness of hospitals to respond to major emergencies in such circumstances.

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Hospital or Service Investigated	Date	HIQA - Investigation Instigator	Reason
Midland Regional Hospital, Portlaoise	6/3/14	Minister for Health	This investigation was initiated as a result of the very negative experiences of a number of patients and their families in receipt of maternity services at the Midland Regional Hospital, Portlaoise
University Hospital Limerick	1/7/13	HIQA	This review was undertaken in order to monitor progress with the implementation of the Authority's National Standards for Safer Better Healthcare after a number of issues were identified as concerns.
University Hospital Galway	23/11/12	HIQA	A belief that there may have been circumstances which gave rise to a potential serious risk to the safety, quality and standards of services provided following the death of Savita Halappanavar
Arrangements in place for people requiring emergency transportation for transplant surgery	2/7/11	Minister for Health - non statutory Investigation	At the request of the Minister for Health, this Inquiry was established in order to ascertain the events that culminated in the failed transportation for Meadhbh McGivern on 2 July 2011, to review the existing inter-agency arrangements in place for people requiring emergency transportation for transplant surgery, and to identify any actions that need to be taken to improve these arrangements.

Hospital or Service Investigated	Date	HIQA - Investigation Instigator	Reason
Meath Hospital, Dublin incorporating the National Children's Hospital	24/6/11	HIQA	This investigation was initiated due to concerns raised in relation to risks to the health and welfare of patients associated with a number of aspects of the systems of care provided to patients at the Hospital and, in particular, the clinical risks to patients who required acute admission being accommodated on the corridor adjacent to the Emergency Department (ED) while awaiting transfer to an inpatient bed at the Hospital.
Mallow General Hospital	4/8/10	HIQA	Investigation instigated following receipt of confidential information, which was not a formal complaint, in relation to the treatment of a patient with complex clinical needs in Mallow General Hospital. This information indicated that the type of care provided to patients receiving some services in the Hospital was not in line with the national recommendations made in the Report of the investigation into the quality and safety of services and supporting arrangements provided by the Health Service Executive at the Mid-Western Regional Hospital Ennis.

Hospital or Service Investigated	Date	HIQA - Investigation Instigator	Reason
Mid-Western Regional Hospital Ennis	23/9/08	Minister for Health	Investigation instigated following serious concerns raised by family members of two patients – the late Ann Moriarty and the late Edel Kelly – about the potential risks to the health and welfare of patients at the Mid-Western Regional Hospital (MWRH) Ennis, following the treatment that their family members had received.
Pathology Service and the Symptomatic Breast Disease Service at University Hospital Galway	9/8/07	HIQA	Investigation into missed diagnosis of breast cancer on two separate occasions when a patient, referred to as Ms A, presented with symptomatic breast disease in 2005 and again in 2007.
Pathology Services at Cork University Hospital and Symptomatic Breast Disease Services at the Mid Western Regional Hospital, Limerick.	1/5/07	HIQA	Investigation into the care received by Rebecca O'Malley following her presentation to the Mid Western Regional Hospital (MWRH) Limerick in 2005 with symptomatic breast disease. It also includes her pathway following re-presentation to the MWRH and subsequent diagnosis of breast cancer and treatment in 2006 and 2007.

### Hospital Beds Data

129. **Deputy John Brassil** asked the Minister for Health the status of the provision of 37 additional beds required at UHK for winter 2018 as recommended in the bed capacity review 2017; and if he will make a statement on the matter. [38048/18]

**Minister for Health (Deputy Simon Harris):** My Department has engaged with the HSE this year to identify the location and mix of beds across the hospital system, which can be opened and staffed this year and into 2019 in order to improve preparedness for Winter 2018/2019. A submission received from the HSE in this regard is currently under consideration by my Department, which includes specific proposals in relation to University Hospital Kerry. Furthermore, the funding of this proposal, which is time-critical, is being advanced as part of

the 2019 estimates process.

Preparations and planning for winter 2018/19 have already begun at hospital group and local level. My Department is working with the HSE to ensure that these local and regional plans are consolidated and supported through a plan at national level to ensure the most effective response to the winter challenges to unscheduled care provision.

### **Departmental Properties**

130. **Deputy Peadar Tóibín** asked the Minister for Health the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing [38059/18]

**Minister for Health (Deputy Simon Harris):** As the Health Service Executive is responsible for the management of the health care property estate, I have asked the HSE to respond directly to you in relation to this matter.

Details for other agencies under the remit of the Department are operational matters for the agencies concerned and you should contact the relevant Director/CEO/Registrar directly.

### **Health Services Provision**

131. **Deputy Charlie McConalogue** asked the Minister for Health the operational details for an outreach clinic (details supplied); and if he will make a statement on the matter. [38068/18]

**Minister for Health (Deputy Simon Harris):** In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Primary Care Centres Provision**

132. **Deputy John Brassil** asked the Minister for Health the position regarding the provision of a primary care centre in Rathmore, County Kerry; his plans to prioritise the provision of this service as a permanent location for general practitioner services; and if he will make a statement on the matter. [38069/18]

**Minister for Health (Deputy Simon Harris):** As the HSE has responsibility for the provision, along with the maintenance and operation of Primary Care Centres and other Primary Care facilities, the Executive has been asked to reply directly to the Deputy.

### **Hospital Waiting Lists**

133. **Deputy Mary Butler** asked the Minister for Health when a person (details supplied) will receive an appointment to have a stent procedure carried out; and if he will make a statement on the matter. [38074/18]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Ser-

vice Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, a standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, since January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Assisted Human Reproduction**

134. **Deputy Lisa Chambers** asked the Minister for Health the financial assistance that will be available for IVF from 2019; and if he will make a statement on the matter. [38075/18]

**Minister for Health (Deputy Simon Harris):** As the Deputy may be aware, the Government approved the drafting of a Bill on assisted human reproduction (AHR) and associated areas of research in October last year and officials in my Department are engaging with the Office of the Attorney General in relation to the process of drafting this Bill. The General Scheme is published on my Department's website and the Joint Committee on Health is currently conducting a review of the General Scheme of the Assisted Human Reproduction Bill 2017 as part of the pre-legislative scrutiny process, which began in January of this year. The introduction of legislation in relation to AHR and associated research is a priority for me.

In order to support the commencement of the legislation, officials in my Department are working with the HSE over the course of this year in developing a model of care for infertility to ensure the provision of safe, effective and accessible services through the public health system as part of the full range of services available in obstetrics and gynaecology.

Part of this work includes identifying policy options for a public funding model for AHR treatment. Once I have had the opportunity to consider these policy options I will bring a Memorandum to Government in relation to a model of care for infertility, including public funding for AHR treatment, for the Government's consideration.

It should be noted that any funding model that may ultimately be introduced would need to operate within the broader regulatory framework set out in the AHR Bill and a model of care for infertility.

Currently, patients who access IVF treatment privately may claim tax relief on the costs involved under the tax relief for medical expenses scheme. In addition, a defined list of fertility medicines needed for fertility treatment is covered under the High Tech Scheme administered by the HSE. Medicines covered by the High Tech Scheme must be prescribed by a consultant/specialist and approved by the HSE 'High Tech Liaison Officers'. The cost of the medicines is then covered, as appropriate, under the Medical Card or Drugs Payment Scheme. There is also a limited specialist AHR service available through the HSE, which provides funding for fertility preservation for cancer patients whose treatment is likely to impact on their future fertility.

## HSE Funding

135. **Deputy Lisa Chambers** asked the Minister for Health the organisations being awarded funding under the section 39 funding that the HSE is providing in the CHO2 area by organisation; the amount received by each in tabular form; and if he will make a statement on the matter. [38076/18]

**Minister for Health (Deputy Simon Harris):** I have asked the Health Service Executive to respond to you directly as this is a service matter.

## Cross-Border Health Services Provision

136. **Deputy Lisa Chambers** asked the Minister for Health if a series of matters (details supplied) relating to procedures carried out in the UK under the cross-border healthcare directive will be examined; and if he will make a statement on the matter. [38085/18]

**Minister for Health (Deputy Simon Harris):** The HSE operates the Cross Border Directive (CBD) in Ireland. Under the terms of the Directive, patients of an EU/EEA Member State who meet the necessary criteria may opt to avail of healthcare provided under the legislation of their Member State of affiliation in another EU/EEA Member State and be reimbursed the lesser of the cost of receiving the treatment abroad, or the cost in their own Member State.

Under the terms of the Directive where a patient receives cross-border healthcare and where medical follow-up proves necessary, the same medical follow-up that would have been available if the treatment was carried out on its own territory must be provided by the patients Member State of affiliation. Thus, if there are complications with a procedure carried out under the CBD, a patient may access the Irish healthcare system to have it rectified.

Furthermore, all patients who are ordinarily resident in Ireland may avail of public healthcare, including in-patient services, on a full or limited eligibility basis. The normal procedures for availing of public in-patient services will apply.

It is also important to note that it is not necessary for a patient to receive all their care abroad. A patient may apply for access to certain aspects of care abroad with further care provided in Ireland as deemed appropriate, or a patient may choose to return to the EU country of treatment.

If treatment is not successful, a patient as well as accessing treatment in their Member State has the option to re-access the medical treatment in the EU country of treatment and will be reimbursed under the terms of the Directive.

The HSE provides information to patients accessing healthcare abroad under the CBD through the National Contact Point's website and also by phone at 056 7784551. Patients with a query on a specific treatment or procedure carried out under the CBD should contact the National Contact Point for advice.

## Hospital Waiting Lists

137. **Deputy Kevin O'Keeffe** asked the Minister for Health if an early appointment for a person (details supplied) in County Cork will be arranged [38087/18]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Ser-

vice Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, a standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, since January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### Hospital Appointments Status

138. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a hospital appointment for a person (details supplied); and if he will make a statement on the matter. [38091/18]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, a standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, since January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### Disease Incidence

139. **Deputy Eamon Scanlon** asked the Minister for Health the number of reported cases of tuberculosis in each of the years 2015 to 2017 and to date in 2018; the position regarding the BCG tuberculosis vaccine and its availability; and if he will make a statement on the matter. [38112/18]

**Minister for Health (Deputy Simon Harris):** The number of reported cases of tuberculosis notified in each of the years 2015 to 2017 and to date in 2018 is as follows:

Year	2015	2016	2017	2018 *
Tuberculosis notifications	283	315	315	241

\* Up to 19/09/2018



The Health Service Executive continues to experience ongoing delays with the supply of the vaccine. BCG vaccine stock in all areas expired at the end of April 2015 and the programme has been suspended since May 2015. The manufacturer has indicated that it may be in a position to resume supplies later this year.

### **Hospital Appointments Status**

140. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an appointment for a person (details supplied); and if he will make a statement on the matter. [38117/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter it has been referred to the HSE for direct reply to the Deputy.

### **Health Services Provision**

141. **Deputy Micheál Martin** asked the Minister for Health if supports will be provided to a person (details supplied) and their family; and if he will make a statement on the matter. [38121/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter it has been referred to the HSE for direct reply to the Deputy.

### **Health Services Provision**

142. **Deputy Niamh Smyth** asked the Minister for Health when a person (details supplied) will receive a full-time bed in a facility; and if he will make a statement on the matter. [38141/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Hospital Waiting Lists**

143. **Deputy Niamh Smyth** asked the Minister for Health the status of an appointment for an operation for a person (details supplied); if there is a timeframe for pre-assessment; the position of the person on the waiting list; and if he will make a statement on the matter. [38143/18]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, a standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, since January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals

are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Hospital Waiting Lists**

144. **Deputy Niamh Smyth** asked the Minister for Health the status of a hospital appointment for an operation for a person (details supplied); if there is a timeframe for pre-assessment; the position of the person on the waiting list; and if he will make a statement on the matter. [38146/18]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, a standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, since January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Hospital Waiting Lists**

145. **Deputy Niamh Smyth** asked the Minister for Health the status of a hospital appointment for an operation for a person (details supplied); if there is a timeframe for pre-assessment; the position of the person on the waiting list; and if he will make a statement on the matter. [38147/18]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, a standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, since January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

## **Brexit Issues**

146. **Deputy Richard Boyd Barrett** asked the Minister for Health the plans the HSE is putting into place in case of supply issues with products sourced from the UK following the UK's departure from the EU in particular for children with rare diseases such as PKU (details supplied); and if he will make a statement on the matter. [38152/18]

**Minister for Health (Deputy Simon Harris):** Ensuring that Brexit produces minimum disruption to health services, and that essential services are maintained on a cross-Border, all-island and Ireland-UK basis is a key priority of the Department of Health. This includes maintaining continuity in the supply of medicines and other specialised supplies sourced from the UK.

The Department of Health and its agencies including the HSE have been conducting detailed analysis on the impacts of Brexit in the area of health and intensive Brexit preparedness and contingency planning is underway.

Maintaining continuity of supply of medicines and other specialised supplies sourced from the UK irrespective of the outcome of the Brexit negotiations is a key priority of the Department of Health. As such, we are examining customs and regulatory issues as they relate to additional food safety controls and medicines. The implications of Brexit for networks and organisations such as the EU Rapid Alert System for Food and Feed are also under consideration.

Contingency planning for a no-deal or worst-case outcome was identified as an early priority and is now well advanced. Its focus is on the immediate economic, regulatory and operational challenges which would result from such an outcome. It assumes a trading relationship based on the default WTO rules, but also examines the possible effects on many other areas of concern.

In line with this approach, the Government has already approved a number of key Brexit preparedness measures focused on East-West trade and has mandated the presentation to Government before the end of September of detailed and costed proposals on the staffing, IT, infrastructural and operational requirements for the implementation at ports and airports of the necessary customs controls and sanitary and phytosanitary checks required as a result of the UK's withdrawal from the EU. The Government had a further discussion on contingency and Brexit preparedness on 18 September.

This work has provided baseline scenarios for the impact of Brexit across all sectors, which can then be adapted as appropriate in light of developments in the EU-UK negotiations. This is enabling the modelling of potential responses under different scenarios, such as one where a withdrawal agreement, including a transitional arrangement, is concluded and where a Free Trade Agreement is the basis for the future relationship between the EU and the UK.

The co-ordination of the whole-of-Government response to Brexit is being taken forward through the cross-Departmental coordination structures chaired by the Department of Foreign Affairs and Trade. Under this structure the Department of Health is working closely with all other Government Departments and agencies to address the many challenges resulting from Brexit.

## **Occupational Therapy Waiting Lists**

147. **Deputy Róisín Shortall** asked the Minister for Health the waiting times for an occu-

pational therapist appointment in Dublin 11; when a person (details supplied) will be seen by an occupational therapist; and if he will make a statement on the matter. [38159/18]

**Minister for Health (Deputy Simon Harris):** As this question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply.

### **Hospital Procedures**

148. **Deputy Carol Nolan** asked the Minister for Health when he expects to have sight of the chief medical officer's report on the clinical and technical implication of using transvaginal mesh implants in surgical procedures [38165/18]

149. **Deputy Carol Nolan** asked the Minister for Health the transvaginal mesh implant clinical protocols in place for surgical training, reporting and registration of procedures, reporting and publication of guidelines; and if the protocols in place meet the recommended standards of the UK National Institute for Health and Care Excellence [38166/18]

150. **Deputy Carol Nolan** asked the Minister for Health the number of transvaginal mesh implant removals that have been performed here; if these were full or partial removals; the number that were publicly or privately funded, respectively; and the number as a percentage of total implant procedures performed in this regard. [38167/18]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 148 to 150, inclusive, together.

As Minister for Health I am committed to putting in place the measures necessary to ensure that both the current use of Transvaginal mesh implants (TVMIs) in surgical procedures in Ireland, and the ongoing clinical management of women who have had these procedures in the past are in line with international best practice and emerging evidence. At my request, the Chief Medical Officer (CMO) is preparing a report which will make recommendations in relation to the clinical and technical issues involved. I am informed that following policy actions in relation to mesh by health authorities in the NHS and in Northern Ireland in July 2018, as set out below, further engagements with the HSE, the Health Products Regulatory Agency, the professional bodies and colleagues in other jurisdictions were needed for the purpose of finalising the report. I am informed that the CMO's Report is anticipated to be completed in the coming weeks.

Pending finalisation of the report, a number of significant system actions in relation to mesh implants have already been advanced.

The CMO wrote to the Acting Director General of the Health Service Executive on 20 July 2018 to request that the Executive put immediate measures in place to:

1. Pause the use of all procedures involving uro-gynaecological/transvaginal mesh implants for the management of Stress Urinary Incontinence (SUI) or Pelvic Organ Prolapse (POP) in HSE funded hospitals, in cases where it is clinically appropriate and safe to do so.

2. Ensure that in situations where expert clinical judgment is that there is an urgency to carry out the procedure and no suitable alternative exists, surgery should proceed only if a delay would risk harm to the patient and should be based on multidisciplinary team decision and fully informed consent.

This pause is to remain in place pending confirmation of implementation by the Health Service Executive, working in conjunction with the Institute of Obstetricians and Gynaecologists (IOG) and the Royal College of Surgeons in Ireland (RCSI), of three urgent recommendations relating to:

- (i) Surgical Training,
- (ii) Informed Consent and
- (iii) the Development of an agreed Dataset of Mesh Procedures.

