



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Máirt, 27 Samhain 2018

Tuesday, 27 November 2018

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

Paidir.

Prayer.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Micheál Martin: Over 500,000 homes and businesses across the country are still without broadband and high-speed connectivity, which is having a significantly negative impact on the capacity of rural enterprise to develop and prosper and on the quality of life of many rural households. The original national broadband plan was published in 2012. The procurement process was approved by Cabinet in December 2015. It is now almost December 2018. Progress has been at a snail's pace and many people are deeply frustrated despite all of the political promises made before and after election campaigns.

The procurement process has become mired in controversy. We have the report from the independent auditor, Peter Smyth, which I was reading prior to Leaders' Questions. The extraordinary level of connectivity between Granahan McCourt and the former Minister stands out. There were 18 meetings, nine telephone calls and five dinners. The majority, especially the 12-minute phone call, clearly related to the broadband plan. This is a level of engagement that is without precedent in the context of ministerial involvement with a lead bidder in a tender process. It is extraordinary by any yardstick. One has to ask why Mr. McCourt would feel it so necessary to have such regular engagement with the lead Minister. The auditor acknowledges that those meetings gave rise to concern. He also indicates that he cannot state unequivocally that the broadband procurement process was not discussed during two of those dinner meetings.

It is also important to put on the record that the New York meeting dealt with the character and nature of the consortium. The independent auditor does not deal with this but it seems to us from an objective reading that the lead bidder and the character and composition of the consortium changed. There is a question as to whether the final bidder in the race would have passed the pre-qualification stage. We do not know that because we do not know the criteria. Enet was the lead bidder. That changed with the sale of Enet and Mr. McCourt's investment fund became the lead bidder. An investment fund with a list of subcontractors is now the final bidder in the race as opposed to a number of major telecommunications companies that were involved initially. This raises questions about the capacity to drive this through. Is the Tao-

iseach satisfied that the final bidder is the same as the original consortium that made a bid and passed prequalification? I am told an economic evaluation is under way. When did that start and who commissioned it? Who is conducting this evaluation, which is being done in parallel to the tender evaluation process? What are the new timelines and deadlines for the roll-out of broadband to rural Ireland?

The Taoiseach: I thank the Deputy. A lot of progress has been made on broadband in the past couple of years. When the Fine Gael and Independent Alliance Government entered office, only half of premises in Ireland had access to high-speed broadband. Today, three quarters of homes, businesses and farms in Ireland have access to high-speed broadband. A huge amount of this has been driven by Government policy and actions. However, it means that one quarter of homes, businesses and farms in Ireland still do not have access to high-speed broadband and approximately 500,000 will need State intervention to give them access. We are determined to get this done. Increasingly, public services are available online and we need people to be able to access them. It is increasingly important when it comes to business that people have access to high-speed broadband. We are determined to make sure every home, business and farm in Ireland has access to high-speed broadband. This is what we are trying to achieve.

The report of the independent auditor was published in the past hour or so. The report from Peter Smyth, the independent auditor, indicates that the process has not been tainted. Now we go on to the next step, which is assessment of the final bid. The final tender was received by the Department on 18 September and it is being evaluated. A decision will be made in the next couple of weeks as to whether we can go forward with it. As I recall, there are two evaluations. An evaluation is being done by one of the big firms. Off the top of my head I think it is KPMG but it may be a different firm.

Deputy Micheál Martin: Sorry?

The Taoiseach: Off the top of my head it may be KPMG but one of the big four firms is doing one evaluation and a second evaluation is being done by an expert panel with international involvement. Once this evaluation of the bid is done, a recommendation can be brought to the Government as to whether we proceed with this particular bid.

There have been changes in the composition of the consortium bidding. This is well known and well aired but-----

Deputy Micheál Martin: Sorry?

The Taoiseach: This is well known and well aired but the bid still stands. It is worth referring briefly from the report. On pages 18 and 19, it states:

The meetings between the former Minister and Mr McCourt gave cause for concern as they suggest ongoing engagement outside of any formal need for them to engage with each other in the normal course of the Department's business, including the State-led intervention under the NPB ...

Due to the limitations of the review process in the absence of formal minutes or meeting notes for a number of meetings, I am reliant on statements from the former Minister, Mr McCourt and other parties for verification of the purpose and content of these meetings. Therefore, I cannot unequivocally state that the State-led intervention under the national broadband plan was not discussed at the meetings between the former Minister and Mr Mc-

Court outside of the procurement process.

However, based on my ongoing review of the procurement process as Process Auditor, and [having examined]

- the decision register;
- the evolution of the tender documents ... ;
- the evaluation of the process for each submission ... ;
- and the information that could have been available to the bidder through the contact with the former Minister;

I am satisfied that neither the former Minister nor Mr McCourt had the opportunity to influence the conduct of the tender process in favour of Granahan McCourt or otherwise.

I also believe that the decision of the former Minister to resign, thereby removing himself from the process, insulates the process from any apparent bias created by his engagements with Mr McCourt.

Deputy Micheál Martin: The Taoiseach has said it is well known and well aired that the consortium changed. How is that acceptable when someone goes through prequalification, the next two stages and at the fourth and final stage, “Hey presto”, a new consortium emerges but that is fine because we all know about it? This genuinely needs explanation. It is not covered or dealt with by the report. It is a fundamental question on how we do bidding processes of this kind.

Let us be clear, the former Minister was aware of the subsidy issue because it is documented on page 17. It states: “The former Minister was in attendance to emphasise that he could not bring the potential subsidy likely to be sought on foot of the bidder’s proposal to the Government for approval.” He is in there with the officials, which is fair enough in one sense, arguing with the bidder as to the level of subsidy. I am not casting aspersions on the former Minister but this is the same bidder with whom he was having dinner. It does not stack up, and the report does not deal with those fundamental issues. The level of subsidy is crucial and can be to the benefit of a bidder.

An Ceann Comhairle: The Deputy’s time is up.

Deputy Micheál Martin: Does the Taoiseach accept that the canvassing rules were breached as per the documentation, which is very clear regarding the canvassing protocol? Can he also provide transparency in terms of the cost of the roll-out of the national broadband plan now? He said previously that it will be a multiple of what was originally estimated.