The Department also wrote to the Institute of Obstetricians and Gynaecologists, the Royal College of Surgeons in Ireland and the Continence Foundation of Ireland on requesting that they assist the HSE in progressing these recommendations on an urgent basis.

The HSE has published information for patients on its website concerning the pause.

It is acknowledged that there may be concerns that restricting the availability of mesh procedures, particularly SUI mesh procedures, which are widely accepted to be less invasive and more effective than non-mesh alternatives will delay access to treatment procedures for distressing symptoms. Advice received in relation to this is that uro-gynaecological mesh procedures are largely elective procedures and it is not anticipated that a postponement of weeks/months will materially affect health outcomes for the majority of women affected. Given the limited number of surgeons and units carrying out these procedures in HSE funded hospitals, it is anticipated that the Executive will be in a position to indicate to the Department that these recommendations have been implemented within a number of months.

The decision to institute a pause in vaginal mesh procedures in HSE funded hospitals followed a review by Department officials, together with representatives of the HSE and the Health Products Regulatory Authority (HPRA), of the NHS England decision of Tuesday 10 July to institute a similar 'pause' in their use. This decision in the NHS followed a recommendation by the Independent Medicines and Medical Devices Safety (IMMDS) Review established in February 2018 by the Secretary of State for Health and Social Care, the Rt. Hon Jeremy Hunt MP. On Wednesday July 11, a pause was instigated by health authorities in Northern Ireland.

It has been clarified by the NHS that there is no concurrent change in the evidence base concerning these devices. The recommendations of the IMMDS to NHS England arose because of a lack of certainty or confidence that critical clinical governance measures to assure the safety of mesh procedures are demonstrably in place. The Department considers that similar concerns in relation to the visibility and consistency of such measures apply equally in the public health system here.

There is understandable public and patient anxiety about the ongoing safety of mesh devices in light of the considerable publicity that this issue has received and this has been heightened by recent developments in the NHS. It is important that this be addressed as comprehensively as possible. A pause on the use of mesh procedures, pending confirmation by the Executive that the recommendations as set out above have been implemented, is considered proportionate and necessary to provide public assurance that these procedures are being carried out in accordance with internationally accepted good practice.

The advice of the HPRA to the Department is that it supports a temporary restriction on all procedures involving uro-gynaecological/transvaginal mesh implants, pending the introduction of the further clinical mechanisms proposed relating to the delivery of care for patients. The regulatory status of uro-gynaecological mesh implants at a European level remains unchanged in that they are CE marked medical devices. As such, the benefit-risk profile for the

devices is considered positive. Ensuring that the use of transvaginal mesh is appropriate and as safe as possible requires, not only that the device is safe and performs as intended, but also that the healthcare system has appropriate measures for patient selection, treatment and follow-up in place.

In relation to the provision of appropriate aftercare for women suffering from mesh complications, including appropriate diagnostic facilities, this has already been identified as one of two priority recommendations for immediate advancement by the Executive in the course of preparation of the CMO's report. The CMO wrote to the Acting Director General of the HSE, and to the Institute of Obstetricians and Gynaecologists (IOG), the Royal College of Surgeons in Ireland (RCSI), and the Continence Foundation of Ireland (CFI) on May 28 2018, requesting that the Executive commence work on (i) the development of appropriate patient information resources and consent materials and (ii) clarification and development of treatment pathways and appropriate referral services for women suffering from mesh-related complications, in conjunction with the IOG, the RCSI and the CFI.

The HSE has confirmed that work has commenced by the National Women and Infants Health Programme (NWIHP) in the HSE to progress all of the recommendations above. A Learning Notice concerning mesh devices in uro-gynaecological procedures was circulated by the NWIHP on 26 June 2018 to all maternity hospitals and acute hospitals with gynaecological services to highlight the importance of appropriate patient selection, adequate information and consent and also to inform the service providers that a Response Group has been convened to propose remedies for and address the provision of aftercare for complications. This learning notice has been posted on the NWIHP website.

The experiences of women concerned will be an essential element to informing the assessment of need and identifying the aftercare services required. I am informed that a Synthetic Mesh Devices Advisory Group has been convened by the NWIHP which includes three patient representatives, as well as representatives of the HPR, the IOG, the RCSI, the CFI and all Hospital Groups to advise on and action all of the recommendations.

This work is ongoing and will include identifying the appropriate specialist clinical expertise and facilities required at hospital group level and nationally to provide comprehensive aftercare services. It will also include an examination of the role of and requirement for specialist diagnostic services such as translabial scanning. The outcome of this work will clarify if there is a need to look at sourcing services from abroad to address any shortfalls identified at national level, either through utilisation of the treatment abroad scheme or by commissioning services from abroad.

The information provided by the HSE is that approximately 700-800 procedures are carried out annually for pelvic organ prolapse repair and similar numbers of sling procedures for stress urinary incontinence are performed. However, the HSE Hospital In-patient Enquiry (HIPE) system does not record the numbers of these procedures that involve the implantation of a mesh device. The HIPE system also does not code for repair or revision procedures which involve the removal of mesh. Information about mesh procedures and mesh removals in private hospitals is not available at national level.

The HSE advice is that all patients who have experienced complications due to mesh devices are advised to contact their consultant's clinic in the first instance. Each hospital group has nominated an individual to coordinate a response to this group of patients. If patients are having trouble accessing information they can contact the National Women & Infants Health Programme at [smi.nwihp@hse.ie](mailto:smi.nwihp@hse.ie) for help.

### **Primary Care Centres Provision**

151. **Deputy Fergus O'Dowd** asked the Minister for Health the status of the proposed primary care centre in Bettystown and Laytown, County Meath; and if he will make a statement on the matter. [38170/18]

**Minister for Health (Deputy Simon Harris):** As the HSE has responsibility for the provision, along with the maintenance and operation of Primary Care Centres and other Primary Care facilities, the Executive has been asked to reply directly to the Deputy.

### **Home Care Packages Data**

152. **Deputy Fergus O'Dowd** asked the Minister for Health the number of home care packages that were applied for and approved through both the Louth and Meath disability services in counties Louth and Meath in each of the years of 2016, 2017 and to date in 2018, in tabular form; and if he will make a statement on the matter. [38174/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Speech and Language Therapy Data**

153. **Deputy Fergus O'Dowd** asked the Minister for Health the caseload per speech and language therapist for counties Louth and Meath in each of the years 2016, 2017 and to date in 2018, in tabular form; and if he will make a statement on the matter. [38176/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** The Government is committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide greater independence in accessing the services they choose, and enhance their ability to tailor the supports required to meet their needs and plan their lives. This commitment is outlined in the Programme for Partnership Government, which is guided by two principles: equality of opportunity and improving the quality of life for people with disabilities.

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Cannabis for Medicinal Use**

154. **Deputy Lisa Chambers** asked the Minister for Health the process a person must follow to access cannabis oil in circumstances in which the person suffers with epilepsy. [38180/18]

**Minister for Health (Deputy Simon Harris):** Medical practitioners and patients may consult the Department of Health website which contains information on medical cannabis, including clinical guidance on the use of medical cannabis and details on how a medical practitioner may apply for a Ministerial licence for medical cannabis. This information can be found at

*<https://health.gov.ie/blog/publications/cannabis-for-medical-use/>*

It is important to note that the decision to prescribe or not prescribe any treatment, including cannabis treatment, for an individual patient is strictly a decision for the treating clinician, in consultation with their patient. As Minister for Health I have no role in this clinical decision-making process.

If clinicians or patients require any further details or clarification, having consulted the information on the website, they may contact the Department of Health directly.

### **Hospital Services**

155. **Deputy Mary Butler** asked the Minister for Health the position at UHW regarding the additional hours that were granted as a result of the recommendations in the Herity report for 20% extra hours for cardiac services; if the staff members have been recruited; if not, the reason therefor; the days on which the extra hours occur; if it is possible for the extra hours to be facilitated on a Saturday when the catheterisation laboratory is closed; and if he will make a statement on the matter. [38182/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the Health Service Executive to respond to you directly, as soon as possible.

### **Hospital Appointments Status**

156. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an appointment for a person (details supplied); and if he will make a statement on the matter. [38184/18]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, a standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, since January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Hospital Appointments Status**

157. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an appointment for a person (details supplied); and if he will make a statement on the matter. [38185/18]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any



individual or to confer eligibility on any individual.

The National Waiting List Management Policy, a standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, since January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Medical Aids and Appliances Provision**

158. **Deputy Michael Healy-Rae** asked the Minister for Health when equipment will be removed from the home of a person (details supplied); and if he will make a statement on the matter. [38186/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter it has been referred to the HSE for direct reply to the Deputy.

### **Hospital Services**

159. **Deputy Eamon Scanlon** asked the Minister for Health the expected completion date of the new acute mental health unit at Sligo University Hospital; and if he will make a statement on the matter. [38188/18]

**Minister for Health (Deputy Simon Harris):** In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly.

### **Haddington Road Agreement Implementation**

160. **Deputy Clare Daly** asked the Minister for Health further to Parliamentary Question No. 586 of 7 September 2018, the reason a formal procedure for informing the relevant individuals of the process to appeal was not utilised in view of a paragraph (details supplied) in the circular in regard to the appeal procedure relating to Circular 17/2013. [38189/18]

**Minister for Health (Deputy Simon Harris):** I have asked the HSE to respond to you directly on this matter.

### **Medicinal Products Availability**

161. **Deputy John Curran** asked the Minister for Health if he has had a meeting with an organisation (details supplied) to address the issue of ensuring that new medicines are made available to persons with MS as quickly as possible; and if he will make a statement on the matter. [38198/18]

**Minister for Health (Deputy Simon Harris):** The HSE has statutory responsibility for medicine pricing and reimbursement decisions, in accordance with the Health (Pricing and

Supply of Medical Goods) Act 2013. The Act specifies the criteria for decisions on the reimbursement of medicines. As Minister for Health, I do not have any statutory power or function in relation to reimbursement of medicines.

Under the 2013 Act, if a company wishes to have a medicine reimbursed through the community drugs schemes, it must submit an application to the HSE to have the medicine added to the Reimbursement List.

As outlined in the 2016 Framework Agreement on the Supply and Pricing of Medicines, and in line with the 2013 Act, the HSE will decide, within 180 days of receiving the application (or a longer period if further information is sought from the company), to add the medicine to the reimbursement list, agree to reimburse it as a hospital medicine or refuse to reimburse it.

HSE decisions on which medicines are reimbursed by the taxpayer are made on objective, scientific and economic grounds, on the advice of the National Centre for Pharmacoeconomics (NCPE). The NCPE conducts health technology assessments for the HSE, and makes recommendations on reimbursement to assist HSE decisions. The NCPE uses a decision framework to systematically assess whether a drug is cost-effective as a health intervention.

The HSE strives to reach a decision in as timely a manner as possible. However, because of the significant monies involved, it must ensure that the best price is achieved, as these commitments are often multi-million euro investments on an ongoing basis. This can lead to a protracted deliberation process.

I am keen to explore ways in which new medicines might be more easily available for public patients in Ireland, but innovative approaches must be compatible with the statutory provisions in place and must also recognise fundamental pricing and funding issues, in the context of finite Exchequer resources.

Owing to scheduling difficulties, it was not possible for me to meet with MS Ireland in June. However, I am willing to meet with MS Ireland on a mutually convenient date.

### **Child and Adolescent Mental Health Services Data**

162. **Deputy Eamon Scanlon** asked the Minister for Health the number of children and adolescents waiting for an appointment for child and adolescent mental health services in CHO1 to date in September 2018; and if he will make a statement on the matter. [38204/18]

**Minister of State at the Department of Health (Deputy Jim Daly):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Medicinal Products Reimbursement**

163. **Deputy Charlie McConalogue** asked the Minister for Health the status of the HSE's investigations into the provision of a drug (details supplied); and if he will make a statement on the matter. [38205/18]

**Minister for Health (Deputy Simon Harris):** The HSE has statutory responsibility for decisions on pricing and reimbursement of medicines under the community drug schemes, in accordance with the Health (Pricing and Supply of Medical Goods) Act 2013.

As noted in Parliamentary Question 19115/18, the HSE received a new reimbursement application for the reimbursement of Sativex from the manufacturer in February 2018. A rapid review by the NCPE was completed on 3 April 2018 and a full pharmacoeconomic assessment is recommended to assess the clinical effectiveness and cost effectiveness of Sativex compared with the current standard of care.

The full pharmacoeconomic assessment was commissioned by the HSE on 20 April 2018.

### **Motorised Transport Grant Closure**

164. **Deputy Charlie McConalogue** asked the Minister for Health when a replacement scheme for the motorised transport grant and mobility allowance will be finalised; when the new scheme will be announced; and if he will make a statement on the matter. [38208/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** The Deputy will be familiar with the background to the closure of both the Mobility Allowance and Motorised Transport Grant schemes in February 2013.

My colleague, the Minister for Health and I brought a Memorandum to Government on proposals for a new Transport Support Payment Scheme towards the end of the last Dáil session. Following consideration of the matter, it was decided to withdraw the Memorandum from the Cabinet Agenda at the time. A new Transport Support Payment Scheme remains a priority and we intend to revert to Government with revised proposals to reflect the discussions at that Cabinet meeting and further discussions between ourselves, in due course.

With regard to the Motorised Transport Grant, this scheme operated as a means-tested grant to assist persons with severe disabilities with the purchase or adaptation of a car, where that car was essential to retain employment. The maximum Motorised Transport Grant, which was payable once in any three-year period, was €5,020. Following closure of the scheme in February 2013, no further Motorised Transport Grants have been payable.

It is important to note that the Disabled Drivers and Disabled Passengers scheme operated by the Revenue Commissioners, remains in place. This scheme provides VRT and VAT relief, an exemption from road tax and a fuel grant to drivers and passengers with a disability, who qualify under the relevant criteria set out in governing regulations made by the Minister for Finance. Specifically adapted vehicles driven by persons with a disability are also exempt from payment of tolls on national roads and toll bridges. Transport Infrastructure Ireland has responsibility for this particular scheme.

There are improvements in access to a range of transport support schemes available to persons with disabilities in the State and on-going work is being carried out by Government Departments, agencies and transport providers to further improve access to public transport services. Under the National Disability Inclusion Strategy, the Department of Transport, Tourism and Sport has responsibility for the continued development of accessibility and availability of public transport for people with a disability.

### **Nursing Staff Remuneration**

165. **Deputy Willie Penrose** asked the Minister for Health the steps being taken to address the pay issue, the fact that Irish nurses and midwives work longer hours than many of their international counterparts and the need to address staff shortages; and if he will make a statement

on the matter. [38213/18]

**Minister for Health (Deputy Simon Harris):** The Government values nurses and midwives in our public health service for their dedication and professionalism. They are key to the day to day operation of health services.

In relation to pay, the Public Service Pay Commission (PSPC) Report was recently published. However, it was not within their remit to determine an increase in basic pay.

The PSPC has recommended that the qualification allowance and location allowance should be increased by 20% on the same terms that currently apply and that these allowances should be extended to midwifery on the same basis. They also recommended that the eligibility for nurses and midwives to attain the grade of senior staff nurse/midwife should be reduced to 17 years from 20 years. These proposals are being progressed with the relevant parties with a view to an early conclusion.

Under the Haddington Road Agreement it was agreed by all Parties to increase working hours of all public servants including nurses and midwives. Nurses and midwives were provided with an option to retain their 37.5 hours per week however this is with a consequential reduction in salary.

The HSE is committed to filling all vacant nursing and midwifery posts and a number of recruitment initiatives are underway to fill these posts.

### **General Medical Services Scheme**

166. **Deputy Brendan Smith** asked the Minister for Health the progress to date on reform of the GMS contract; and if he will make a statement on the matter. [38216/18]

**Minister for Health (Deputy Simon Harris):** The Government is committed to engaging with the representatives of general practitioners on the development of a package of measures and reforms to modernise the 1989 GMS Contract.

Our goal is to develop a contractual framework that has a population health focus, providing in particular for health promotion, disease prevention and for the structured care of chronic conditions. This will enable general practitioners to better meet the needs of patients and will also promote general practice as a viable and rewarding career for both existing doctors and future medical graduates.

Agreement on the delivery of service improvements and contractual reform has the potential to facilitate a substantial increase in the resourcing of general practice on a multi-annual basis.

The Department and the HSE met with the Irish Medical Organisation GP Committee in early May with the State side setting out the mandate agreed by Government under which the consultations were being conducted and the package of measures to be agreed. The Department subsequently wrote to the IMO, at the Organisation's request, setting out these proposals formally. The IMO responded to the Department by letter on 20 July. The Department and HSE are now considering the next steps in the engagement with GP representatives.

### **General Practitioner Services**

167. **Deputy Brendan Smith** asked the Minister for Health the measures he plans to imple-

ment regarding the adequate remuneration of general practice and the retention of doctors with particular emphasis on the needs of rural communities; and if he will make a statement on the matter. [38217/18]

**Minister for Health (Deputy Simon Harris):** General Practitioners play an important role in the primary care system. The number of GPs on the specialist register continues to increase – up from 2,270 in 2010 to 3,669 as at July 2018. The number of GPs holding GMS contracts has also risen from 2,098 in 2008 to 2,507 as at 1 September 2018.

The Government is aware of workforce issues facing general practice, including the influence of demographic factors, and has implemented a number of measures to improve recruitment and retention in general practice.

GP training places have been increased from 120 in 2009 to 193 places filled in 2018, an increase of around 60% over a nine year period. The Government's objective is to continue to achieve annual increases in the number of training places available while ensuring that all of the places are filled.

Entry provisions to the GMS scheme have been changed to accommodate more flexible GMS contracts and the retirement age for GPs has been extended to 72. An enhanced support package for rural practices has been introduced with improved qualifying criteria and an increased financial allowance of €20,000 per annum.

The Government is also committed to engaging with GP representatives on necessary service improvements and reforms to the current GMS contract.

It is my intention to put in place a new multiannual approach to fees in return for service improvements and contractual reforms based upon health policy considerations and engagement with representative bodies.

Agreement on the delivery of service improvements and contractual reform has the potential to facilitate a substantial increase in the resourcing of general practice on a multiannual basis.

### **Cancer Screening Programmes**

168. **Deputy Brendan Smith** asked the Minister for Health the action being taken to check whether the deficiencies in the CervicalCheck programme outlined in the Scally report are not also occurring in other screening programmes. [38222/18]

**Minister for Health (Deputy Simon Harris):** Dr Scally's Terms of Reference for his Scoping Inquiry, which were developed with cross party input, included an examination of the other screening programmes operated by the National Screening Service particularly in relation to quality assurance and clinical audit, open disclosure and governance. Dr Scally's report is reassuring in regard to the other screening programmes, stating that the professional and technical resources of their quality assurance programmes are of a high standard.

Of particular note, the Report states that there is evidence that both BreastCheck and Bowel-Screen relate to their clients in an open and sensitive manner when adverse events are identified

Dr Scally's report contained fifty recommendations, including some recommendations in relation to the other screening programmes. All recommendations have been accepted in full by Government, and my focus now is working towards the full realisation of these recommen-

dations.

### **Disability Services Provision**

169. **Deputy Bernard J. Durkan** asked the Minister for Health when the necessary treatment will be offered to a person (details supplied); and if he will make a statement on the matter. [38251/18]

**Minister of State at the Department of Health (Deputy Finian McGrath):** The Government is committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide greater independence in accessing the services they choose, and enhance their ability to tailor the supports required to meet their needs and plan their lives. This commitment is outlined in the Programme for Partnership Government, which is guided by two principles: equality of opportunity and improving the quality of life for people with disabilities.

As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy.

### **Medical Card Applications**

170. **Deputy Bernard J. Durkan** asked the Minister for Health if a medical card will issue in the case of persons (details supplied); and if he will make a statement on the matter. [38255/18]

**Minister for Health (Deputy Simon Harris):** As this is a service matter it has been referred to the HSE for direct reply.

### **Medicinal Products Reimbursement**

171. **Deputy Bernard J. Durkan** asked the Minister for Health if purple patch medication will be authorised in the case of a person (details supplied); and if he will make a statement on the matter. [38258/18]

**Minister for Health (Deputy Simon Harris):** Clarification was sought from the Deputies office in relation to this PQ. Once a reply has been received I will arrange for a response to issue to the Deputy.

### **Departmental Properties**

172. **Deputy Peadar Tóibín** asked the Minister for Agriculture, Food and the Marine the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38049/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department has no land in the Meath County Council area.

As regards the twelve State Bodies under the aegis of my Department, the information requested is an operational matter for the State Bodies themselves. I have referred the Deputy's question to the Agencies and have requested that a response should issue within 10 days.

### **GLAS Payments**

173. **Deputy Timmy Dooley** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Clare will receive the outstanding payment on GLAS 2017; and if he will make a statement on the matter. [38088/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named was approved into GLAS 1 with a contract commencement date of 1 October 2015 and has received payments in respect of 2015, 2016 and 2017.

The Department is aware of an issue with this case that resulted in a penalty being deducted in error from the 2016 payment. Department officials are currently working on this issue and when resolved a refund will issue in this case.

### **GLAS Payments**

174. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when a wild bird cover 2016 underpayment will issue to a person (details supplied); and if he will make a statement on the matter. [38206/18]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named was approved into GLAS 2 and has received payments for 2016 and 2017. The 2016 claim was underpaid for the Wild Bird Cover action and is due a correcting payment. The Department is currently working on this issue and expects the correcting balance payment to issue shortly.

### **Departmental Properties**

175. **Deputy Peadar Tóibín** asked the Minister for Communications, Climate Action and Environment the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38052/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** All property occupied by my Department is either leased or owned by the Office of Public Works and my Department has no vacant sites, property or land owned in County Meath or elsewhere in the country.

The information requested in relation to the agencies under the aegis of my Department is an operational matter for each agency. My Department will request the relevant bodies to reply directly with the information sought.

176. **Deputy Éamon Ó Cuív** asked the Minister for Communications, Climate Action and Environment when a contract for the national broadband scheme will be fully agreed; when the roll-out under this scheme will commence; when it will be completed in full; the actions he plans to take as an interim measure for those areas under the scheme that will not receive fast broadband until after 2020; and if he will make a statement on the matter. [38082/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The Government's National Broadband Plan (NBP) aims to ensure high speed broadband access (minimum 30 megabits per second) to all premises in Ireland, regardless of location. The NBP is being achieved via a combination of commercial investment and a State led intervention.

Commercial operators have invested over €2.75bn in upgrading and modernising their networks over the past 5 years, and further investments are planned.

Under a Commitment Agreement signed with me in April 2017, eir is in the process of passing 300,000 predominantly rural homes with high speed broadband. Approximately 175,000 of the committed premises have been passed as of Q2 2018.

My Department is in a formal procurement process to select a company who will roll out a new high speed broadband network in the State intervention area. That procurement process is now in its final stages, with my Department currently evaluating the Final Tender submission received from the bidding consortium on 18 September 2018.

For those premises currently awaiting access to high speed broadband, practical initiatives will continue to be addressed through the work of the Mobile Phone and Broadband Taskforce to address obstacles and improve connectivity in respect of existing and future mobile phone and broadband services.

Under this Taskforce, engagement between telecommunications operators and local authorities through the Broadband Officers is continuing to strengthen. These Broadband Officers are acting as single points of contact in local authorities for their communities. The appointment of these officers is already reaping rewards in terms of ensuring a much greater degree of consistency in engagements with operators and clearing obstacles to developing infrastructure. The Department of Rural and Community Development maintain a list of Broadband Officers, a link to which is available on my Department's website at <https://www.dccae.gov.ie/en-ie/communications/topics/Broadband/national-broadband-plan/Pages/NBP-Information-Leaflets.aspx>.

### **Broadcasting Service Provision**

177. **Deputy Gino Kenny** asked the Minister for Communications, Climate Action and Environment his plans to have all of Ireland's UEFA nations league games shown on terrestrial television in view of the fact that these games are competitive and will affect Ireland's ranking; and if he will make a statement on the matter. [38149/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The Audiovisual Media Services Directive (AVMSD) provides that Member States may designate sporting and cultural events of major importance to society as free-to-air. At a national level, the Broadcasting Act 2009 sets out the statutory process for designating events as free-to-air. Under Section 173 (2) of the Act. I am obliged to review the list of designated events every three years. The purpose of the review is to consider the appropriateness of the current list of designated events and to examine whether to add any events of major importance to society.



The most recent review was finalised in 2017 and approval was received from the European Commission to designate the All Ireland Senior Ladies Football and Camogie Finals as events of major importance.

As part of review process, the Department carried out a period of public consultation and submissions were received for the inclusion of a number of different sporting events. The UEFA Nations League is a new competition and was not among those considered during this time. The qualification system for Euro 2020 remains largely the same until the playoff round and Ireland's home and away games in these qualifiers will be shown on free-to-air television as per the most recent designation.

The events currently designated by Order (S.I. 465 of 2017) can be found at the following link: <https://www.dccae.gov.ie/en-ie/communications/consultations/Pages/Review-of-Designation-of-Major-Events-.aspx>. The current list of designated events will be reviewed again in 2020.

### **Illegal Dumping**

178. **Deputy Róisín Shortall** asked the Minister for Communications, Climate Action and Environment the steps being taken to address the growing problem of littering and illegal dumping; if a system such as one being used in parts of north County Dublin (details supplied) will be adopted in other litter and illegal dumping black spots; and if he will make a statement on the matter. [38160/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The Programme for Government contains a specific commitment to work with local authorities to tackle the problem of illegal dumping and to develop effective deterrents to discourage people from engaging in this anti-social behaviour. In accordance with this commitment, my Department developed an Anti-Dumping Initiative to work in partnership with local authorities and community organisations in identifying high risk or problem areas, developing appropriate enforcement responses and carrying out clean-up operations. Since its introduction, I have allocated €3.3 million to this initiative which has supported over 400 clean-up and restorative projects while also equipping local authorities with the latest technologies to catch those responsible.

Funding has been provided under this initiative to support a pilot project undertaken by Sligo County Council aimed at tackling and addressing the source of illegal dumping. The aim of this project is to create and maintain a register of how households are managing their waste based on information provided by waste collectors. It is anticipated that this approach will facilitate the process of trying to deal with illegal dumping, the burning of waste and unauthorised waste management. This will form a model of best practice for other Local Authorities to adopt, which in turn will work towards curbing illegal dumping activity nationally.

It is my intention that this project would be rolled out nationally in due course and would be supported by necessary bye-laws requiring householders to retain their receipts as proof of how they are disposing of their waste. It should be noted that certain local authorities have already introduced bye-laws which require householders to sign up to a household waste collection service and that the Regional Waste Management Planning Offices have prepared a template to help standardise bye-laws on the presentation of waste. The template bye-laws place the onus of proof on the householder to prove that they are managing their waste correctly by signing up to a waste collection service or providing receipts for the deposit of waste in authorised facilities.

Although I am pleased that consecutive annual National Litter Pollution Monitoring System Reports have shown that the litter situation is generally improving across the country in recent years, I am concerned that the fines for offences currently in place under the Litter Pollution Acts, particularly for “on-the-spot” fines, do not serve as a sufficient deterrent. That is why I propose to increase substantially the penalty for on-the-spot offences bringing the current fine of €150 to €250.

### **Commission for Communications Regulation**

179. **Deputy Brendan Smith** asked the Minister for Communications, Climate Action and Environment his plans to provide additional resources to the Commission for Communications Regulation to ensure that it can effectively carry out all its duties and responsibilities; and if he will make a statement on the matter. [38194/18]

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** The appropriate level of staffing of the Communications Regulator is one of my functions as Minister under section 20 of the Communications Regulation Act 2002. My officials are currently in discussion with the Communications Regulator and the Department of Public Expenditure and Reform in relation to the regulator’s resourcing needs. It would not be appropriate for me to comment further while those discussions are ongoing.

The funding of the Communications Regulator is an operational matter and not one in which I as Minister have any function. Funding is provided through fees and levies on the communications and postal sectors made by the Communications Regulator under section 30 of the Communications Regulation Act 2002.

### **Departmental Properties**

180. **Deputy Peadar Tóibín** asked the Minister for Transport, Tourism and Sport the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38064/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Office of Public Works (OPW) is responsible for the procurement of office and other accommodation required for the Department of Transport, Tourism and Sport and accordingly ownership of any land associated with this Department’s buildings is a matter for OPW.

The Department of Transport, Tourism and Sport does not own any land in County Meath.

The position regarding the semi state agencies under the remit of my Department is a matter for their direct response and my Department will be asking them to respond to you directly in this regard. If you have not heard from the agencies within ten working days, please contact my private office

### **Bus Services**

181. **Deputy Paul Murphy** asked the Minister for Transport, Tourism and Sport the process

by which a company (details supplied) was awarded two additional bus routes in Dublin; and if he will make a statement on the matter. [38098/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The National Transport Authority (NTA) has statutory responsibility for the procurement of public transport services. I have therefore forwarded the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a response within ten working days.

### **Public Transport Subsidies**

182. **Deputy Róisín Shortall** asked the Minister for Transport, Tourism and Sport the amount of subsidy provided to each transport provider in each of the past seven years. [38136/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Since 2010 there is no subvention paid directly by my Department for public transport services.

The award of Public Service Obligation (PSO) funding falls under the independent statutory remit of the National Transport Authority (NTA). As is normal, the allocations to the companies are decided by the NTA in exercise of its statutory mandate and in accordance with the various contract arrangements that it has in place with PSO service providers. I have therefore referred the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Rail Services**

183. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if Irish Rail will review its new timetable changes which came into effect on 9 September 2018; if his attention has been drawn to the fact that under these changes Howth Junction, Clongriffin and Portmarnock are now served by fewer week day northern commuter services and this is having a knock-on effect on all DART trains going to the city centre, producing overcrowding and disruption for commuters; and if he will make a statement on the matter. [38148/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The issue raised is a matter for the National Transport Authority (NTA) in conjunction with Iarnród Éireann and I have forwarded the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a response within ten working days.

### **Bus Services**

184. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport the extent of commitments given to some local representatives and action groups to date on reversals of certain BusConnects proposals; if these commitments will not form part of the overall maximum limit for changes to the BusConnects proposals as prescribed by the designer; and if he will make a statement on the matter. [38153/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy is aware, the National Transport Authority (NTA) - supported by Dublin Bus - have embarked on a process of full public consultation on these bus proposals, involving local brochures, local face-to-face events organised at various locations around the city, digital imaging of the network, on-line surveys and consultation with user groups. They are both in listening mode to

people who have suggestions as to how these plans can be made even better. The public consultation process will run until 28th September and presents a great opportunity for people to have their say before the plans are finalised by the NTA.

I am aware that some concern and worry is being raised at the information roadshows and at local meetings however I would stress that the current consultation process is based on draft proposals - it is not a final plan. The NTA have advised that area specific issues raised at public consultation will be looked at when the consultation period is over. The NTA expect to publish the findings from the public consultation phase before the year end and any reconfigurations to these proposals will be subject to further consultation.

Under these proposals, an overall increase in services of 27% is expected, which as far as customers are concerned, can only be a good thing. The NTA estimate that, of people who currently have a direct service to the city centre, 92% will continue to have such a service under the new bus network proposals.

While it will result in a huge change for the city, it is envisaged that BusConnects will deliver a bus system that will enable more people to travel by bus than ever before, and allow bus commuting to become a viable and attractive choice for workers, students, shoppers and visitors.

Given the BusConnects initiative is the subject of a current independent public consultation process being run by the National Transport Authority (NTA), it would not be appropriate for me to comment further on the proposal at this time.

### **Road Projects**

185. **Deputy Fergus O'Dowd** asked the Minister for Transport, Tourism and Sport if an application has been received from Louth County Council regarding the proposed Drogheda northern cross route; and if he will make a statement on the matter. [38172/18]

186. **Deputy Fergus O'Dowd** asked the Minister for Transport, Tourism and Sport if consideration will be given to proposals that would see funding for the Drogheda northern cross route in advance of recouping the moneys through the local authority from planning fees at a later date; and if he will make a statement on the matter. [38173/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I propose to take Questions Nos. 185 and 186 together.

The improvement and maintenance of regional and local roads is the statutory responsibility of the relevant County or City Council, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from the Council's own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the Council.

Prior to the financial crisis, applications for funding for road improvement projects would have been considered as part of the Specific Improvement, and Strategic Regional and Local Road Grant Schemes. However, the extent of the cutbacks in grant funding during the crisis meant these grant schemes had to be curtailed after 2013 because expenditure on maintenance/renewal was falling well short of what was required to adequately maintain the regional and local road network.

The NDP does provide for the gradual build up in funding for the road network but it will

take some years yet to reach the level required for the adequate maintenance and renewal of the network. For this reason there is limited scope at present for funding projects under the Specific and Strategic Grant Programmes.

Any projects proposed by local authorities for consideration under the Specific and Strategic Grant Programmes are assessed by the Department on a case-by-case basis. All projects put forward by local authorities for consideration must comply with the requirements of the Public Spending Code and my Department's Capital Appraisal Framework and it is important for local authorities to prioritise projects within their overall area of responsibility with these requirements in mind.

Under the capital project appraisal process a Preliminary Appraisal has to be submitted in relation to each proposed project. Once an appraisal is received it is assessed taking into account other competing projects and the overall roads budget. To date no application has been received by my Department from Louth County Council in relation to the Port Access Northern Cross road. It is of course open to the local authority to bring forward a proposal subject to the Public Spending code and capital appraisal framework. It would then be considered in conjunction with other proposals, taking account of limited resources. I am not in a position to take any view on funding in advance of this process.

### **Road Network**

187. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport if there is a grant available to carry out works (details supplied); and if he will make a statement on the matter. [38192/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I understand that the junction in question involves a crossroads between the N70 and local roads.

As Minister for Transport, Tourism & Sport, I have responsibility for overall policy in relation to national roads. However, the planning, design and implementation of individual road projects on national roads are a matter for Transport Infrastructure Ireland (TII) under the Roads Acts 1993-2015 in conjunction with the relevant local authority.

Noting the above, I have forwarded your correspondence to TII and have requested them to respond directly to you in the matter. Please advise my Office if you have not received a reply in 10 working days.

For regional and local roads, applications are invited from local authorities on an annual basis since 2000 for low cost safety improvement schemes that meet certain criteria.