The Taoiseach: The issue relating to the communications protocol is covered in the second paragraph of the conclusions in Mr. Peter Smyth’s report. That is my reply in that regard.

The consortium has changed but it is not a new consortium. It is a consortium that has changed in its composition during the process, not a new one.

Deputy Thomas Byrne: We have one fifth of what we had.

The Taoiseach: We have the report from the independent process auditor, Mr. Peter Smyth.

It is available for anybody to read. If people do not have the time, they can read pages 18 and 19.

Deputy Thomas Byrne: The good bits.

The Taoiseach: That is all people need to know. It indicates that by removing himself from the process by resigning, any concern relating to Deputy Naughten's involvement in this or his relationship with Mr. McCourt no longer affects the process.

Deputy Timmy Dooley: The same rules applied to Mr. McCourt.

The Taoiseach: The final tender was received by the Department on 18 September last. It is being evaluated by the Department with the support of external expert advice. As part of the evaluation, all matters will be examined, including the consortium, the deliverability of the project and its cost. When that examination concludes the Government will be in a position to make a decision on whether we can proceed with this bid.

Deputy Pearse Doherty: In recent weeks we have heard accounts of homeless families and their children walking the streets of this city at night because they have nowhere to go. Almost 4,000 children will sleep in emergency accommodation tonight. The plight of parents and children in poverty is shockingly illustrated in the picture in today's edition of *The Irish Times*, which shows young mothers and their children queuing for nappies and baby formula outside the Capuchin Day Centre for Homeless People in Dublin. These are examples of how the Government is failing in its responsibility to protect some of the most vulnerable citizens in society, namely, our young people and children.

During Leaders' Questions last Thursday, I raised the scandalous waiting lists facing children and families who try to access the child and adolescent mental health services, CAMHS. Barnardos released its winter waiting list report, which illustrates the scale of the problem in the health service in the context of children awaiting care, this morning. The report states that 37,000 children are waiting for health assessments, be they mental health, disability or speech and language assessments. Some 78% of children with disabilities or suspected disabilities are overdue assessments of need to identify their health requirements. That is scandalous. The report also highlights an issue I raised last week, namely, the fact that thousands of children are waiting for mental health assessments to identify their needs. Many of them have been waiting over a year to be assessed. That is another unbelievable figure. However, this is not about numbers but about young lives, real people, families who are at their wits' end and children who are being put at risk. The reason for this, as the Minister for Justice and Equality accepted last week in the context of CAMHS, is that there is chronic understaffing within the system. Approximately half of the positions in CAMHS teams have been vacant for some time, yet when we raise the crisis regarding recruitment and retention that is in full swing - including the issue raised last Wednesday in respect of psychiatric nurses - the Taoiseach dismisses our concerns. What is needed is an immediate response, particularly in areas where the problems are worst. By filling the vacancies and improving the conditions, we can begin to improve services and attract the staff required to ensure that there are proper services. We cannot allow a situation to persist whereby a child or young person who needs care must face an extended waiting period before obtaining access to the healthcare he or she needs. During that time their healthcare and, in some cases, their lives are at risk. We need to see dedicated action to attract new staff, to keep the excellent staff we have within our system and to reduce waiting times. Promises were made last year that the staffing gaps in the Child and Adolescent Mental Health Services, CAMHS,

would be addressed. Those promises have come and gone. I ask the Taoiseach to recommit to ensuring that it happens this time. Will he acknowledge that under his Government, the State is failing these 37,000 children?

The Taoiseach: Deputy Doherty referred to child poverty. Child poverty is a scourge on our society, but the Deputy did not mention that child poverty in Ireland is falling and has been falling for several years now. The Deputy does not need to believe me on that, he can look at the statistics from the Central Statistics Office and the survey of income and living conditions. It rose dramatically during the recession but has been falling for several years. This is because of increased employment, and 97% of people in employment and their families avoid poverty. It is also because of the fact that incomes are rising again and because we have made real improvements in social welfare from the family income supplement-----

Deputy John Brady: The Government does not care about lifting 100,000 children out of poverty.

The Taoiseach: -----to improvements for lone parents and increases in the child dependent allowance, including further improvements that will kick in during March, presuming that this House supports the social welfare legislation. Levels of child poverty remain far too high and there is more to be done, including further increasing employment, focusing on households where there is low work intensity, improving people's incomes and continuing to reform and improve our welfare system

With regard to CAMHS, the Deputy will know that under our mental health services as of September 2018 there are some 10,000 staff. In the past six years 2,000 posts have been approved, of which 1,500 have now been filled. The budget next year for mental health will be €1 billion, which is the biggest budget for mental health in the history of the State. We have difficulties in recruiting and retaining staff. All countries in the world have difficulties recruiting and retaining staff currently because there is a shortage of these people. It is not the case that there are huge numbers of unemployed qualified staff looking for jobs here or in any country. There is a huge shortage of people with these skills and it is a problem for our next door neighbour, for almost every country in Europe and for every western country. We are managing to add to the staff, with 1,500 extra staff in six years, as I said, and with 114 assistant psychologists and 20 psychologists being hired recently. This will help us to focus on especially complex cases. The Deputy will also be aware of the expansion of the Jigsaw services.

It is noteworthy from the Barnardos report, which is worth studying, that currently there are 2,621 children on the waiting list for CAMHS, waiting to see a mental health professional. For speech and language services, over half of the children are waiting fewer than 16 weeks. I do not know the figures for mental health but it is quite possible that more than half could be waiting fewer than 16 weeks, but it would still leave more than 1,000 who are waiting more than 16 weeks, which is not acceptable. The Barnardos report also shows that the figure for those who are waiting a very long time, for more than one year, has actually fallen by 15% in the last year, out of 327. The report also shows huge regional variation, which concerns me. Unless I am mistaken, the funding and resourcing is roughly the same across the different regions *per capita*-----

An Ceann Comhairle: I thank the Taoiseach.