At the time of the issuing of the Department's updated Guidelines for Setting and Managing Speed Limits in Ireland in March 2015, which is available on my Department's website at [www.dttas.ie](http://www.dttas.ie), local authorities were requested to review and update all speed limits in their administrative areas in accordance with the Guidelines. In the case of national roads this review was to be undertaken in conjunction with TII. The Guidelines reiterate that the making of Special Speed Limit bye-laws is a matter for the elected members of local authorities, subject to following Departmental Guidelines and to the consent of TII in the case of national roads. The undertaking of a speed limits review in County Kerry is a matter for Kerry County Council and the Council is the appropriate organisation to advise on progress in respect of any review.

### **Regional Road Network**

188. **Deputy Fergus O'Dowd** asked the Minister for Transport, Tourism and Sport if a funding application has been received to date on the Julianstown bypass in County Meath to deal with the number of vehicles driving through the village; and if he will make a statement on the matter. [38207/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The improvement and maintenance of regional and local roads is the statutory responsibility of the relevant County or City Council, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from the Council's own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the Council.

Prior to the financial crisis, applications for funding for road improvement projects would have been considered as part of the Specific Improvement, and Strategic Regional and Local Road Grant Schemes. However, the extent of the cutbacks in grant funding during the crisis meant these grant schemes had to be curtailed after 2013 because expenditure on maintenance/renewal was falling well short of what was required to adequately maintain the regional and local road network.

The NDP does provide for the gradual build up in funding for the road network but it will take some years yet to reach the level required for the adequate maintenance and renewal of the network. For this reason there is limited scope at present for funding projects under the Specific and Strategic Grant Programmes.

Any projects proposed by local authorities for consideration under the Specific and Strategic Grant Programmes are assessed by the Department on a case-by-case basis. All projects put forward by local authorities for consideration must comply with the requirements of the Public Spending Code and my Department's Capital Appraisal Framework and it is important for local authorities to prioritise projects within their overall area of responsibility with these requirements in mind.

Under the capital project appraisal process a Preliminary Appraisal has to be submitted in relation to each proposed project. Once an appraisal is received it is assessed taking into account other competing projects and the overall roads budget. To date no application has been received by my Department from Meath County Council in relation to a bypass of Julianstown.

### **Railway Stations**

189. **Deputy Willie Penrose** asked the Minister for Transport, Tourism and Sport the steps he will take to liaise with Iarnród Éireann with a view to progressing the reopening of the train station at Thomastown, Killucan; his plans to visit the location to establish the position and the importance of same particularly in the provision of public transport; and if he will make a statement on the matter. [38211/18]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As the Deputy is aware the National Development Plan (NDP) notes the funding priority for the inter-urban rail network is to protect the investment already made in the national rail network, including the Mullingar line, by funding projects needed to maintain safety and service levels in railway operations. The NDP also confirms a number of key investment priorities to address transport demand and deliver a range of benefits over the next ten years.

As Minister for Transport, Tourism and Sport, I have responsibility for policy and overall funding of public transport and the operation of the rail network and stations on the network is a matter for Iarnród Éireann in the first instance.

In view of Iarnród Éireann's responsibility in these matter, I have referred the Deputy's question to the company for direct reply. Please contact my private office if you do not receive a reply within 10 working days.

### **Sports Capital Programme Applications**

190. **Deputy Brendan Smith** asked the Minister for Transport, Tourism and Sport if grant payments are issuing in respect of projects successfully completed under the 2017 sports capital programme; and if he will make a statement on the matter. [38221/18]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin):** The Sports Capital Programme (SCP) is the primary vehicle for Government support for the development of sports and physical recreation facilities and the purchase of non-personal sports equipment throughout the country. Under the 2017 Sports capital Programme a total of €62m was allocated to over 1,830 projects.

The time taken for clubs to complete their projects can vary depending on the nature of the work involved. As soon as the necessary documentation to draw down grants is submitted however, it is processed by my Department and payment issues. To date at least 462 payments have been made in respect of 2017 SCP applications.

### **Domestic Violence Refuges Provision**

191. **Deputy Niamh Smyth** asked the Minister for Children and Youth Affairs her plans to provide funding to the Department of Justice and Equality for the full implementation of the Istanbul Convention with regard to one women's shelter per 10,000 inhabitants; and if she will make a statement on the matter. [29104/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I thank the Deputy for her question.

There are 2 principal policy instruments guiding Domestic, Sexual and Gender Based Violence services:

1. Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).
2. National Strategy on Domestic, Sexual and Gender Based Violence (DSGBV) (2016 – 2021).

Policy responsibility for domestic, sexual and gender-based violence falls under the remit of my colleague the Minister for Justice and Equality.

Tusla, the Child and Family Agency, has statutory responsibility for the provision of services for the care and protection to victims of domestic, sexual and gender-based violence.

I would like to clarify that it does not fall under my remit as the Minister for Children and Youth Affairs to provide funding to the Department of Justice and Equality for the implementation of the Istanbul Convention.

Funding is allocated to Tusla under my Department's Vote to provide services to victims of domestic and sexual violence, and to meet obligations under the Istanbul Convention.

The number of domestic violence refuge spaces provided in 2017 was 155 family units, comprising 147 emergency refuge family units and 8 emergency non-refuge family units. Guidance from the Council of Europe in relation to the provision of family places in a refuge indicates that “In member states where shelters form part of a community strategy with intervention projects, there should be one family place per 10,000 women”.

Using the methodology set out by the Council of Europe, based on average family size and overall bed capacity, where a “family place should cater for a woman and the number of children based on the average family size for the country”, current provision in Ireland is one family place per 7,765 adult women, which exceeds the recommendation for minimum refuge provision.

Variations in configurations of unit size and type, the emergency basis of refuge provision, and geographical distribution of demand have led to some difficulties in ensuring a direct match between available units and families seeking refuge.

While this remains a challenge for Tusla, additional resources provided this year have allowed the Agency to address a number of issues that will ensure better outcomes for individuals and their families who need services and support.

At all times, Tusla’s key priority is to ensure that the needs of victims and survivors of domestic, sexual and gender-based violence are met in the best way possible, with due attention to the quality, accessibility, and outcome of services.

Since becoming Minister for Children and Youth Affairs, I have attached a high priority to the development of domestic, sexual and gender based violence services, and I am committed to supporting Tusla in meeting the needs of victims and the implementation of the Istanbul Convention.

### **Departmental Properties**

192. **Deputy Peadar Tóibín** asked the Minister for Children and Youth Affairs the land her Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38051/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I can confirm that my Department does not own nor use any land in Co Meath. The Adoption Authority of Ireland, Tusla, and the Oberstown Children Detention Campus have provided a similar clarification.

The Ombudsman for Children’s Office will reply directly to the Deputy.

### **Child and Family Agency Staff**

193. **Deputy Róisín Shortall** asked the Minister for Children and Youth Affairs the estimated cost of each extra social worker and social care worker recruited in 2019. [38157/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I am advised by Tusla that the estimated cost of each extra social worker and social care worker recruited in



2018 is as follows:

Grade	Pay	ER PRSI	Total Pay	Non Pay	Total	WTE
Professionally Qualified Social Worker	49,901	5,414	55,315	12,475	67,790	1.0
Social Care Worker (with Qualification)	39,049	4,237	43,286	9,762	53,048	1.0

The costings are based on the midpoint of the pay scale and includes employer PRSI and an overhead cost of 25% of basic pay to cover staff travel/office accommodation/other general costs.

### Child Care Law Reporting Project

194. **Deputy Róisín Shortall** asked the Minister for Children and Youth Affairs if her attention has been drawn to a recently published report by a group (details supplied); her views on the findings of the report; the actions she will take to address the issues raised in the cases that were highlighted in the report; and if she will make a statement on the matter. [38218/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** As the Deputy is aware, on Monday 17 September the Child Care Law Reporting Project (CCLRP) published its latest series of reports on child care proceedings in Ireland, detailing 30 cases. This series is the first to be published under a new agreement between the CCLRP and the Department of Children and Youth Affairs. The agreement will run for 3 years.

The Child Care Law Reporting Project is an independent project authorised under Section 29 of the Child Care Act 1991 (as amended by the Child Care (Amendment) Act 2007), and in accordance with Regulations made under that Section to report on child care proceedings. The project is supported in this work by my Department.

These cases reveal the complexities that can arise in child care proceedings and the challenges that arise in certain cases, including delays in obtaining appropriate placements and services for young people with severe therapeutic needs, and the prevalence of substance abuse, learning disabilities and mental health issues among parents in child care cases. The reports clearly highlight the variety and complexity of factors present in certain child care proceedings that come before the courts. The reports also include examples of successful outcomes – one young man, having spent three years in State care, had turned his life around and was hoping to attend third-level education; there was also an example of family reunification.

Aspects of the reports including the lack of adequate facilities for children with severe psychological and psychiatric needs, and the prolonged nature of court proceedings, especially those involving allegations of child sexual abuse, have received attention in the media.

To address this lack of adequate facilities, Tusla are currently working towards increasing capacity of special care beds. Furthermore, Tusla are aiming to achieve positive outcomes by implementing a new model of care; this will provide staff and young people with a framework that focuses on all aspects of their lives and not just behaviour, leading to improved relationships and understanding of the young person's needs and how, in partnership with them, these needs might be met. It also provides a visible assessment tool where progress can be clearly demonstrated, strengthening and extending the governance process in special care to include the remodeling of the current referrals committee (for special care) and extend and strengthen

the governance of special care placements with direct accountability from the Area Managers. Tusla is also examining additional mechanisms by which staffing vacancies in special care can be met.

I am pleased to note that Tusla have accepted the findings of previous CCLRP reports and are working to improve their own services and processes on this basis.

The CCLRP's work continues to be invaluable in assisting my Department to gain a greater depth of knowledge and understanding of child care cases and increasing the evidence base on which future policy formulation can be based. In particular, the Project's case reports are proving to be highly useful in the ongoing Review of the Child Care Act 1991.

### **Children in Care**

195. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she remains satisfied regarding the availability of secure places for children deemed to be at risk from physical, psychological or sexual abuse; and if she will make a statement on the matter. [38238/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** A child may be taken into care because they are at risk of physical, psychological or sexual abuse or because they have particular needs that their parents cannot meet, even when community based family supports are provided. The decision to remove a child from the care of its parents is not one that is taken lightly.

Where the High Court deems a child is a serious risk to themselves they may order their detention, for a limited period, in a Special Care Unit. There are currently four Special Care Units located in Limerick, Cork, North and West Dublin.

The use of special care (secure care) is intended to be a short term measure. It is only intended for use where the community based alternatives are not suitable to the needs of the child. The Child Care Act 1991, as amended, places a time limit for a particular order for being detained in special care, comprising an initial period up to 3 months with a potential for 2 extensions on that order. Children in special care are expected to return to a community based residential unit or a foster care setting after their time in special care.

Tusla is actively recruiting specialised special care staff and places will increase when the full staff complement is in place.

The individual needs of children may also determine the number of children accommodated in a unit where there are children with challenging behaviour, requiring specific supervision and therapeutic input. Children in special care also have individualised educational plans.

### **Foster Care**

196. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which adequate foster home places exist to meet the demand throughout Ireland; if specific initiatives are required in this area; and if she will make a statement on the matter. [38239/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The majority (92%) of children in care in Ireland are in foster care. Children, depending on their individual

need, may be placed in foster care either with relatives, with general foster carers or with private foster carers.

The recruitment and retention of foster carers is a challenge, as it is in all jurisdictions. According to Tusla's most recent verified data, there were 4,302 foster carers on the panel of approved foster carers at the end of Quarter 1, 2018.

- 2,703 of these were general foster carers;
- 1,124 were relative foster carers;
- and 475 were private foster carers.

The high numbers of children in foster care includes older teenagers, children with challenging behaviour, children with disabilities, and children from different ethnic backgrounds. With respect to these requirements, Tusla experiences difficulties in matching the needs of all children requiring a foster care placement, with the foster care families available.

There are regular area recruitment campaigns to meet foster care demands. Fostering teams are responsible for the recruitment and assessment of foster carers. When an assessment is complete, a report is presented to the Foster Care Committee who decide whether or not to approve the applicant.

The recruitment and retention of an appropriate range of foster carers is part of Tusla's business plan. I would encourage anyone interested in becoming a foster carer to contact their local Tusla office directly. Tusla are particularly interested in recruiting foster carers who can provide specialised care for children with complex needs.

### **Child Protection**

197. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which adequate resources remain available to her Department to enable a rapid response to issues raised by children who are victims; and if she will make a statement on the matter. [38240/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I can advise the Deputy that Tusla, the Child and Family Agency, is the appropriate body dealing with the protection and welfare of children. I am satisfied that the funding secured for Tusla in Budget 2018 has provided adequate resources to meet the demand for their child protection functions.

Tusla act immediately if there is an immediate risk to a child. Children who are in a situation of immediate risk may initially be dealt with by An Garda Síochána (AGS) or by Tusla, but both agencies work together in such cases. Tusla, when alerted to a child at immediate risk, for instance a young child left alone at home or abandoned, will contact AGS if the child needs to be removed from that situation. A plan will be put in place to ensure that the child is safe from harm.

Cases of neglect or risk are managed in line with Children First National Guidance for the Protection and Welfare of Children. If anybody becomes aware of a child at risk, they should contact Tusla immediately, or An Garda Síochána out of hours.

Depending on the experiences the child has had, some cases will require follow up services such as mental health, psychological or therapeutic services that come under the remit of the HSE.

Tusla at all times endeavour to make sure that the voice of the child is heard and their concerns and expressed wishes are taken into account. Children are allocated dedicated social workers, and are given opportunities to discuss their experiences and concerns with them. Where harm has occurred, it is the role of Tusla to identify the supports required and liaise with other agencies and organisations to put the supports in place.

### Children in Care

198. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the number of children placed in care in each of the past three years to date; the extent to which this met the demand and continues to so do; and if she will make a statement on the matter. [38241/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The most recent figures provided by Tusla, the Child and Family Agency, indicate that there were 6,132 children in care at the end of June 2018. It is vital that all children in care, and their carers, receive adequate support to ensure a successful placement.

Foster care is the main form of alternative care for children in need of care and protection, and is the preferred option for children who cannot live with their parents or guardians. Of the children in care, 92% were in foster care nationally; there were 4,057 (66%) children in general foster care, 1,615 (26%) in relative care and 364 (6%) children were in a residential care placement, with the remaining children in other care placements appropriate to their assessed needs.

For children who cannot live either at home or in an alternative family environment such as foster care, there are a number of types of residential care settings that may be appropriate, of which secure care is one type.

A very small number of children (2%) are in other care placements. Such placements can include supported lodgings, at home under a care order, detention centre/prison, youth homeless facilities, other residential centres e.g. therapeutic, disability, residential assessment, designated mother and baby units.

The following table details the number of children in care as at the 31st December on the past three years, and demonstrates that, year on year, this number has been declining.

Number of children in care as at 31st December	
2017	6,190*
2016	6,267**
2015	6,384**

\**Quarterly Service Performance and Activity Report Quarter 1 2018*

\*\* *Annual Review of the Adequacy of Child Care and Family Support Services Available 2016*

Foster care is the preferred option for children who have been received into care. This can be as a result of abuse and/or neglect and their parents' inability to care for them due to a combination of difficulties in their own lives. In recent years, more than 90% of children in care were in a foster care placement.

There are regular area recruitment campaigns to meet foster care demands. Fostering teams are responsible for the recruitment and assessment of foster carers. When an assessment is complete, a report is presented to the Foster Care Committee who decide whether or not to approve

the applicant.

The recruitment and retention of an appropriate range of foster carers is part of Tusla's business plan.

### **Child and Family Agency Services**

199. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which adequate childcare professionals remain available to provide an adequate support service for children at risk; and if she will make a statement on the matter. [38242/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I am informed by Tusla that as of June 2018, the most recent figures available, there were 5,856 cases awaiting allocation of a social worker.

Tusla has confirmed that of these cases, 987 were categorised as high priority; 1,589 cases were low priority; and 3,280 were medium priority. The priority level assigned to the case is based on the resources required to address the case, rather than on risk to the child. I am informed that all urgent and emergency cases receive immediate attention by the local duty social work team.

I can assure the Deputy that addressing the needs of children who are awaiting the allocation of a social worker is one of my key priorities. Significant additional pay provision has been provided by my Department to Tusla, since its establishment in 2014, for the recruitment of Senior Social Work Practitioners, social workers, social care workers and administrative staff.

Tusla is operating in a difficult recruitment environment. Since establishment in 2014, and despite significant recruitment activity, Tusla has increased its total whole time equivalent (WTE) staff by 366 (as at 31 July, 2018). I am advised by Tusla that their in-house recruitment function, Tusla Recruit, has created panels for the majority of its grades and will continue with plans to provide panels for all grades and supplement panels in 2018/2019.

I also look forward to receiving Tusla's Multi-annual Strategic Workforce Plan later this year which will indicate the future composition of Tusla's workforce for the coming years, given the resources and skills available in the market.

### **Child and Family Agency Services**

200. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which caseworkers are assigned as required to children deemed to be at risk; and if she will make a statement on the matter. [38243/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I am informed by Tusla that as of June 2018, the most recent figures available, there were 5,856 cases awaiting allocation of a social worker. An unallocated case relates to a case about a child that is deemed to need a social work assessment, but has not yet been allocated to a social worker.

Of these cases, 987 were categorised as high priority; 1,589 cases were low priority; and 3,280 cases were medium priority. The priority level assigned to the case is based on the need for intervention in the case, rather than on risk to the child. All urgent and emergency cases receive immediate attention by the local duty social work team.

I am also informed by Tusla that a case awaiting allocation may be listed as 'active on duty'. Tusla indicate that this may include checking with professionals who see the child regularly, or visiting the child and family at home, getting additional information about the child's situation and, in some instances where a child is in care, organising a Care Plan Review and visiting the child.

The majority of unallocated cases are new referrals. However, they may also include children living with their families who had an allocated social worker, or to a child in care, where there is now a social work vacancy.

Addressing the number of children who are awaiting the allocation of a social worker is one of my key priorities. I secured funding in Budget 2018 which will allow Tusla to carry out the final year of a 3 year plan to provide for the allocation of a dedicated social worker to all children who need one. Tusla are also funded to recruit family support workers, social care staff and administrative staff to work alongside social workers in supporting vulnerable children and families.

I am continuing to engage with the Tusla Board and Senior Management Team to monitor and review progress in reducing the number of unallocated cases.

### **Family Support Services**

201. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the degree to which her Department continues to offer support to parents who may find themselves in a challenging situation due to financial or health issues; and if she will make a statement on the matter. [38244/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** My Department operates a number of initiatives to support parents who may find themselves in a challenging situations due to financial or health issues.

The Area Based Childhood (ABC) Programme, which is a prevention and early intervention initiative, targets investment in effective services to improve the outcomes for children and families living in areas of disadvantage. The programme is delivered in 13 areas of disadvantage in Ireland, each led by local consortia who co-ordinate the planning and delivery of a wide range of services and supports in their local area. Each of the ABC sites deliver a range of universal and targeted interventions designed to support parents and improve outcomes for children, from home visiting programmes to community based supports.

In June 2018, several proposals supporting parenting projects were also awarded once off funding under the Quality and Capacity Building Initiative (QCBI) Innovation Fund. The aim of this funding measure is to support organisations testing out new approaches or programmes in communities around the country, in order to address unmet needs of families with children and young people and their families facing disadvantage.

My Department, as part of its commitment to highlighting the critical importance of parenting in children's lives and influencing social, emotional and physical outcomes, hosted an Open Policy Debate (OPD) on the theme of Parenting Supports in Ireland in May 2018. The OPD gathered stakeholders including policymakers, providers, practitioners and national and international experts from across this sector. The findings from this event are informing the Department's approach to developing the theme of parenting.

My Department operates a number of targeted programmes to support families. CCS (Com-

munity Childcare Subvention) is a childcare programme targeted at parents on low income so that they can avail of reduced childcare costs at participating community childcare services.

The CCSP (Plus) programme supports parents on low income to avail of reduced childcare costs at participating privately owned childcare services and at community not-for-profit childcare services. CCSRT (Transitional) is a CCS programme which provides access to free childcare for children of families experiencing homelessness and is designed to help those transitioning from homelessness to permanent accommodation. CCSR (Resettlement) is a programme which provides access to free childcare to children of parents who are programme refugees, in order to help support their resettlement and integration into Irish Society.

The TEC (Training and Employment Childcare) programme is an overarching childcare programme specifically designed to support parents on eligible training courses as well as certain categories of parents returning to work, by providing subsidised childcare places. Notwithstanding the above, all children meeting the minimum age requirement of 2 years and 8 months are eligible for a full two programme years on the Early Childhood Care and Education programme (ECCE).

My Department also introduced the Access and Inclusion Model (AIM) as a way of providing a programme of supports to enable children with a disability to access and meaningfully participate in the Early Childhood Care and Education (ECCE) programme. The key objective of AIM is to support pre-school providers to deliver an inclusive pre-school experience, ensuring that children with a disability can fully participate in the ECCE programme, thereby reaping the benefits of quality pre-school education.

My Department also introduced a universal (non-means tested) subsidy, Community Childcare Subvention Universal (CCSU), for all children in Tusla-registered childcare aged between 6 months until they are eligible for the ECCE programme, which amounts to up to €1,040 per year for children in full-time childcare.

Finally, Tusla, the Child and Family Agency, has a key role in supporting and promoting child protection and welfare, and the effective functioning of families. Family support services provided by Tusla, include, but are not limited to, counselling services to vulnerable children and families in local community settings, and universal services through Family Resource Centres nationwide. Tusla also provides services for the care and protection of victims of domestic, sexual and gender-based violence.

### **Departmental Agencies Staff Data**

202. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which a staff augmentation has been undertaken throughout the front-line services under the aegis of her Department over the past three years; and if she will make a statement on the matter. [38245/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I wish to advise the Deputy that this is an operational matter with regard to workforce planning for the two agencies within my remit that provide frontline services, namely Tusla and Oberstown Children Detention Campus.

I am advised by Tusla and Oberstown respectively, that their Whole Time Equivalent (WTE) staffing numbers from 2015 - 31st July 2018, the most recent numbers available, are as follows:

-	2015	2016	2017	As at 31/07/2018
Oberstown	222.5	248.5	245	244
Tusla	3460	3597.27	3696.32	3778

Tusla has informed me that the vast majority of the 3778 whole time equivalent (WTE) staff focus on responding to the needs of children and families at risk. I am aware of the need for Tusla to increase Social Worker numbers, and other support personnel, to ensure the continuation of this cohesive service to children and families. Significant additional pay provision has been provided by my Department to Tusla, since its establishment in 2014, for the recruitment of staff, particularly Senior Social Work Practitioners, social workers, social care workers and administrative staff.

Tusla is operating in a difficult recruitment environment however, its in-house recruitment function, Tusla Recruit, has been very proactive in targeting social work graduate streams and has also created panels for the majority of the Agency's grades and will continue with plans to provide panels for all grades and supplement panels in 2018/2019.

I am further advised by Tusla that with the current available staff, all urgent and emergency cases are dealt with immediately.

As additional streams of work emerge, it is inevitable that temporary staffing shortfalls may occur and I am assured that these are remedied at the earliest opportunity. In this context, Tusla has advised me that it currently engages 179 agency social workers to ensure continuity of service.

### Child and Family Agency Services

203. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the average waiting time for referrals to be dealt with in particular with regard to children at risk or families in difficult social or economic circumstances; and if she will make a statement on the matter. [38246/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** I wish to assure the Deputy that all referrals to Tusla are screened in a timely manner. Where appropriate, the referral will be routed to family support services or, in the case of child protection and welfare concerns, to a social work service. It is important to stress that urgent and emergency cases receive immediate attention by the local duty social work team.

Tusla, the Child and Family Agency, does not make a distinction between children who require assistance on the basis of their social or economic circumstances. The most recent data available to my Department was reported by Tusla for the end of the 1st quarter of 2018 and shows that at that time there were 24,669 open cases. Of these, 19,980 were allocated to a social worker and 4,689 (19%) were awaiting allocation.

Of the cases awaiting allocation to a social worker, 734 were categorised as high priority. The priority level assigned to the case is based on the need for intervention in the case, rather than on risk to the child.

It should be noted an unallocated case relates to a case involving a child which requires a social work response, but has not yet been allocated to a social worker. These cases are monitored and may be further progressed by the duty team. This can include checks with relevant professionals, home visits and gathering additional information.



The following table provides a breakdown of the waiting time for the high priority cases awaiting allocation to a social worker in March 2018. However, data in relation to waiting time was only available for 682 of these cases.

I am continuing to engage with the Tusla Board and Senior Management Team to monitor and review progress in reducing the number of unallocated cases and the waiting time for the allocation of a social worker to a case assessed as requiring a social work service.

Area	< 1 Week	1-2 Weeks	2-3 Weeks	3-4 Weeks	1-2 Months	2-3 Months	> 3 Months
Total	20	124	34	72	106	52	274

\*Notes: 1) Cases of Retrospective Abuse not included; 2) Number awaiting in time bands is not available from Donegal, Sligo/Leitrim/West Cavan and Waterford/Wexford.

### Child and Family Agency Services

204. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the degree to which she is committed to liaising with voluntary organisations engaged in offering support to children or families at risk; and if she will make a statement on the matter. [38247/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Tusla, the Child and Family Agency, commissions services for children and families through voluntary organisations throughout the country. Tusla's priority is to improve outcomes for children and to ensure that services are provided in the most effective, equitable, proportionate and sustainable way.

In 2017, Tusla issued some €140m to external organisations providing services to children and families throughout Ireland.

I have requested Tusla to respond to the Deputy directly with further information.

### Child Abuse

205. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which complaints are still outstanding in respect of children alleged to have been abused while in care; and if she will make a statement on the matter. [38265/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Allegations of abuse of any child are taken seriously and treated with priority, especially where a child is in care. Any such allegation is dealt with under the Children First procedures. Following an initial assessment of the allegation, and where appropriate, a safety plan is put in place for the child's immediate protection. A notification of the allegation is sent to An Garda Síochána for criminal investigation.

Tusla, the Child and Family Agency, do not collect at a national level data on retrospective or current allegations of abuse relating to children in care.

HIQA, when inspecting children's residential care and foster care, pay particular attention to the management of allegations of abuse and draw attention to areas requiring improvement.

## **Illegal Adoptions**

206. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the degree to which her Department monitors possible illegal adoptions; and if she will make a statement on the matter. [38266/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Adoption Authority of Ireland is the independent regulatory body over adoption in Ireland, under the Adoption Act 2010.

As the Deputy will be aware, I announced in May of this year that clear evidence of illegal registration had been uncovered in records from St. Patrick's Guild former adoption agency. There have been suspicions about illegal birth registrations for a number of years, but there has never been any hard evidence. Record-keeping was limited and not all relevant records are in State ownership. The issue with the SPG files came to light when Tusla social workers were scanning the files, and came across a marker saying 'Adoption from Birth'.

Adoption has been regulated since the commencement of the 1952 Adoption Act. In the cases uncovered, individuals appear to have circumvented any safeguards in place and to have registered false information in relation to births, which was an offense.

Following the discovery of clear evidence of illegal registration 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.

There are an estimated 150,000 adoption records in existence and, of these, approximately 100,000 are currently in the custody of the State, i.e. in the possession of either Tusla or the Adoption Authority of Ireland. The review is focused on those records in the custody of the State 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 identifying any necessary next steps.

## **Child Protection**

207. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department can ensure the protection of children of refugees; and if she will make a statement on the matter. [38267/18]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The Child Care Act, 1991 applies to all children resident in the State, regardless of their immigration status. Under the Child Care Act, 1991 and the Child and Family Agency Act 2013, Tusla, the Child and Family Agency, has a duty to promote the welfare of children who are not receiving adequate care or protection.

In some circumstances a person seeking refugee in this country, with their children, may avail of the Direct Provision system, while their application is being considered.

Children living in Direct Provision are provided with welfare supports as required. Direct Provision Centre managers are categorised as Designated Persons under Children First, and so are required to make mandatory reports of concerns relating to children resident in their centres;

Direct Provision Centres are also required to have child safeguarding statements and practices in place.

A senior social worker from Tusla is seconded to the Reception and Integration Agency, providing social work advice to the Agency, and working directly with Direct Provision Centres to develop their child safeguarding practices and links to community supports.

Concerns about the welfare, safety or well-being of a child in direct provision are reported to Tusla, in line with Children First Legislation. A range of professionals including teachers, nurses, early years educators, gardaí and other health professionals, who see children regularly, are in a good position to identify children where there are welfare or safety issues.

The Children First Act, 2015 places a statutory obligation on key professionals, such as those named, to report concerns of harm above a defined threshold, to Tusla without delay.

Unaccompanied asylum seeking children who seek the assistance of the State are placed in the statutory care of Tusla. Their needs are assessed by an allocated a social worker from a specialist team who work exclusively with unaccompanied minors. They receive appropriate educational, social and medical counselling support.

### **Departmental Functions**

208. **Deputy Clare Daly** asked the Minister for Rural and Community Development if he has established a working group for the national stray dog strategy; and if so, the terms of reference. [38183/18]

**Minister of State at the Department of Rural and Community Development (Deputy Seán Kyne):** My Department has not established a working group for a National Stray Dog Strategy. I understand that an hoc working group, under the auspices of Veterinary Ireland, has been established to identify a strategy to reduce the stray dog population in Ireland. Accordingly any terms of reference are a matter for the working group.

### **Departmental Properties**

209. **Deputy Peadar Tóibín** asked the Minister for Rural and Community Development the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38063/18]

**Minister for Rural and Community Development (Deputy Michael Ring):** My Department was established on 19 July 2017. There are four agencies under the remit of the Department, Pobal, Irish Water Safety, the Western Development Commission and the Charities Regulatory Authority (CRA). Neither my Department, or any of the four agencies, own any land.

All property used by my Department or by Irish Water Safety, the Western Development Commission and the CRA is owned, or leased, by the Office of Public Works, on our behalf.

Pobal operates from a number of locations nationwide, all through private lease agreements, however none of these are located in Co. Meath.

*Questions - Written Answers*  
**School Meals Programme**

210. **Deputy Róisín Shortall** asked the Minister for Employment Affairs and Social Protection the estimated cost for each 1% increase in the funding for school meals. [38156/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The school meals programme provides funding towards the provision of food to some 1,580 schools and organisations benefiting 250,000 children at a total cost of €54 million in 2018 representing an increase of €6.5 million over the previous year. The objective of the scheme is to provide regular, nutritious food to children who are unable, due to lack of good quality food, to take full advantage of the education provided to them. The programme is an important component of policies to encourage school attendance and extra educational achievement.

Based on the 2018 budgetary allocation of €54 million, the additional annual cost of expanding the school meals programme by 1% is €540,000. Changes to increase the funding of any scheme administered by my Department would have to be considered in a budgetary context.

I trust this clarifies the matter for the Deputy.

**Rent Supplement Scheme Expenditure**

211. **Deputy Darragh O'Brien** asked the Minister for Employment Affairs and Social Protection the amount spent on rent supplement in each of the years 2011 to 2017 and to date in 2018; and if she will make a statement on the matter. [38233/18]

212. **Deputy Darragh O'Brien** asked the Minister for Employment Affairs and Social Protection the number of recipients on rent supplement in each of the years 2011 to 2017 and to date in 2018; and if she will make a statement on the matter. [38234/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 211 and 212 together.

Rent supplement plays a vital role in housing families and individuals, with the scheme supporting approximately 27,400 recipients for which the Government has provided €180 million for in 2018.

End of year statistics for rent supplement recipients and expenditure for the years 2011 to 2017 and for the eight months ending August 2018 are provided in the following tabular statement.

Rent supplement customer numbers have declined significantly since 2011. The strategic initiative of returning rent supplement to its original purpose, that of a short-term income support, facilitated by the introduction of the HAP scheme has been the main driver in rent supplement's base decline. Other contributory factors include the continuing improvement in the economy leading to fewer people seeking support due to retaining and securing long-term employment allied with more people exiting rent supplement through activation and securing job opportunities.

I trust this clarifies the matter for the Deputy.

Rent Supplement: Recipient Numbers & Expenditure 2011 - 2017 and Eight Months Ending August 2018

Year	Total Expenditure - €000	Total Recipients
2011	502,747	96,803
2012	422,536	87,684
2013	372,909	79,788
2014	338,208	71,533
2015	311,059	61,247
2016	275,294	48,041
2017	231,221	34,378
8 Months to August 2018	123,063	27,378

### Departmental Properties

213. **Deputy Peadar Tóibín** asked the Minister for Employment Affairs and Social Protection the land her Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38056/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** There is no land owned by my Department or agencies under its remit in County Meath.

I trust that this clarifies the matter for the Deputy.

### Employment Support Services

214. **Deputy Fergus O'Dowd** asked the Minister for Employment Affairs and Social Protection the number of persons actively engaged with social welfare job employment services such as Seetec and other similar schemes, by county, in each of the years 2012 to 2017 and to date in 2018; and if she will make a statement on the matter. [38079/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Job-Path is an employment service which helps long-term unemployed people and those most at risk of becoming long-term unemployed to secure and sustain paid employment. The service was introduced in 2015 on a “soft launch” basis and was fully operational by mid 2016.

In this time, just over 181,000 jobseekers have engaged with the JobPath employment service to date. All customers have received or are receiving activation support from our activation support contractors Seetec business Technology Centre Ltd and Turas Nua Ltd.

The figures in the following table are shown by year and by county.

-	2015	2016	2017	2018 to date	Total
Carlow	220	1475	1606	849	4150
Cavan	301	1419	1419	879	4018
Clare	183	1628	1672	852	4335
Cork	942	5954	6560	2901	16357
Donegal	267	3300	3753	1917	9237
Dublin	310	12092	15865	7754	36021

-	2015	2016	2017	2018 to date	Total
Galway	599	2856	3047	1579	8081
Kerry	112	2463	2659	1094	6328
Kildare	374	2943	3117	1148	7582
Kilkenny	200	1238	1507	624	3569
Laois	8	1421	1887	829	4145
Leitrim	4	629	691	350	1674
Limerick	398	3347	3440	1700	8885
Longford	501	1192	1353	641	3687
Louth	327	2931	2971	1347	7576
Mayo	202	1838	2175	1242	5457
Meath	135	1254	1610	804	3803
Monaghan	1	905	1080	454	2440
Offaly	105	2104	1837	902	4948
Roscommon	4	494	721	385	1604
Sligo	1	1014	1132	618	2765
Tipperary	173	2756	3415	1551	7895
Waterford	437	2450	2544	1093	6524
Westmeath	134	2286	2406	1203	6029
Wexford	237	3674	3747	1290	8948
Wicklow	413	1717	2055	1190	5375
Total	6588	65380	74269	35196	181433

I trust this is of assistance to the Deputy.