The Taoiseach: -----and, for example, the figures for those who are waiting for that pro-

longed period are 0.6% in Dublin, 0.6% in Donegal and the Border area, but it is 29% in Cork and Kerry. I will certainly be looking for a report on a comparison between resources, staffing and outcomes. I do not believe that resourcing and staffing is so much lower in Cork and Kerry to have nearly 30% of people waiting over one year-----

An Ceann Comhairle: The Taoiseach's time is up.

The Taoiseach: -----when in other parts of the State it is 0% or less than 1%.

Deputy Pearse Doherty: It is clear that nearly eight years into Fine Gael's time in office it is failing these children spectacularly. The Government will miss its own targets when it talks about child poverty, and miss its own target of lifting 100,000 children out of poverty. That is a fact. There are 37,000 children being failed by the State. I listened to him. This is just one example of many. One parent said their seven year old son has no coping skills and is crying out with sensory issues but here they are again on a waiting list. The child began his journey on a waiting list in 2015 and is still waiting for services he should have received years ago. That is the reality. When we deal with CAMHS it is not just in terms of sensory issues, it is in terms of mental health. The system is broken. The promises that were made in terms of resourcing the system have not been fulfilled. In community healthcare organisation area, CHO 4, the Tánaiste's constituency, there are over 700 children waiting for an initial assessment for mental health services, a third of whom have been waiting over a year. The Taoiseach says he does not have the figures on speech and language but I can tell him what the report outlines in that regard. Between March and August of this year there was an increase of 50% in those waiting over a year for initial assessment or to receive therapy. By any stretch of the imagination the Government is failing these children. On behalf of all those children and their parents, I ask the Taoiseach when he will step up to the mark and make sure there is a service fit for purpose after eight years of Fine Gael in government, such that we do not have children waiting month on month and year on year for basic services to help them reach the potential they should all have a chance to reach.

The Taoiseach: On speech and language, I do have the figures. There are about 8,000 children waiting on initial assessment but most of those are waiting less than 16 weeks. There are 14,000 waiting on further therapy and again most of those are waiting between zero and 16 weeks, and 16 weeks or four months is the target waiting time. When we see those big figures it is important in terms of accuracy to divide them roughly by half because half the people are waiting less than 16 weeks and others are waiting more than that. No matter how good a system we have, we are always going to have people waiting two, three or four weeks.

Deputy Martin Ferris: Three years.

The Taoiseach: The same thing would apply if they were going privately. That does not make it acceptable that there are any children waiting more than four months.

As is often the case, the Deputy presents the easy answer, the easy solution which probably does not work - more staff, more resources, more money. That is what we have been doing for three or four years. There is a record budget next year for mental health of €1 billion, 10,000 staff, with more than 2,000 added to that in the last six years.

Deputy Pearse Doherty: Half the CAMHS teams are empty.

The Taoiseach: The Deputy pointed to the Tánaiste's area and I see that here too. I see

huge variations in the amount of time children who need these services are waiting from one region to the next.

An Ceann Comhairle: Thank you, Taoiseach.

The Taoiseach: I ask myself why that is the case and this is something I am going to look into because I do not believe there is such a dramatic variation in staffing and resources from one region to the next yet we can see enormous variations-----

Deputy Micheál Martin: This has been going on for years.

Deputy Pearse Doherty: This is going on for years and the Taoiseach is only going to have a look at it now. There are 37,000 children and the Taoiseach is only starting to look at it now.

An Ceann Comhairle: Deputy, please.

Deputy Thomas Byrne: Did the Taoiseach's Deputies in Meath not tell him? It is far worse.

The Taoiseach: For years we were in a financial and economic crisis when budgets were being cut back, services were being cut back and staff were being cut back.

An Ceann Comhairle: Thank you, Taoiseach.

Deputy Thomas Byrne: So it is okay for kids to die.

The Taoiseach: We have had the reverse for three or four years now, massive increases in resources-----

An Ceann Comhairle: I am sorry, Taoiseach, time is up.

The Taoiseach: -----and increases in staff but we are not necessarily getting the results that patients, children and families deserve. This Sinn Féin solution of more of the same is not necessarily the answer and that is why we are trying to do things differently.

Deputy Pearse Doherty: Fill the CAMHS teams. Half of them are lying empty. The Taoiseach promised to do that here. He failed to do it.

The Taoiseach: For example, when it comes to speech and language therapy, in 150 schools we are introducing a pilot programme in speech and language therapy because we need to do things differently.

Deputy Thomas Byrne: That is not the same.

The Taoiseach: We have seen real success in reducing waiting lists for people waiting on operations. Most people waiting on an operation or a procedure now wait less than six months.

Deputy Pearse Doherty: These lists are growing and the length of time people are on the lists is growing.

The Taoiseach: The reason that is happening is because we have done things differently through the NTPF system, so perhaps the Deputy is wrong. Perhaps it is not just more of the same. Perhaps we need to do things differently.

Deputy Pearse Doherty: Talk to the parents.

An Ceann Comhairle: Deputy Doherty, please. Could I bring it to everybody's attention, not for the first time, that we put a clock on the wall in order to assist people to comply with Standing Orders. The rules of the House lay down the amount of time that is available to ask and to answer questions. People routinely ignore them. When you routinely ignore the Orders of the House, you are being disorderly. The public at home is watching what is going on here. I urge Deputies please to behave. I call Deputy Howlin.

Deputy Brendan Howlin: The cancer treatment drug pembrolizumab, Pembro, has received much public attention because of the Government's decision to make it available to survivors of the CervicalCheck scandal, the 221 group, people like Vicky Phelan. Vicky Phelan has spoken publicly about how pembrolizumab has had a significant effect on her tumours and has given her a much better quality of life. The drug has been shown to have a significant impact on tumours in some cases. The Government owes a duty of care to those women who have been failed by our health services, but this decision risks setting a dangerous precedent if the Government does not make the same drug available to all cervical cancer patients.

Article 40 of the Constitution holds that all citizens shall be held equal before the law. The State cannot unjustifiably or arbitrarily discriminate between citizens. However, that is what is happening in this instance because the Government has decided to provide a treatment to some patients but not to others on the basis of dubious legal grounds. It is not for the Government to determine who does and does not deserve the hope of a longer life and a better quality of life than others who are suffering from same fatal illness. How can the Government decide that Vicky Phelan from Limerick should have a chance to prolong her life, but not Áine Morgan from Galway as we saw on last night's "Claire Byrne Live"? Either a treatment is so prohibitively expensive that it cannot be provided or else it must be made available to all; there is no middle ground.

My colleague, Deputy Kelly, has raised this issue repeatedly. Many patients and their family members have contacted us. Some of them are paying privately to access pembrolizumab. It is unsustainable for them to continue to pay privately. In some cases, the drug may be all that is keeping people alive. Leading oncologists, Dr. Fennelly and Professor Crown, have contacted the Minister for Health with a proposal that pembrolizumab be made available on a trial basis. Surely the Government can come up with some arrangement with the Irish-based drug company that is making this drug in Carlow to provide it to those who could materially benefit from it now. We need to have a plan in place to ensure equity in accessing this drug for all who need it and time is not on the side of the many people dependent on this treatment. My question is very simple. Will the Taoiseach, as head of the Government, provide legal clarity on the availability of pembrolizumab? Will he give a timeline as to when the drug will be available to all cancer patients who can benefit from it?

The Taoiseach: We all appreciate the reasons the Government took exceptional actions and put in place exceptional measures for the 221 women and their families who were affected by the CervicalCheck audit scandal. Those measures included, for example, the provision of medical cards regardless of income, counselling and a refund of out-of-pocket medical expenses. While pembrolizumab is not specifically referenced in that package, it is counted as an out-of-pocket medical expense if a consultant prescribes it for a woman who is affected. While this medicine is licensed for some conditions in the European Union, it is not licensed for the treatment of cervical cancer and that creates a difficulty for us. It is licensed for other cancers,

but not for cancer of the cervix.

The Deputy is correct that this has created an anomaly - an inequity - in that women who are part of the group of 221 can have that particular medicine refunded through the out-of-pocket expenses system, whereas others whose doctors may wish to recommend it for them and prescribe it for them cannot. I accept that we need to try to resolve that anomaly. The Deputy's suggestions are helpful. This could be done by means of a trial or perhaps as is done in other countries but is often resisted by pharmaceutical companies here, namely, by means of a payment-by-result system whereby the reimbursement happens if the medicine actually works. This does not happen much in Ireland but it has been done in other countries through a risk-sharing system. We have made contact with Merck Sharp & Dohme about this in the past. We will renew our contacts in that regard.

In resolving one anomaly or inequity, we need to be careful not to create another. Often we do these things with the best intentions of resolving one issue but, as a result, create a new inequity. If it is the case that we will reimburse the cost of medicine that is not licensed for the treatment of one cancer, will the same issue then not arise for other cancers? There are many cancers other than cervical cancer and there are many unlicensed medicines that we do not reimburse. In resolving this inequity, as the Deputy describes it, we have to be careful that we do not create a new one. That is part of the dilemma.

Deputy Brendan Howlin: I welcome the Taoiseach's response and I thank him for it but he and I both know that the current position where women suffering from the same form of cervical cancer are treated differently is not sustainable. It is only a matter of time before they or their legal representatives will go into the court to demand that the constitutional requirement for equal treatment be vindicated. Will the Taoiseach tell the House today that he will sit down with the Minister, Deputy Harris, to instruct the HSE to begin to negotiate with the drug company mentioned to ensure that all women who suffer from cervical cancer and whose clinicians determine that Pembrolizumab would be of benefit to them will have that drug made available to them? If there is a knock-on from that in respect of other cancers, that is something we can deal with. However, this is a form of cancer and the Taoiseach cannot look two women suffering from the same disease in the eye and say that the State will provide potentially life-saving treatment for one of them and not the other. He knows we cannot do that.

The Taoiseach: I have sat down with the Minister, Deputy Harris, about this issue. As the Deputy can imagine, he is very aware of it. We have had contact with the manufacturer about it in the past couple of months. It will be a difficult one to resolve but the ideas the Deputy put forward, either the Government funding a clinical trial or a cost-sharing or risk-sharing arrangement with the company, could provide a solution. However, we would need to have the company, and the clinicians, on board to do that. That is something we will pursue in the next couple of weeks.

Deputy Maureen O'Sullivan: We have come through the Finance Bill process but some outstanding issues need to be further addressed if we are concerned about our reputation. We know how sensitive we are when somebody suggests that we are a tax haven. However, there are examples of each positive step that we have taken being accompanied by a negative one. For example, it is positive that there was an independent review of Ireland's corporate code, a public consultation, engagement, recommendations and further consultation. That was all part of the bigger picture relating to the EU's anti-tax avoidance directive and the new controlled foreign companies, CFC, rules but, on the other side, there were two options for Ireland to take

in implementing the CFC rules. There was model A, which most European countries chose, as it would ensure optimum effectiveness, or model B, which Ireland chose and was one of the few European countries to do so. However, model B is reckoned to do little, if anything, to address corporate tax avoidance. It simply applies guidelines which we are supposed to do anyway under current legislation on transfer pricing.

There is another positive regarding corporate tax residence rules, which is the shutting down of what was known as the double Irish. Why was that not done straightaway? Why are we waiting until 2021? Why was there a lead-in of ten weeks, which allows multinationals to set up a double Irish structure to use until 2021?

It is also positive that we were one of 24 jurisdictions to have been fully compliant on tax transparency and exchange of information by the global tax forum but, while Ireland requires countries to report tax information on a country-by-country basis, the information remains confidential. If it were public where countries are making profits and paying their tax, that data would show where tax reform is needed to ensure fairness.

Another positive is that we undertook the spillover analysis but it only examined 6% of transfers so the analysis was not comprehensive. Will a second more comprehensive analysis be undertaken on such corporate tax avoidance? If we do not, it will have effects on developing countries, some of which are our partners. We also give aid to some of them.