### Invalidity Pension Payments

215. **Deputy Aindrias Moynihan** asked the Minister for Employment Affairs and Social Protection when an invalidity claim by a person (details supplied) will go into payment. [38099/18]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** The gentleman referred to has been awarded invalidity pension with effect from the 30 August 2018. Payment will issue to his nominated bank account on the 20 September 2018. Any arrears due from 30 August 2018 to 19 September 2018 (less any overlapping social welfare payment) will issue in due course. The gentleman in question was notified of this decision on the 17 September 2018.

I hope this clarifies the matter for the Deputy.

### Social Welfare Overpayments

216. **Deputy Charlie McConalogue** asked the Minister for Employment Affairs and Social Protection if a person's estate will be pursued for an overpayment in cases in which the recipient of the overpayment has entered into an agreement with her Department for a number of years; and if she will make a statement on the matter. [38122/18]

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

Overpayments of social welfare assistance and benefit payments arise as a consequence of decisions made under the relevant sections of the Social Welfare (Consolidation) Act, 2005 (as amended). Where an overpayment is raised, the Department is obligated to make every effort to recover sums overpaid.

Overpayments which have not been recovered in full at the time of death may be recovered from the deceased debtor's estate, regardless of whether or not the debtor had been making repayments prior to their death. The personal representative of a deceased person is obliged to notify the Department of the death and to seek the Department's clearance for the distribution of that person's estate. Where there are no remaining assets in an estate, the outstanding balance will be written-off.

The outstanding balance does not transfer to the surviving spouse or family member.

I hope this clarifies the matter for the Deputy.

### **Social Welfare Benefits Expenditure**

217. **Deputy Róisín Shortall** asked the Minister for Employment Affairs and Social Protection the estimated cost of raising each weekly welfare and pension payment for every 1% increase. [38127/18]

219. **Deputy Róisín Shortall** asked the Minister for Employment Affairs and Social Protection the estimated cost of each percentage and €1 increase in the qualified child increase for children aged 12 years of age and over. [38158/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I propose to take Questions Nos. 217 and 219 together.

The estimated full year cost of a 1% increase in weekly working age payments (to recipients under the age of 66) is €74.26 million. The estimated full year cost of a 1% increase in weekly payments to pensioners aged 66 and over is €79.39 million. The total cost of a 1% increase in all weekly schemes is €153.66 million in 2019 and a full year. This cost includes proportionate increases for qualified adults and for those on a reduced rate of payment, where applicable.

The estimated full year cost of a 1% increase in the qualified child increase for children aged 12 and over is €1.82 million. The estimated full year cost of a €1 increase in the qualified child increase for children aged 12 and over is €6.07 million.

It should be noted that these costings are subject to change in the context of emerging trends and associated revision of the estimated numbers of recipients for 2019.

The appropriate rates of weekly social welfare payments, including the rate of the qualified child increase, will be considered by Government in the context of the Budget, in light of available resources and other priorities.

### **Back to Education Allowance Expenditure**

218. **Deputy Róisín Shortall** asked the Minister for Employment Affairs and Social Protection the estimated cost for each €1 increase in the rate of the back to school allowance. [38155/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The back to school clothing and footwear allowance (BSCFA) scheme provides a once-off payment to eligible families to assist with the extra costs when children start school each autumn. The Government has provided €49.5 million for the scheme in 2018 which operates from June to September.

The rate of payment in 2017 was increased by 25% to €125 in respect of children aged 4 to 11 and €250 for children aged 12 years and over in second level education. These rates are payable in 2018 for eligible children. End of year records show that under the 2017 BSCFA scheme, payments were made to 151,000 families in respect of over 275,000 children at a cost of €49 million.

Using the total number of children covered by the scheme in 2017 as a basis, the additional cost of each one Euro increase in the BSCFA rates would be an additional €275,000. Changes to the rate of payment of any scheme administered by my Department would have to be considered in a budgetary context.

I hope this clarifies the matter for the Deputy.

*Question No. 219 answered with Question No. 217.*

### **Invalidity Pension Applications**

220. **Deputy Willie Penrose** asked the Minister for Employment Affairs and Social Protection the position regarding an application by a person (details supplied) for disability allowance; if same will be expedited; and if she will make a statement on the matter. [38214/18]

**Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath):** Invalidity pension (IP) is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the pay related social insurance (PRSI) contribution conditions.

A claim for IP was received from the gentleman concerned on the 22 August 2018. In order to establish medical suitability, two medical report forms for completion issued to him on the 31 August 2018. On receipt of the completed forms, the IP claim will be processed as quickly as possible and he will be notified directly of the outcome.

I hope this clarifies the matter for the Deputy.

### **Back to Education Allowance Eligibility**

221. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection if a back to education allowance will be offered in the case of a person (details supplied); and if she will make a statement on the matter. [38252/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The person concerned submitted an application for a back to education allowance (BTEA) on 6/9/18 as he wished to pursue the leaving certificate commencing 17/9/18. Current scheme guidelines stipulate that a jobseeker between the ages of 18 and 21 must be out of formal education for at least two years before commencement of the proposed course of study. Unfortunately the person concerned does not satisfy this qualifying condition as he terminated his last studies in October 2016.



A formal decision issued to the person concerned on 11/9/18 and also advised him of his right to seek a review of the decision. To date no request for a review has been received.

It is open to the person concerned to submit a request for a review of his case and include all relevant information/mitigating circumstances in support of his review request. A decision will issue on completion of the review process.

I trust this clarifies the matter for the Deputy.

### **Free Travel Scheme Eligibility**

222. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection if immediate steps can be taken to restore a travel pass in the case of a person (details supplied); and if she will make a statement on the matter. [38256/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** The free travel scheme provides free travel on the main public and private transport services for those eligible under the scheme. These include road, rail and ferry services provided by companies such as Bus Átha Cliath, Bus Éireann and Iarnród Éireann, as well as Luas and services provided by over 80 private transport operators. There are currently more than 900,000 customers with direct eligibility at an annual cost of €90 million.

The scheme is available to all individuals aged over 66 living permanently in the State. Applicants who are under age 66, must be in receipt of a qualifying payment in order to qualify for the scheme.

In this particular instance, the person concerned qualified for a free travel pass when they became eligible for carer's allowance. When their entitlement to carer's allowance ceased on the 11th July 2018 their entitlement to free travel also ceased.

I hope that this clarifies the matter for the Deputy.

### **Exceptional Needs Payments**

223. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection if an exceptional needs payment will be made available to a person (details supplied); and if she will make a statement on the matter. [38257/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** An exceptional needs payment is a single payment to help meet essential, once-off, exceptional expenditure, which a person could not reasonably be expected to meet out of their weekly income.

According to the records of the Department the person concerned has not submitted an application for an exceptional needs payment.

As a result of this representation an appointment has been scheduled for the person concerned to meet with a designated officer on 26/9/18 in order to discuss her circumstances and assess entitlement to an exceptional needs payment.

I trust this clarifies the matter for the Deputy.

### **State Pension (Contributory) Eligibility**

224. **Deputy Bernard J. Durkan** asked the Minister for Employment Affairs and Social Protection the extent to which a person (details supplied) has made adequate contributions to qualify for a State pension (contributory); and if she will make a statement on the matter. [38260/18]

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** Entitlement to state pension (contributory) is assessed on the basis of an applicant's full social insurance record and the eligibility conditions applicable on the date the applicant reaches pension age. Eligibility is examined by a Deciding Officer following receipt of a completed application.

Applicants are advised to submit an application form for pension at least 3 months before reaching 66 years of age. According to the records of the Department, the person concerned will reach pension age on 1 November 2018. An application form has been issued to the person concerned for completion and return.

It is also open to any individual approaching pension age to apply for state pension (non-contributory). This is a means-tested payment and not reliant on a social insurance contribution record. On receipt of a completed state pension (non-contributory) application, the person's entitlement will be assessed and they will be notified of the outcome. Where an individual qualifies for both pensions, the more financially beneficial rate will be paid.

The customer may also seek a statement of their contribution record from the Department and this can now be provided in real-time online at [www.mywelfare.ie](http://www.mywelfare.ie). I have separately asked that a contribution statement be issued in writing to the customer

I hope this clarifies the matter for the Deputy.

### **Homeless Accommodation Provision**

225. **Deputy Bernard J. Durkan** asked the Minister for Housing, Planning and Local Government the degree to which regulations are in place to ensure the protection of children who themselves or whose parents may be in emergency housing accommodation; and if he will make a statement on the matter. [38269/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** My Department's role in relation to homelessness involves the provision of a national framework of policy, legislation and funding to underpin the role of housing authorities in addressing homelessness at local level. The provision of accommodation and related services for homeless persons rests with individual housing authorities. This includes operational issues such as ensuring that contracted services are delivered and that arrangements are in place to ensure the welfare of families and their children staying in emergency accommodation.

My Department is currently working with the Dublin Region Homeless Executive to finalise a quality standards framework to be adopted by all housing authorities. The framework is already in operation in the Dublin region.

I liaise on a regular basis with my colleague, the Minister for Children and Youth Affairs, and with the Dublin Region Homeless Executive to ensure that robust child protection measures, inspection arrangements and health supports are in place in emergency accommodation for families. I have also met both the Ombudsman for Children and the Irish Human Rights and Equality Commissioner to discuss issues in relation to homeless families. I will continue to work with these stakeholders to ensure that the appropriate arrangements are in place for the

protection of families and children who are experiencing homelessness.

### Departmental Properties

226. **Deputy Peadar Tóibín** asked the Minister for Housing, Planning and Local Government the land his Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38060/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** My Department is not the registered owner of any land in County Meath. The Commissioners of Public Works in Ireland are generally the registered owners of any property in state ownership that is occupied by my Department.

The information requested in relation to bodies under the aegis of my Department is a matter for the individual bodies concerned. Arrangements have been put in place by each Agency to facilitate the provision of information directly to members of the Oireachtas. The contact email address for each agency is set out in the following table.

Agency	Email address
An Bord Pleanála	Oireachtasqueries@pleanala.ie
Ervia, Gas Networks Ireland	oireachtas@ervia.ie
Housing Finance Agency	oireachtas.enquiries@hfa.ie
Housing Sustainable Communities Agency	publicreps@housingagency.ie
Irish Water	oireachtasmembers@water.ie
Local Government Management Agency	corporate@lgma.ie
Ordnance Survey Ireland	Oireachtas@osi.ie
Property Registration Authority	reps@prai.ie
Residential Tenancies Board	OireachtasMembersQueries@rtb.ie
Valuation Office	oireachtas.enquiries@VALOFF.ie

In order to support the development of social and affordable housing, the State residential land-bank, incorporating lands in the ownership of the Housing Agency and local authorities, has been detailed and mapped and is available at: <http://rebuildingireland.ie/news/rebuilding-ireland-land-map/>.

### Local Authority Expenditure

227. **Deputy Mattie McGrath** asked the Minister for Housing, Planning and Local Government the amount paid out by each local authority with respect to compensation and insurance claims since 2017, in tabular form; and if he will make a statement on the matter. [38066/18]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan):** The information requested is not available in my Department. Local authorities are independent in the performance of their functions and the elected members are democratically accountable for all expenditure. Details of compensation amounts and insurance claims paid by local authorities are a matter for each local authority. Accordingly, I have no function in relation to the matters raised in the Question.

## **Social and Affordable Housing Eligibility**

228. **Deputy Fergus O'Dowd** asked the Minister for Housing, Planning and Local Government his plans to increase the net income limits for social housing assessments for County Louth to account for the increasing cost of living and the rental demands on persons bordering on the current limits; and if he will make a statement on the matter. [38073/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The Social Housing Assessment Regulations 2011 prescribe maximum net income limits for each local authority, in different bands according to the area, with income being defined and assessed according to a standard Household Means Policy.

The income bands and the authority area assigned to each band were based on an assessment of the income needed to provide for a household's basic needs, plus a comparative analysis of the local rental cost of housing accommodation across the country. It is important to note that the limits introduced at that time also reflected a blanket increase of €5,000 introduced prior to the new system coming into operation, in order to broaden the base from which social housing tenants are drawn, both promoting sustainable communities and also providing a degree of future-proofing.

As part of the broader social housing reform agenda, a review of income eligibility for social housing supports is underway. The Housing Agency is carrying out the detailed statistical work which will underpin this review on behalf of my Department. The review will obviously have regard to current initiatives being brought forward in terms of affordability and cost rental and will be completed when the impacts of these parallel initiatives have been considered.

## **Electoral Commission Establishment**

229. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government the status of the establishment of a permanent electoral commission as committed to in the programme for partnership Government; and if he will make a statement on the matter. [38092/18]

233. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government his plans to collate or mandate a public body to collate voter turnout statistics by demographic particularly by age to improve voter accessibility and information as collated by the CSO until 2011; and if he will make a statement on the matter. [38096/18]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan):** I propose to take Questions Nos. 229 and 233 together.

The Joint Oireachtas Committee on Environment, Culture and the Gaeltacht undertook a public consultation process on the establishment of an electoral commission on the basis of a consultation paper prepared by my Department in 2015. The Committee published a report on the consultation in January 2016. This report contains a series of recommendations regarding the establishment of an electoral commission, including functions which should be assigned to it; independence, membership and accountability mechanisms; and the establishment process.

In the report, voter turnout and voter education are identified as matters in need of attention. The Committee also recommended that the development and implementation of policy on voter facilitation measures and the development and implementation of innovative ways to enhance voter education and engagement (including obstacles to registration) be assigned as functions

to the electoral commission.

These, along with the other recommendations in the report, are informing the implementation of the commitment in A Programme for a Partnership Government on establishing an electoral commission, including the preparation of an Electoral Commission Bill to give effect to that commitment. My Department is, in the first instance, preparing a Regulatory Impact Analysis for the Bill, which is expected to be completed later in the Autumn.

I have no immediate plans to collate or mandate a public body to collate voter turnout statistics by demographic. These are matters that will be considered in the assignment of functions to the electoral commission in due course.

### **Rental Sector**

230. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government the number of rental properties nationally that have been sanctioned for overcrowding; and if he will make a statement on the matter. [38093/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Enforcement of Part IV of the Housing Act 1966, which deals with overcrowding, is a matter for each local authority in its role as housing authority for its relevant functional area. Under that Act, a housing authority may request information from the owner or occupier of a house such as will allow that authority to determine if a house can be deemed to be overcrowded, having regard to section 63 of the Act.

The housing authority may serve notice on the owner of a house, specifying the maximum number of persons that may occupy a house without causing overcrowding and, where the owner of a house is causing or permitting the house to be overcrowded, may require the owner to desist from causing or permitting such overcrowding within a period not exceeding 21 days. Any person who neglects or refuses to comply with these requirements is guilty of an offence.

Information specifically related to the number of rental properties sanctioned for overcrowding is not collected by my Department.

### **Electoral Register**

231. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government the status of scoping exercises by his Department on reform of the voter registration process including online voter registration; and if he will make a statement on the matter. [38094/18]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan):** In March 2017 the Government determined that work should commence on modernisation of the voter registration process in the context of the possible need to register voters resident outside the State in the event that the referendum on extending the franchise in Presidential elections is passed.

The project, which it is estimated will take some 2-3 years to complete, will also include consideration of wider policy and legislative changes, including initiatives such as online registration. There will be an initial focus on a series of proposals including those made by the Joint Committee on Environment, Culture and the Gaeltacht in its report on the consultation it carried out on the proposed Electoral Commission in 2016.

Conscious of the importance of the register and its role in our democracy and the need to ensure security and integrity are key priorities for any changes being considered, significant consultation is planned to engage all stakeholders, including registration authorities, the political system at all levels and the public. An initial technical consultation with franchise teams in local authorities is currently underway and will inform the further development of proposals. A public consultation, currently anticipated to be launched in Q4 2018, will offer an opportunity to all relevant stakeholders and the public to contribute.

### **Local Authority Members**

232. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government his plans to facilitate councillors to take six months maternity leave without a sanction for non-attendance by their local authority; his further plans to amend section 18(4)(a) of the Local Government Act 2001 in the near future; and if he will make a statement on the matter. [38095/18]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan):** Section 18(4)(a) of the Local Government Act 2001 provides that a councillor shall be deemed to have resigned from membership of their local authority where he or she is absent from attendance at local authority meetings for a continuous period of 6 consecutive months.

However, sections 18(4)(b) and 18(4)(c) state that this provision does not apply in cases where an absence was due to illness or in good faith for another reason provided this is accepted by the local authority and approved by a resolution of the other elected members before the end of the relevant period. This allows the continuous period of allowable absence to be extended to 12 months and then to 18 months upon the passing of a second resolution.

Furthermore, regulation 5(3) of the Local Government (Representational Payment for Members) Regulations 2001 provides that a councillor will continue to receive the full amount of the Representational Payment while absent from meetings of their local authority for a continuous period of 6 months. On the expiration of that period, payments continue to be made at half the applicable annual rate for the next succeeding 6 months but are not made subsequent to the expiry of that period, for so long as the uninterrupted absence continues.