A further positive is that we agreed to the EU directive for a common mandatory reporting regime for certain tax advisers and companies. We were one of only three EU member states to have a mandatory disclosure regime in place prior to agreement on the directive, but there are questions about its effectiveness because there are so many exemptions to it. Base erosion and profit shifting was a good first step. We were in a group which signed that multinational instrument at the first opportunity, but we chose not to sign article 12, which is key to ensuring no tax avoidance by multinational companies.

Small steps are being taken, but why are we not taking the big steps that will make a real difference to tax avoidance?

The Taoiseach: I thank the Deputy for a comprehensive and detailed question. I have read up on these areas but I am no expert. I remember reading in detail about why we opted for model A rather than model B, but it might be best to ask the Minister for Finance to explain that or to give a more detailed answer because I do not remember the exact reasons, although it made sense when I read the memo at the time.

On a more general point, Ireland is a pro-business, pro-trade and pro-enterprise country. It has worked for Ireland and it is one of the reasons we are approaching full employment, incomes are at a record high and we are a relatively prosperous country. Part of our economic and industrial policy is having low corporation profit tax. It is one of the reasons so many multinationals base operations in Ireland, although it is not the only reason. It is also one of the reasons our companies are so successful and are able to grow and expand.

It is very much my firm view that large and small profitable companies should pay their fair share of tax in full, where and when it is owed. Ireland is not a tax haven and nor do we wish to be perceived as one. We have done much work to correct that perception if it has existed in the past couple of years. This has involved phasing out the double Irish, to which the Deputy referred, and getting rid of the whole concept of stateless corporations, which is no longer

permitted or at least not in our jurisdiction. It has also involved information exchange, and we were one of the first countries to sign up to that. Our Revenue Commissioners will tell their counterparts in other countries how much tax was paid here in order that we can see whether companies are paying tax in other countries. On the night of the budget, we introduced the exit tax, and in the next couple of weeks we should have a solution to the issue of the single malt.

The Deputy will also be aware we collected all the moneys the European Commission says are owed by Apple. It has been collected and is being held in an escrow account until the European courts determine who owns it and how it should be apportioned.

Deputy Maureen O’Sullivan: I could give some more examples of where we lead with one foot because it is positive but then take it back with the other foot because it is negative. We have chosen to implement the weakest options at the latest available date under the anti-tax avoidance directive, but we could do more. While there is no problem with being pro-business and pro-trade, there must be fairness. I sometimes wonder how much weight is given to the submissions and recommendations from non-governmental organisations, NGOs, such as Ox-fam Ireland and Christian Aid, because it is obvious that other organisations carry much greater weight. It is damaging our reputation, and we have a strong reputation in humanitarian work and human rights. To take another example, which is about intellectual property, a figure of €300 billion was moved into Ireland between 2014 and 2017, but did it bring any relief? Was any tax paid on it?

Given the Taoiseach’s predecessor, Deputy Enda Kenny, committed to climate justice at one point, will this Government commit to tax justice?

The Taoiseach: I assure the Deputy we always listen to the views and opinions of NGOs on taxation policy, tax transparency, international development aid or any issue, but it is a mistake to make the NGOs’ opinions one’s own opinions, which people do sometimes. An NGO will say something, for example, and it becomes a politician’s opinion or policy, but the public deserve better than that. While we need to listen to NGOs, we also need to listen to other opinions, whether they are given by independent expert academics who are not part of any campaign, other political parties, business interests or our civil servants. We take all of these factors into account in the round and that is how we determine our policies.

Visit of Polish Delegation

An Ceann Comhairle: Before proceeding with other business, I wish on my own behalf and on behalf of all Members to offer a céad míle fáilte, a most sincere welcome, to a parliamentary delegation from the Polish Parliament, the Sejm, comprising members of the Ireland-Poland parliamentary friendship group, led by Mr. Bartłomiej Wróblewski. They are most welcome and we hope they enjoy their stay with us.

An tOrd Gnó - Order of Business

Deputy Róisín Shortall: Today’s business shall be No. 18, instruction to committee re African Development (Bank and Fund) Bill 2018; No. 19, instruction to committee re Central Bank (National Claims Information Database) Bill 2018; and No. 39, Health (Regulation of Termina-

tion of Pregnancy) Bill 2018 - Order for Report, Report and Final Stages. Private Members' Business shall be Second Stage of No. 58, Microgeneration Support Scheme Bill 2017 selected by Sinn Féin.

Wednesday's business shall be expressions of sympathy on the death of former members, Seán Ardagh and Seán Calleary; No. 19a, motion re Supplementary Estimates, leave to introduce; No. 19b, motion re Supplementary Estimates, referral to committee; and No. 39, Health (Regulation of Termination of Pregnancy) Bill 2018 - Report and Final Stages (resumed). Private Members' Business shall be Second Stage of No. 1, Irish Human Rights and Equality Commission (Gender Pay Gap Information) Bill 2017 [*Seanad*] selected by the Labour Party.

Thursday's business shall be No. 20, motion re Horse and Greyhound Fund, back from committee; No. 40, Social Welfare, Pensions and Civil Regulation Bill 2018 - Order for Report, Report and Final Stages; and No. 39, resumed.

I refer Members to the second revised report of the Business Committee, dated 26 November. In relation to today's business, it is proposed that:

(1) the Dáil shall sit later than 10 p.m. and shall adjourn on the conclusion of Private Members' Business. The proceedings on No. 58 shall commence not later than 9 p.m. and shall conclude within two hours. In the event a division is in progress at 9 p.m., the Bill shall be taken on its conclusion;

(2) the Leaders' Question under Standing Order 29 for Solildarity-PBP shall not be taken on Tuesday but shall instead be taken on Wednesday in the Independents 4 Change slot, and the Independents 4 Change question shall be taken on Tuesday in the Solidarity-PBP slot, with no further effect on the rota; and

(3) Nos. 18 and 19 shall be brought to a conclusion after 32 minutes each, if not previously concluded. Speeches shall be confined to a single round for a Minister or Minister of State and the main spokesperson for each party and group, or a member nominated in their stead, of four minutes each per item, and any division demanded shall be taken immediately.