Notwithstanding the existing position, and acknowledging my Department's commitment under the National Strategy for Women and Girls 2017-2020, my Department is examining potential supports to promote the participation of women in the 2019 local elections. Having consulted with key stakeholders in recent months, my Department will in the coming weeks submit a report setting out a range of possible practical measures, including in relation to section 18(4) of the 2001 Act, which could be taken to meet the commitment of the National Strategy for the 2019 local elections and beyond.

*Question No. 233 answered with Question No. 229.*

### **Student Accommodation**

234. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government the details of all purpose-built student accommodation complexes opened in the past 12 months nationally; and if he will make a statement on the matter. [38097/18]

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English):** In July 2016, the Government's Rebuilding Ireland: Action Plan for Housing and Homelessness identified the under-supply of purpose-built student accommodation (PBSA) in Ireland and the significant related adverse impact that this deficit was having on the wider private rental sector. The increased provision of PBSA was established as a key priority in addressing the current wider housing crisis.

My Department is continuing to support the Department of Education and Skills, through the Inter-Departmental Working Group on Student Accommodation, in examining the issue of student housing and potential policy measures to increase accommodation supply. This Group which includes stakeholders from the Higher Education Institutes, Union of Students in Ireland and other Government Departments highlighted important issues in developing new student accommodation projects, including the planning and development finance aspects in assembling new development projects.

The work of this Group led directly to the initiation of reforms in the Planning and Development (Housing) and Residential Tenancies Act 2016 which provided for the fast-tracking of planning applications for student housing construction projects of greater than 200 bed-spaces directly to An Bord Pleanála. In addition, the legislation provides for the availability of low-cost financing from the Housing Finance Agency to the Higher Education Institutes specifically for new student accommodation projects in order to support the delivery of new accommodation projects.

Recent analysis from the Higher Education Authority has indicated that, by May 2018, some 3,000 bedspaces had been delivered since the publication of Rebuilding Ireland and a further 7,250 bedspaces were under construction nationally. In addition, over 7,000 bedspaces had received planning permission but were yet to commence construction and planning permission was being sought for a further 1,200.

### **Social and Affordable Housing Provision**

235. **Deputy Tony McLoughlin** asked the Minister for Housing, Planning and Local Government the progress of Sligo County Council's Rebuilding Ireland housing programme; his views on the speed of progress in County Sligo; and if he will make a statement on the matter. [38120/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Under the Rebuilding Ireland Action Plan, the social housing needs of over 137,000 households will be met over the period 2016 to 2021, supported by over €6 billion of investment, by delivering an additional 50,000 social housing units, while an additional 87,000 households will have their housing need met via Housing Assistance Payment (HAP) and the Rental Accommodation Scheme.

Sligo County Council is progressing the delivery of social housing under a range of programmes to meet the social housing needs of the county, in line with the targets set for them under the Plan. Delivery against target is published on a quarterly basis on my Department's website and includes social housing delivery by each local authority, including Sligo County Council, including through new build and acquisition, housing provided by Approved Housing Bodies (AHBs), accommodation provided using the private rented sector e.g. under HAP, the Rental Accommodation Scheme and the Social Housing Leasing Expenditure Programme. Data on delivery up to end Q1 2018 is published at the following link: <https://www.housing.gov.ie/housing/social-housing/social-and-affordble/overall-social-housing-provision>.

A detailed breakdown of the programme of new social housing build, including that by Sligo County Council, is available at the following link, which also covers the period up to end Q1 2018: <http://rebuildingireland.ie/news/minister-murphy-publishes-social-housing-construction-status-report-q1-2018/>.

The timing and delivery of these projects is a matter in the first place for the Council. I am pleased to see concrete progress being made, such as the imminent completion of the development at Fr. O'Flanagan Terrace in Sligo town, where the 8 already completed new homes will be added to with a further 14 houses very soon. Construction is also to commence on a number of other sites in the county shortly, including Knappagh Road, Rosses Point, Ballymote and Collooney. Another 10 houses at Dromore West have been recently added to the pipeline of projects and the Council is currently working to bring forward other projects at various locations.

Data on social housing delivery for end Q2 2018 is being collated and will be published shortly. In general terms, Sligo County Council has a target for social housing delivery of 60 homes across their Build, Acquisition and Lease programmes in 2018, with an additional 179 dwellings to be delivered under HAP and the Rental Accommodation Scheme. To end Q1 2018, the Council had delivered a total of 116 homes across all programmes.

I am pleased to see this progress with new projects, on top of what has been already delivered. I am keen, however, that all local authorities, including Sligo, further accelerate their programmes and I have assured them that the necessary funding to support their activity is available.

### **Local Authority Staff Data**

236. **Deputy Róisín Shortall** asked the Minister for Housing, Planning and Local Government the number of empty homes officers employed by each local authority. [38128/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Local authorities have designated Vacant Homes Officers to act as a central point of contact and to provide information and advice for owners of vacant homes and also to deal with queries from members of the public in respect of private residential vacant properties in their administrative area.

My Department has provided funding for each local authority (€50,000 per annum, for a period of two years (i.e. a total of €100,000 to each local authority for 2018 and 2019)) to support the work of a Vacant Homes Office. The provision of central funding will allow for focus to be given to the role of the Office in establishing a co-ordinated approach towards the implementation of their Vacant Homes Action Plans and will reinforce the capacity of my Department's Vacant Homes Unit to liaise with and seek information/statistics from a dedicated contact point within each local authority. The Vacant Homes Office is expected to play a key role in the co-ordination of this work within the local authority.

### **National Development Plan**

237. **Deputy Tony McLoughlin** asked the Minister for Housing, Planning and Local Government when Sligo County Council can expect to receive the regional 2040 plan in view of the fact that the delay in its publication is holding up the development of the local development plan in County Sligo; and if he will make a statement on the matter. [38140/18]



**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):**

The National Planning Framework (NPF), published together with the National Development Plan (NDP) as part of Project Ireland 2040 earlier this year, is intended to provide the strategic context for future planning, development and investment over the next two decades. In addition, the NPF represents a long-term strategy for Government Departments, State agencies, State-owned enterprises, regional and local authorities and others to support communities to achieve their potential for economic, social and infrastructural development through a shared set of strategic objectives and key principles.

As a strategic document, the NPF is currently being given further and more detailed expression at the regional level through preparation, by the Regional Assemblies, of statutory Regional Spatial and Economic Strategies (RSEs) for the three Regional Assembly areas. The RSEs process formally commenced earlier this year and draft Regional Spatial and Economic Strategies are currently in preparation for public consultation later in the Autumn.

The finalisation of these regional strategies in the first half of 2019 will in turn prompt reviews and updates of individual county and city development plans to ensure strategic co-ordination and consistency between national, regional and local levels.

### **Land Availability**

238. **Deputy Catherine Murphy** asked the Minister for Housing, Planning and Local Government the amount of land zoned for residential use transferred from local authorities under the land aggregation scheme by local authority and location; the dates of completion of the transfers; the number of transfers awaiting completion; the number of units completed on these lands to date by location; and if he will make a statement on the matter. [38151/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):**

A detailed database and GIS map of Land Aggregation Scheme sites, showing their location, size, boundaries, zoning and other information, is available at <http://rebuildingireland.ie/news/rebuilding-ireland-land-map/>.

Under the terms of the Land Aggregation Scheme, lands accepted into the scheme must be transferred to the ownership of the Housing Agency. The Housing Agency is responsible for managing the transfer process, including any technical and legal aspects. Of the 73 sites accepted into the Land Aggregation Scheme, 71 have now transferred to the ownership of the Housing Agency.

The position with regard to the two sites that have not transferred is as follows:

1, Royal Oak, Bagenalstown, Co Carlow (0.11ha): a decision was taken not to transfer the small site as it is already being developed by an Approved Housing Body under the Capital Assistance Scheme (CAS).

2. Barrack Road, Youghal, Co Cork (1.16 hectares): discussions are ongoing between the Housing Agency, an AHB and Cork County Council regarding the development of this site. Proposals for its development had been signaled by the AHB involved and a decision as to whether it is pragmatic to transfer this site to the Housing Agency is contingent on progress being demonstrated in bringing forward concrete proposals.

In terms of the development of the Land Aggregation Scheme sites generally, the Housing Agency is prioritising those which are already serviced and with the most potential to deliver housing at scale in the short to medium term. Some sites are incorporated into proposals which

were awarded funding under Phase 1 of the Local Infrastructure Housing Activation Fund (e.g. Mount Avenue, Dundalk, Gibbet Hill, Waterford and Lissywollen, Athlone) which will facilitate the development of a wider serviced land bank on both private and public lands.

The Housing Agency is also working with the new Land Development Agency, in progressing residential development on three prime Land Aggregation Scheme sites, at Hampton, Balbriggan, Co Dublin, Hacketstown, Skerries, Co Dublin, and Devoy Barracks, Naas, Co Kildare, which collectively have the capacity to deliver some 1,000 homes.

Projects to deliver 769 social homes are being progressed on Land Aggregation Scheme sites, details of which are set out in the following table. Progress on these and other developments can be tracked through the Social Housing Construction Status Report. The latest report (Q1 2018) is available on the Rebuilding Ireland website at <http://rebuildingireland.ie/news/minister-murphy-publishes-social-housing-construction-status-report-q1-2018/>.

My Department will continue to work with the Housing Agency, the relevant local authorities, the Land Development Agency and Approved Housing Bodies with a view to delivering the optimum housing mix from these and other Land Aggregation Scheme sites.

County	Site Accepted into LAGS	Portion of site being developed	Programme	No of Units	Status
Kildare	Craddockstown(7.93 ha)	4.5 ha	PPPBundle 1	74	Stage 3; tender process underway
Kildare	Craddockstown(7.93 ha)	0.81 ha	Capital Assistance Scheme	3	Stage 1 approved; outline design and costs being prepared.
Galway City	Ballymoneen Raod (2.5ha)	0.49 ha	Social Housing Capital Investment Programme	14	On site
Galway City	Ballymoneen Raod (2.5ha)	2.01ha	Social Housing Capital Investment Programme	78	Stage 2 approved; full design/tender-being prepared.
Laois	Old Knockmay Road (1.031ha)	1.031 ha	Social Housing Capital Investment Programme	33	On site
Wexford	Ballyowen (Baile Eoghain - Ramsfort) (0.95ha)	0.95 ha	Social Housing Capital Investment Programme	9	On site
Meath	Kells (Riverside) 4.38ha	1.5 ha	Social Housing Capital Investment Programme	40	Stage 3 approved; the scheme is now-being tendered.

County	Site Accepted into LAGS	Portion of site being developed	Programme	No of Units	Status
Carlow	Royal Oak Bagnelstown (0.11ha)	0.11 ha	Capital Assistance Programme	6	Stage 3 approved; the scheme is now-being tendered.
Wexford	Carrick on Bannow (Danes Castle) (0.52ha)	0.52 ha	Social Housing Capital Investment Programme	12	Stage 3 approved; the scheme is now-being tendered.
Wexford	Creagh, Gorey (0.73ha)	0.73 ha	Social Housing Capital Investment Programme	10	On site
Cork County	The Miles Clonakilty (2.46ha)	2.46 ha	PPP Bundle 2	54	NDFA published a contract notice on 28 February and following a pre-qualification process, four candidates were short-listed and have been invited to tender.
Cork County	Oakwood Macroom (2.26 ha)	2.26 ha	PPP Bundle 2	50	NDFA published a contract notice on 28 February and following a pre-qualification process, four candidates were short-listed and have been invited to tender.
Cork County	Duntahane Road, Fermoy (3.98 ha)	2 ha	Capital Advance Loan Facility	46	Application-under consideration by the Department.

County	Site Accepted into LAGS	Portion of site being developed	Programme	No of Units	Status
Kildare	Butterstream, Clane, (8.49 ha)	5 ha	PPP Bundle 2	80	NDA published a contract notice on 28 February and following a pre-qualification process, four candidates were short-listed and have been invited to tender.
Fingal	Hampton (Pinewood) Balbriggan (24.2 ha)	1.4 ha	Social Housing Capital Investment Programme - Rapid	20	On site
Dun Laoghaire - Rathdown	Enniskerry Road (2.8ha)	2.8 ha	Capital Advance Loan Facility/Cost rental	155	Approved for CALF funding for 105 units; the scheme is now being tendered.
Louth	Mount Avenue Dundalk (3.09ha)	3.09 ha	Social Housing Capital Investment Programme	75	Stage 1 approved; outline design and costs are now being-prepared.
Cork County	Townsend Street, Skibbereen (0.13ha)	0.13ha	Social Housing Capital Investment Programme	6	Stage 1 approved; outline design and costs are now being-prepared.
Limerick	Ballyhahill (1.212 Ha)	0.4ha	Social Housing Capital Investment Programme	4	Stage 1 approved; outline design and costs are now being-prepared
Total				769	

### Housing Adaptation Grant Funding

239. **Deputy Jan O'Sullivan** asked the Minister for Housing, Planning and Local Government when he expects to next allocate funding to local authorities for housing adaptation grants including for persons with a disability, mobility issues or older persons; his plans to increase the funding for these grants in view of the waiting lists in many areas; and if he will make a statement on the matter. [38162/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** For 2018, I have provided €66.25 million for the Housing Adaptation Grants for Older People and People with a Disability, an increase of some 11% on 2017. Funding for these schemes has been increasing year on year since 2014 and 9,080 households benefitted in 2017, with 10,000 expected to benefit in 2018.

The approach each year is to issue a single full year allocation to the local authorities, so that they can plan and implement the grants programme. Over the course of the year, my Department works closely with the local authorities to monitor spend and to achieve a full drawdown of the available funding. This allows any underspends to be redistributed to local authorities with high levels of grant activity who seek additional funding.

### **Tenant Purchase Scheme Eligibility**

240. **Deputy Fergus O'Dowd** asked the Minister for Housing, Planning and Local Government if he will examine the criteria set down under the tenant incremental purchase scheme and the €15,000 minimum income requirement to avail of the scheme due to the significant number of persons being denied the scheme, albeit living in the homes for decades in some cases; and if he will make a statement on the matter. [38177/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The Tenant (Incremental) Purchase Scheme came into operation on 1 January 2016. The Scheme is open to eligible tenants, including joint tenants, of local authority houses that are available for sale under the Scheme. To be eligible, tenants must meet certain criteria, including having a minimum reckonable income of €15,000 per annum and having been in receipt of social housing support for at least one year.

The minimum reckonable income for eligibility under the scheme is determined by the relevant local authority in accordance with the detailed provisions of the Ministerial Direction issued under Sections 24(3) and (4) of the 2014 Act. In the determination of the minimum reckonable income, local authorities include income from a number of different sources and classes, such as from employment, private pensions, maintenance payments and certain social welfare payments, including pensions, where the social welfare payment is secondary to employment income.

In determining reckonable income, the income of all tenants of the house, including adult children that are joint tenants, is included, as is the income of the spouse, civil partner or other partner/co-habitant of a tenant who lives in the house with them, thus ensuring the appropriate level of discount is applied to the purchase price.

The minimum income criterion was introduced in order to ensure the sustainability of the scheme. Applicants must demonstrate that they have an income that is long-term and sustainable in nature. This ensures that the tenant purchasing the house is in a financial position, as the owner, to maintain and insure the property for the duration of the charged period, in compliance with the conditions of the order transferring the ownership of, and responsibility for, the house from the local authority to the tenant.

In line with the commitment given in *Rebuilding Ireland*, a review of the first 12 months of the Scheme's operation has been undertaken. The review has incorporated analysis of comprehensive data received from local authorities regarding the operation of the scheme during 2016 and a wide-ranging public consultation process which took place in 2017 and saw submissions received from individuals, elected representatives and organisations.

The review is now complete and a full report has been prepared setting out findings and recommendations.

In finalising the report some further consultation was necessary and due consideration had to be given to possible implementation arrangements. These matters are now almost completed and I expect to be in a position to publish the outcome of the review shortly.

### **Local Authority Funding**

241. **Deputy Fergus O'Dowd** asked the Minister for Housing, Planning and Local Government if an emergency funding application can be made by Louth County Council in respect of its social housing maintenance department's depleted funds; and if he will make a statement on the matter. [38178/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** While my Department provides funding to support capital improvements to local authority housing, including through the Voids Programme, the routine management and maintenance of local authority housing stock, including maintenance programmes and carrying out of responsive repairs and pre-letting repairs, is a matter for each individual local authority under section 58 of the Housing Act 1966 and is not directly funded by my Department.

### **Land Development Agency**

242. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the anticipated number of affordable, social and private units to be developed under the Land Development Agency per annum from its inception; and if he will make a statement on the matter. [38225/18]

243. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the location in which the new land agency will be based; the anticipated number of staff and annual operating budget; and if he will make a statement on the matter. [38226/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 242 and 243 together.

To support the work of the Land Development Agency, the Government has agreed new policies requiring that a minimum of 30% of public lands coming forward for redevelopment and/or disposal are to be reserved for affordable housing purposes (in addition to the statutory requirement for 10% social housing under the existing Part V provisions), ensuring more housing supply at more affordable prices and rents.

Ahead of its launch earlier this month, the LDA has secured access to State lands which can yield 3,000 new homes. It is currently in discussions with State bodies in relation to land for another 7,000 homes and a minimum of 40% of the homes built on all State land will be in the form of a mix of social and affordable housing.