In relation to Wednesday's business, it is proposed that:

(1) the Dáil shall sit later than 10.15 p.m. and adjourn not later than 11.30 p.m.

(2) the expressions of sympathy shall be taken after Leaders' Questions for a period not exceeding 15 minutes each and shall be followed by Questions on Promised Legislation. Contributions shall not exceed two minutes each;

(3) No. 19a shall be taken without debate and any division demanded shall be taken immediately. Subject to the agreement of No. 19a, No. 19b shall be taken without debate and any division demanded shall be taken immediately; and

(4) No. 1 shall conclude within two hours.

In relation to Thursday's business, it is proposed that:

(1) the Dáil shall sit later than 7.48 p.m. and shall adjourn on the conclusion of Topical Issues;

(2) No. 20 shall be taken without debate;

(3) Topical Issues shall be taken not later than 9 p.m. or on conclusion of Government business, whichever is the earlier. In the event a division is in progress at 9 p.m., Topical Issues shall be taken on its conclusion; and

(4) notwithstanding Standing Order 140(2), neither a Private Members' Bill nor a committee report shall be taken.

An Ceann Comhairle: Three matters remain to be decided. First, is the proposal for today's business agreed to?

Deputy Micheál Martin: I know the Business Committee will not have had an opportunity to consider this but given the publication of the auditor's report on the national broadband plan and the procurement process just before the commencement of Leaders' Questions, there is a necessity for the Dáil to consider this report. The report is so important that there is a need to debate and analyse it. In view of the level of controversy generated some time ago - leading to the resignation of a Minister - and the number of people who are dependent on the roll-out of the national broadband plan, I ask that the Business Committee meet to discuss whether any opportunity could be found this week to facilitate a debate on the Smyth report.

Deputy Pearse Doherty: I support the call for the Business Committee to be asked by the House to make time available this week to discuss the report, which is quite detailed. The report's implications are far-reaching, particularly for areas of my constituency and right across the rural communities of the west. It is appropriate that we would have sufficient time this week to debate the report.

Deputy Brendan Howlin: I support the request for a full debate and I ask that the Business Committee structure it in such a way as to allow for questions at the end. I have not had an opportunity to read the report, although it has been spun for the past week. It is important we have a chance to not only read it but take advice on it, so I would not be averse to tabling a significant debate next week rather than this week if that suits Members.

Deputy Catherine Murphy: I add my voice to the calls for a debate. I do not think we can move to the post-evaluation phase without having a debate on this report. I have only given it a cursory glance but there certainly appear to be quite a few contradictions in it. We have to be satisfied that those contradictions are at least addressed before we move to consider what will eventually go to Cabinet in regard to the evaluation of the tender process.

Deputy Bríd Smith: I agree that there should be a debate on the report. I ask the Business Committee not to schedule the debate so that it will interfere with the time already allocated to the Bill dealing with abortion and the outcome of the referendum on the eighth amendment. We are pushing to the wire to get that legislation passed by January and it is very important we do not cut across the time allocated in respect of it.

An Ceann Comhairle: I would not take it upon myself to answer on behalf of the Business Committee - I will call the Chief Whip shortly - but there was considerable difficulty last week at the meeting in making time available within the schedule for the volume of work that is envisaged. I will most definitely call a meeting of the Business Committee but, before we have it, I suggest that the only likely time available this week would be on Friday if Members would like to come in.

Deputy Micheál Martin: That is helpful. Looking at the diary, I can understand why the

Ceann Comhairle would say that. We would certainly be willing to facilitate that and to attend and be active for a Friday morning sitting.

Minister of State at the Department of the Taoiseach (Deputy Seán Kyne): As the Ceann Comhairle said, we are sitting late tonight, late tomorrow night and late on Thursday night, and there are two Bills, the Health (Regulation of Termination of Pregnancy) Bill and the Social Welfare, Pensions and Civil Regulation Bill, to be dealt with. Report Stage of the Social Welfare, Pensions and Civil Regulation Bill has to conclude on Thursday and the Health (Regulation of Termination of Pregnancy) Bill will take up pretty much all other allocated time. If we are to do as Deputy Brid Smith has outlined and not interfere with the Health (Regulation of Termination of Pregnancy) Bill, we will have to look at either a Friday sitting or taking the debate next week.

Deputy Brendan Howlin: I have suggested next week in as much as we need time to take advice on the matter. I have no difficulty with a Friday sitting but there will be many Members who will not be here on Friday. I would prefer to have a full House and Ministers available to answer questions as part of a normal sitting, rather than treating this as if it were not normal business.

An Ceann Comhairle: Can the Minister inspire us on this matter?

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): I am happy to facilitate the Business Committee in whatever way it decides to order the business. I assure the House of that.

An Ceann Comhairle: We will convene a meeting of the committee later this afternoon and make the necessary arrangements and hopefully get all-party agreement as to what we will do. That being the case, is the proposal for today's business agreed to? Agreed? Is Wednesday's business agreed to? Agreed. Is Thursday's business agreed to? Agreed.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

Deputy Micheál Martin: In the context of children, the programme for Government refers to "an opportunity to change our approach from expensive reactive interventions to proactive supports and long term planning starting from birth". This commitment must be a long way from being realised in light of the report in today's edition of *The Irish Times* by Kitty Holland about the long queue of families, most of them mothers with babies and toddlers, endeavouring to access the Capuchin Day Centre in order to obtain help with the very basic necessities of life. The photograph that accompanies the article tells 1,000 very depressing stories. Over 600 mothers are registered with the Capuchin Day Centre to get free infant formula and nappies. They travel from the city centre and from homeless centres in Drogheda and Dundalk. Many are accommodated in their parents' homes and so on. These people are not included in the statistics relating to homelessness but they are living in very stressful circumstances nonetheless. In line with comments made earlier, there is an urgent requirement to focus on the needs of homeless children and to reduce the necessity for the Capuchin Day Centre to have to continue to intervene at the level and scale at which it is intervening in order to prevent poverty and destitution. The State should be investing more.