Subsequent to the Agency's establishment last week, a detailed business plan and development programme is currently being prepared and will be finalised shortly, and this plan will set out further detail in relation to the initial and longer-term tranches of sites and the anticipated delivery of homes on such sites.

Detailed arrangements for the operation of the Agency are currently being developed by my

Department, in conjunction with the Department of An Taoiseach and the Department of Public Expenditure and Reform, with a view to their early finalisation. While the Agency currently has three core staff at its establishment, it is expected to expand its existing capacity over the coming weeks, and in time may employ around 25 people, with the requisite skills and experience to deliver on its policy and legislative mandate.

### Home Loan Scheme

244. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the number of applications received for the Rebuilding Ireland home loan scheme; the number of successful applicants; the amount issued to date; the interest rate applied by county in tabular form; and if he will make a statement on the matter. [38227/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** As with the previous local authority home loan offerings, loan applications under the Rebuilding Ireland Home Loan are made directly to the local authority in whose area the property proposed for purchase is situated. My Department does not directly collect information on the number of loan applications received by each local authority.

However, as is currently the case, my Department will continue to publish information on the overall number and value of (i) local authority loan approvals and (ii) local authority loan drawdowns. Information up to Q4 2017 is available on the Department's website at the following link: <http://www.housing.gov.ie/housing/statistics/house-prices-loans-and-profile-borrowers/local-authority-loan-activity>, and this information is updated on a quarterly basis as additional data is compiled.

In addition, the Housing Agency provides a central support service which assesses loan applications that are made to the local authorities and makes recommendations to the authorities as to whether loans should be offered to applicants. I have asked the Agency to centrally compile figures on the numbers of applications that it has assessed and the most recent figures, as at the end of August, indicate that the Agency had received a total of 2,628 applications for assessment from local authorities.

Of the 2,628 applications received, 2,074 were deemed to be valid. Of these valid applications, 1,989 had been assessed and 1,024 of these (51%) had been recommended for approval. A breakdown by local authority of the 1,024 applications recommended for approval is set out in the following table.

Local Authority	Applications Recommended for Approval
Dublin City Council	149
Fingal County Council	138
Meath County Council	91
Cork County Council	89
South Dublin County Council	79
Kildare County Council	60
Wicklow County Council	41
Cork City Council	35
Wexford County Council	30
Galway County Council	30
Dún Laoghaire-Rathdown County Council	28

Local Authority	Applications Recommended for Approval
Laois County Council	26
Kerry County Council	25
Limerick City & County Council	24
Galway City Council	22
Louth County Council	19
Tipperary County Council	16
Sligo County Council	15
Carlow County Council	13
Clare County Council	13
Longford County Council	12
Donegal County Council	12
Roscommon County Council	11
Mayo County Council	10
Westmeath County	10
Kilkenny County Council	9
Waterford City and County Council	8
Offaly County Council	6
Cavan County Council	1
Monaghan County Council	1
Leitrim County Council	1
Total	1024

Each local authority must have in place a credit committee and it is a matter for the committee to make the decision on applications for loans, in accordance with the regulations, having regard to the recommendations made by the Housing Agency.

The Rebuilding Ireland Home Loan offers three interest rate products:

- 2% fixed for up to 25 years (APR 2.02%)\*,
- 2.25% fixed for up to 30 years (APR 2.27%)\*, and
- 2.30% variable (subject to fluctuation) for up to 30 years (APR 2.32%)\*

Applicants have the option to choose from between these three rates. Mortgage rates are set on the date of drawdown of the loan. The fixed rates are set for all loans drawn down from the first tranche of €200m of fixed-rate financing secured by the Housing Finance Agency. Rates for further tranches may be subject to change and are dependant on the overall rates secured for each tranche.

### Rental Sector

245. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the estimated number of units to be delivered in each of the pilot projects for a new cost rental scheme; the timeframe for their delivery; the criteria for their allocation; and if he will make a statement on the matter. [38228/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I refer to the reply to Parliamentary Question No. 1424 of 7 September 2018, which sets out the



general position in relation to the cost rental pilot projects.

As regards the criteria for the allocation of these cost rental homes, I announced earlier this year new measures that are specifically targeted at delivering more affordable homes generally to households with maximum gross incomes of €50,000 for single applicants and €75,000 for joint applicants. The income criteria for access to a cost rental scheme, and the allocation of the homes, will take into account the broader policy development on affordable housing.

### **Rental Accommodation Scheme Data**

246. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the amount spent on the rental accommodation scheme in each of the years 2011 to 2017 and to date in 2018; and if he will make a statement on the matter. [38229/18]

247. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the number of recipients of the rental accommodation scheme in each of the years 2011 to 2017 and to date in 2018; and if he will make a statement on the matter. [38230/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 246 and 247 together.

The Rental Accommodation Scheme (RAS) introduced in 2005 placed responsibility on local authorities to meet the accommodation needs of people in receipt of Rent Supplement for 18 months or longer, and who are assessed as having a long-term housing need. RAS has provided a more structured, accommodation-based approach to the use of the private rented sector to meet long-term housing need, thereby eliminating dependence on temporary income support payments through Rent Supplement.

In the period from RAS commencing in 2005 to the end of December 2017, some 34,493 households have been transferred from Rent Supplement to RAS. Data for the years 2011 to 2017 on the number and cost of tenancies funded under the RAS scheme, broken down by local authority, is available on my Department's website at the following link: <http://www.housing.gov.ie/housing/social-housing/social-and-affordable/overall-social-housing-provision>.

As of 31 May 2018, there are 19,388 tenancies supported under RAS. I am providing €134.3 million to support the cost of RAS in 2018, some €42.7m of which was spent up to 31 May 2018, and this funding will go towards supporting 600 additional RAS tenancies targeted to be achieved by local authorities in 2018, and the ongoing cost of supporting continuing RAS contracts in place at the end of 2017.

Towards 2021, as the Housing Assistance Payment (HAP) scheme continues to be rolled out nationally and replaces Rent Supplement completely, it is expected that more RAS tenancies will terminate than will commence.

RAS continues to be an effective and secure form of social housing support, and remains a significant part of the suite of social housing options currently available to those who are assessed as being in need of housing support.

### **Social and Affordable Housing Data**

248. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the amount spent on the social housing current expenditure programme in each of the

years 2011 to 2017 and to date in 2018; and if he will make a statement on the matter. [38231/18]

249. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the number of units on the social housing current expenditure programme in each of the years 2011 to 2017 and to date in 2018; and if he will make a statement on the matter. [38232/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 248 and 249 together.

The Social Housing Current Expenditure Programme (SHCEP) supports the delivery of social housing by providing financial support to local authorities and Approved Housing Bodies (AHBs) for the leasing of houses and apartments. The SHCEP budget funds the ongoing current costs of homes delivered using a variety of different delivery mechanisms through the Housing Leasing Programmes under Rebuilding Ireland, including Direct and Enhanced Leasing, the Capital Advance Leasing Facility (CALF) and the Repair and Leasing Scheme (RLS). Dwellings made available under the programme are used to accommodate households from local authority waiting lists.

Details of the total number of dwellings operational under SHCEP at the end of each of the years 2011 to 2017 are provided in tabular form. Data for end Q1 2018 is published on my Department's website at the following link:

<https://www.housing.gov.ie/housing/social-housing/social-and-affordable/overall-social-housing-provision>.

Data for end Q2 2018 is currently being collated and will be published shortly.

Year	Dwellings operational under SHCEP
2011	2,496
2012	3,701
2013	4,600
2014	5,622
2015	7,099
2016	8,366
2017	10,152

In total, it is estimated that an additional 21,100 dwellings will be incrementally supported under SHCEP in the period from 2018 to 2021. This includes dwellings to be sourced through long-term lease arrangements from a range of different sources, the Repair and Leasing Scheme and properties which will be delivered by AHBs through a combination of the support under my Department's Capital Advance Loan Facility (CALF) and private borrowings, including from the Housing Finance Agency (HFA).

The annual cost of SHCEP to the Exchequer is made up of the continuing cost of supporting existing tenancies and contracts in place at the end of the previous year together with the additional cost of the new tenancies and contracts supported over the course of the year to which the allocation relates. Exchequer funding of €115m is available for SHCEP in 2018. Details of the funding drawn-down by local authorities under SHCEP from 2011 to 2017, and up to Q1 2018, are provided in tabular form.

Period	SHCEP Expenditure
2011	€13,817,464
2012	€20,814,526
2013	€27,362,6145
2014	€34,844,780
2015	€42,275,724*
2016	€54,028,752
2017	€84,050,743
2018 (Q1)	€14,016,737

\*Of this figure, a total of €7,933,651 was self-funded by local authorities using funding from their RAS Reserve.

### Housing Assistance Payment Data

250. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the amount spent on the housing assistance payment in each year since its inception; and if he will make a statement on the matter. [38235/18]

251. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the number of recipients of the housing assistance payment since its inception; and if he will make a statement on the matter. [38236/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I propose to take Questions Nos. 250 and 251 together.

The Housing Assistance Payment (HAP) scheme is funded through a combination of Exchequer monies and tenant differential rents collected in respect of HAP tenancies. Budget 2018 increased the Exchequer funding for the HAP scheme to €301 million. This will allow for the continued support of existing HAP households and also enable the additional 17,000 households targeted under Rebuilding Ireland to be supported by HAP in 2018.

The expenditure on, and the number of households in receipt of, HAP on an annual basis are set out in the following Table.

Year	Additional Households supported at end of year	Expenditure €M
2014	485	0.394
2015	5,680	15.64
2016	12,075	57.69
2017	17,916	152.69
2018	9,083 (to end Q2 )	

At the end of Q2 2018, there were 37,751 active HAP tenancies in receipt of payment and over 21,000 separate landlords and agents providing accommodation to households supported by the scheme.

I am satisfied with how the HAP scheme is currently operating and I consider it to be a key vehicle for meeting housing need and fulfilling the ambitious programme under Rebuilding Ireland. My Department will, of course, continue to keep the operation of the HAP scheme under review.

## Repair and Leasing Scheme

252. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the estimated number of units provided through the repair and lease scheme to date in 2018; the amount provided in 2017; and if he will make a statement on the matter. [38237/18]

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** The Repair and Leasing Scheme (RLS) has been developed to assist local authorities or Approved Housing Bodies (AHBs) to harness the accommodation potential that exists in certain vacant dwellings across Ireland.

The RLS is targeted at owners of vacant dwellings, who cannot afford or access the funding needed to bring their dwellings up to the required standard for rental property. Subject to the suitability of the dwelling for social housing, and the agreement of the property owner, the cost of the necessary repairs will be met upfront by the local authority or an AHB.

At the end of 2017, a total of 820 applications had been received under the scheme; 31 agreements for lease had been signed and 9 homes had been delivered and tenanted.

At the end of Q1 2018, a total of 942 applications had been received under the scheme; 52 agreements for lease had been signed and 15 homes had been delivered and tenanted. A detailed breakdown of the RLS scheme data up to end Q1 2018 is available on my Department's website at the following link:

*<http://www.housing.gov.ie/housing/social-housing/social-and-affordable/overall-social-housing-provision>.*

The RLS data for end Q2 2018 are currently being collated and will be published shortly.

## Departmental Properties

253. **Deputy Peadar Tóibín** asked the Minister for Culture, Heritage and the Gaeltacht the land her Department or agencies under its remit own in County Meath; the location of same; the use to which the land is put; the location of the land that is vacant, not in use or being used for agricultural purposes; the land which has been made available to Meath County Council or other housing agencies for the purpose of house building; and the amount of this land that could be made available for housing. [38053/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** As set out in my reply to Dáil Question No. 1921 of 16 January last, the management of properties occupied by staff of my Department and the bodies under its aegis is primarily a matter for the Office of Public Works. On occasion my Department may also be required to lease additional property for specific purposes. I am advised that any such properties are fully occupied at present.

The Deputy will be aware that the ownership of significant lands across the country, including national parks, national monuments sites, nature reserves and other property acquired for purposes of heritage protection and conservation is also vested in my Department for use in connection with its statutory remit.

Two of the bodies under the aegis of Department, Údarás na Gaeltachta, and Waterways Ireland also own and manage properties in connection with their functions.

Údarás na Gaeltachta is the owner of a significant portfolio of commercial properties in Gaeltacht areas arising from its development role. Details of currently available properties in each of the Gaeltacht counties are available directly from Údarás na Gaeltachta.

Waterways Ireland owns land and property along and adjacent to the Royal Canal in Co. Meath. These lands stretch from the townlands of Croboy to Longwood / Boolykeagh, from Newcastle to Ballinderrin and from Ardrums Great to Kilglin (the canal intermittently runs into parts of Co. Kildare along the route from Croboy to Kilglin). Land and property owned by Waterways Ireland is associated with the operation of the inland waterways network and the maintenance of the amenity value of the waterways. The land consists primarily of the canal corridor, adjoining towpaths and banks and areas of bogland. The route of the National Cycle Network runs along the Royal Canal towpath in Co. Meath. Where land is not required for operational or recreational purposes, agricultural land letting agreements have been implemented.

The only property Waterways Ireland owns in Co. Meath is the former Toll Collector's House at Longwood which is currently held under a 15 year lease by Ribbontail Paddlers Canoe Club that commenced in 2014.

None of the aforementioned land/property has been made available to Meath County Council or other housing agencies for the purpose of house building. Due to the type of land within Waterways Ireland's ownership, as described above, this land may not be suitable for housing.

### Seirbhísí Oileán

254. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Cultúir, Oidhreacht agus Gaeltachta cad é an méid airgid a ceadaíodh i mbliana le caoi a chur ar bhóithre ar oileáin na Gaillimhe, agus é briste síos de réir oileáin; cad iad na sonraí maidir leis na hoibreacha atá i gceist; agus an ndéanfaidh sí ráiteas ina thaobh. [38081/18]

**Minister of State at the Department of Culture, Heritage and the Gaeltacht (Deputy Joe McHugh):** Déanann an tábla ar leanúint cur síos ar na hoileáin i gContae na Gaillimhe ar ceadaíodh deontais ina leith i mbliana, an obair atá le cur i gcríoch agus suim an deontais a ceadaíodh. Tá na deontais ceadaithe ar bhonn 75% den chostas inghlactha:

Oileán	Cur síos ar na hoibreacha	Deontas na Roinne
Inis Bó Finne	Oibreacha ar bhóthar ag an cé nua	€750
Inis Bó Finne	Oibreacha ar 360m de bhóthar Clossey	€17,250
Inis Bó Finne	Dromchla nua le cur ar 325m den bhóthar idir an séipéal agus an cé nua.	€4,988
Inis Bó Finne	Dromchla úr ar 150m le clocha méilte (Mir 804) agus coiriú ansin le dromchla dúbáilte agus dromchla singil ar 150m eile den bhóthar ó theach Kieran Concannon go Dolphin Hotel agus cóiriú ar an mbóthar ó chúl an Inishbofin Hotel go teach Kieran Concannon.	€10,875

Oileán	Cur síos ar na hoibreacha	Deontas na Roinne
Inis Bó Finne	Dromchla nua le clocha meilte (Mir 804) agus coiriú le dromchla dúbailte le cur ar an mbóthar ag Westquarter Village	€6,750
Inis Bó Finne	Cóiriú dromchla singil a chur ar 295m den bhóthar soir ón Aerstráice	€3,000
Inis Bó Finne	Obair Dhraenála agus obair ar aomhal ar bhóthar Clossey	€3,000
Inis Bó Finne	Coiriú de dhromchla singil a chur ar 80m den bhóthar idir East End Beach agus Cloonamore High Road Junction.	€1,125
Inis Bó Finne	Coiriú de dhromchla dúbailte a chur ar 405m de bhóthar Cloonamore.	€8,512
	<b>IOMLÁN</b>	<b>€56,250</b>

Tuigfidh an Teachta go bhfuil mo Roinn ag brath ar na húdaráis áitiúla le hiarratais a dhéanamh ar a cúnamh chun bóithre ar na hoileáin a dheisiú.

### Arts Funding

255. **Deputy Peadar Tóibín** asked the Minister for Culture, Heritage and the Gaeltacht her views on the recent CSO report that shows that arts and entertainment was the only sector that has seen a decrease in average weekly earnings in the second quarter of 2018 and the second quarter of 2013; and if she will make a statement on the matter. [38100/18]

256. **Deputy Peadar Tóibín** asked the Minister for Culture, Heritage and the Gaeltacht her plans to address the issues arising in which artists cannot afford to live in Dublin; and if she will make a statement on the matter. [38101/18]

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** I propose to take Questions Nos. 255 and 256 together.

I am aware of the issues referred to in the questions and I am determined to deliver additional supports to the arts and culture sector in line with Government commitments. In this regard, primary support for the Arts is delivered through the Arts Council. Funding for the Arts Council has increased by 20% over the past 4 years and now stands at €68.2 million in 2018; representing 23% of the total allocation to of my Department and over 49% of all current expenditure by the Culture Division of my Department. The Creative Ireland Programme is also delivering additional resources to the sector, for example, through the Creative Youth Programme, Cruinniú na Cásca and the Culture and Creativity Strategies delivered by local authorities. I have also delivered significant capital resources for the culture sector which will see almost €1.2 billion invested in our culture, language and heritage over the next 10 years.

My Department has also provided investment for artists studios under the Arts and Culture Capital Scheme and the Department will continue to engage with Dublin City Council and the OPW in particular in relation to the provision of facilities for artists in the City.