The Taoiseach: We all acknowledge the enormous charitable work of the Capuchin Day

Centre and how it assists people. Government assists people as well. As stated earlier, there has been a significant increase in the number of people at work and this has helped to reduce poverty in general and also child poverty. We have increased welfare payments. Further increases targeted at people on low incomes and with children are due in March. There will be an increase in the qualified allowance for children, improvements in family income supplement and improvements for lone parents. People who cannot get by, even with their welfare payments, have the option of going to community welfare officers to seek exceptional needs payments or urgent needs payments. Those supports are available directly from Government but I appreciate that people may, for their own reasons, not wish to avail of those supports and go to voluntary organisations instead, many of which - including food banks - are funded by Government.

Deputy Micheál Martin: Not the Capuchin Day Centre. The amount it gets is pitiful.

Deputy Pearse Doherty: It is mindboggling that the Taoiseach just ignores what is happening on the streets of our city. The real casualties in the fiasco of the national broadband plan are the 500,000 households that have been left without high-speed broadband. It is six years since this plan was announced and we do not even have a commencement date - never mind a completion date - for it. Initially, it was to be completed by 2020. That will not be the case. The entire process is chaotic if not farcical. The Taoiseach mentioned that there are two evaluations taking place and that these will determine whether the bid can proceed. Can the Taoiseach outline to those who want this broadband delivered as quickly as possible - whether they be households, businesses or communities - when it is likely to be delivered to them? If the bid cannot proceed, what is plan B? Does the Government have a plan B?

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): This has been a very complex and ambitious programme. We are seeking to provide high-speed broadband to every premises in the country bar none. It will be 100% coverage and that involves over 500,000 premises. This has not been done by many other countries and it is an ambitious programme. I agree that the process has been complex. There was a competitive dialogue whereby anyone could come forward with whatever technology. We are now in the final stage of that. A final tender was submitted in September. That has to be carefully evaluated, apart from the subject matter we are intending to discuss later in the week. It has to be evaluated from the points of view of governance and value for money, all of the elements of which the Deputy would want to be assured. We are in the final stage of that process, which must come to a conclusion before we consider other options. It is important that we provide the time and opportunity for this bid to be properly assessed. That is what I intend to do and before coming back to the Government with an assessment. That is where matters stands.

Deputy Pearse Doherty: What is the schedule?

Deputy Richard Bruton: Until a decision is taken, there cannot be a schedule of investment. It is impossible to set out a schedule of investment until one decides whether one is going with the tender.

Deputy Brendan Howlin: Tackling homelessness and dealing with the housing crisis is the stated priority of the Government and the House. A raft of legislation has been promised to deal with these issues, but where is it? The Minister for Housing, Planning and Local Government promised to ensure the Bill to deal with short-term lettings would be enacted before Christmas. We have yet to see the publication of the Bill on the national regeneration and development agency. Where is the legislation promised to deal with the issue that is our social imperative?

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I thank the Deputy for the questions. On homelessness and the imperative to deliver more social housing homes, I received agreement from the Cabinet earlier for supplementary spending on social housing this year additional to what was announced in next year's budget. That funding will increase the stock of social housing homes this year, which is welcome to help families and individuals.

Deputy Brendan Howlin: The Government cannot spend the capital this year.

Deputy Eoghan Murphy: We can through acquisitions. On the Bills the Deputy asked about-----

Deputy Brendan Howlin: How much money is it?

Deputy Eoghan Murphy: On the Bills the Deputy asked about, the Land Development Agency is up and running-----

Deputy Brendan Howlin: How much funding was it? Will it buy houses between now and the end of the year?

Deputy Eoghan Murphy: A Cheann Comhairle-----

An Ceann Comhairle: Let the Minister answer.

Deputy Brendan Howlin: The Minister made an announcement.

An Ceann Comhairle: If we can let him answer.

Deputy Pearse Doherty: He has not announced much.

An Ceann Comhairle: Please let the Minister answer.

Deputy Eoghan Murphy: The Land Development Agency is up and running. The heads of the Bill to establish it on a statutory funding in order to capitalise it with Ireland Strategic Investment Fund, ISIF, funding will be published in the next week or two. The intention has always been to get the Bill through Second and Committee Stages next year with the draft heads published this year, which will happen.

On the regulation of short-term lettings, draft regulations have been prepared for the joint committee. The approach will involve a change in regulations and a one-line amendment to primary legislation. Those new laws will come into effect on 1 June 2019, which means we have time to give effect to them. The important thing is that people know changes are coming in seven or eight months to allow them to get ready for them to come into effect. My hope is that the joint committee can look at the draft regulations as soon as possible. They are drafted and there will be a standing period for them to come into effect. The last matter is the rent Bill which I hope to bring to Cabinet next Tuesday.

Deputy Bríd Smith: The Taoiseach just told Deputy Maureen O'Sullivan that Ireland was a country of business and enterprise and that incomes were at an all-time high. Will he please tell that to nurses, 37,000 of whom were threatened by the Minister for Finance last weekend that if they went on strike, they would lose their increments? Not only would they lose their increments, they would lose a lower pension levy and the paltry pay rise proposed in the Public Services Pay and Pension Act 2017. When we had a financial emergency, the Government

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introduced the FEMPI legislation. After that, the Public Services Pay and Pensions Act was brought in. These Bills set out to penalise workers who were striving to improve their incomes but who were held back by the financial emergency. Where is the financial emergency now and why are workers being trapped in the conditions that resulted from it? In particular, I ask about the 37,000 nurses on whom we will all rely so heavily throughout the coming winter, as stated by the Taoiseach recently in his comments on the winter initiative.

The Taoiseach: As the Deputy knows, average pay for nurses in Ireland, including overtime and allowances, is more than €50,000 a year, which salary is well deserved. They earn every euro of that. The Deputy will know that we have passed legislation in the House to repeal the financial emergency measures and are phasing out all of those public pay cuts over time in a way that is affordable for taxpayers, starting with the lowest paid and ending with the best paid.

Deputy Bríd Smith: The Government has not removed the punitive measures.

An Ceann Comhairle: Allow the Taoiseach to reply.

The Taoiseach: Under that legislation, any basic pay reductions will be fully reversed by the end of the year for those earning under €40,000 and by 2020 for those earning under €80,000. Increments are being paid every year and there will be two pay increases next year as well as an increase for new entrants. It is not punitive for people to contribute to their pensions. People should contribute to the cost of their pensions. It is not punitive at all; it is common sense.

Deputy Bríd Smith: The Taoiseach has deliberately not answered my question. I asked about the punitive measures being used against nurses.

An Ceann Comhairle: Please, Deputy.

Deputy Eoghan Murphy: Without interruption.

The Taoiseach: I encourage-----

Deputy Bríd Smith: All I am asking the Taoiseach to do is answer my question.

The Taoiseach: If I am permitted to, I will.

An Ceann Comhairle: It might be better to move on at this stage if people will not stay quiet.

Deputy Bríd Smith: The Taoiseach will not answer any questions.

An Ceann Comhairle: I ask the Deputy to please stop interrupting the House. I call Deputy Michael Collins.

Deputy Michael Collins: In response to questions I asked in the House in 2017, and in March of this year, during my engagement on Leaders' Questions with the Taoiseach's stand-in, the Minister for Health, Deputy Harris, I was told the Department of Education and Skills had given a green light on 2 December 2017 to four mainstream classrooms and two resource teaching rooms for St. Brogan's college, a secondary school in Bandon, and that in the interim temporary classrooms would be approved immediately.

3 o'clock

Were the people of Bandon and its surrounds misled? Not a shovel has been turned or a temporary classroom put in place in this project thus leaving a similar crisis for parents and staff in St. Brogan's college this year, where dozens of children will not be accommodated. The people of Bandon and its surrounds want an honest answer today. When will St. Brogan's college see the temporary classrooms put in place and why has no progress been made on the four mainstream classrooms and two resource teaching rooms as was promised to the people in 2017?

An Ceann Comhairle: That is a parliamentary question.

The Taoiseach: I will ask the Minister for Education and Skills to provide an answer to the Deputy in writing.

Deputy Róisín Shortall: In May 2017, the Minister for Health asked for a month in order to resolve the issues of public concern about the ownership and ethos of the proposed new national maternity hospital. The Minister was trying to square the circle of the proposals in the Mulvey report and how to provide for the type of hospital that would be publicly owned with a non-religious ethos. Some 18 months have passed since that date and no progress has been made. Can the Taoiseach tell us where things stand on the proposed new national maternity hospital and can he give an undertaking that any proposed agreement on ownership of that hospital will be brought before the House before being signed off by Government?

The Taoiseach: The Government is committed to the national maternity hospital relocation project which involves the development of a new maternity hospital on the campus of St. Vincent's University Hospital at Elm Park. The new hospital will be funded by public money and is included in Project Ireland 2040. The development will represent a flagship project as part of the national maternity strategy and will constitute the largest single investment ever made in maternity services in Ireland.

It is vitally important that the legal and governance arrangements associated with this significant State investment are robust. A draft legal framework is currently being finalised and that will ensure that the State investment in the new hospital will be protected and that the new maternity hospital will be clinically and operationally independent of St. Vincent's University Hospital. Once finalised, the proposals will be submitted for consideration to the Government, the national maternity hospital and St. Vincent's Healthcare Group. The Minister for Health wants to assure the House that patient care in the new hospital will be delivered without religious, ethnic or other distinction and that any medical procedure that is legal in this State will be carried out there.

Deputy Danny Healy-Rae: The Taoiseach's Government and the last Government set up Irish Water to provide a better service but many people are being let down in one aspect of the new set-up. When trying to resolve bills, people have to go through the number 1850 178178, punch in their account number and punch in their water point reference number, WPRN, but they can never get through to the same person twice. It is like talking to someone on the moon and if they get cut off, they never get back to the same person. To compound this, people are being phoned up, are being told to pay their bills and are being threatened with legal action.

I spoke to an elderly man yesterday who is 87 years of age. He was told by a girl who he could barely understand that if he did not pay his bill he would be taken to court-----

An Ceann Comhairle: I will have to cut the Deputy off because his time is up.

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Deputy Danny Healy-Rae: He said to me that he never owed a shilling to any person in his life and that he paid his bills all of the way. He is being billed €1,300 for water, which he did not-----

Deputy Brendan Howlin: Do not cut him off he will never get back again.

Deputy Danny Healy-Rae: -----owe. He cannot resolve the problem. I ask the Taoiseach to ensure there is a human face on Irish Water in local authorities or somewhere where someone can go in and discuss the issue in order to sort out their bills but that service is not available.

An Ceann Comhairle: The Deputy is taking up other Deputies' time.

Deputy Danny Healy-Rae: There is no human face to Irish Water in any county where people can go in and sort out their bills.

An Ceann Comhairle: I call Deputy Brassil on the same matter.

Deputy John Brassil: I point out at the start that I have no vested interest in Irish Water. I do not have any contracts with it or carry out any work for it. My question is on the Glenderry water scheme which is in my parish of Ballyheigue. Irish Water is planning on closing it and switching over to the Ardfert central scheme which provides a far poorer quality of water. Will the Minister ask his officials to examine this decision with a view to reversing it?

An Ceann Comhairle: I call the Minister, Deputy Eoghan Murphy.

Deputy Danny Healy-Rae: In case that it a dig at me-----

Deputy John Brassil: That was not-----

Deputy Danny Healy-Rae: -----I do work and my company, which is a small one, does work for Irish Water but I am entitled to represent the people of-----

An Ceann Comhairle: Yes. The Deputy has made declarations on that front, so he is all right. Do not worry about it.

Deputy Danny Healy-Rae: I never said anything about-----

An Ceann Comhairle: Please, Deputy. Do not turn this into Ballymagash.

Deputy Eoghan Murphy: I thank the Deputy for his question. I take it he is talking about the payment of commercial bills.

Deputy Danny Healy-Rae: That is it, but many small property owners-----

An Ceann Comhairle: No, please.

Deputy Danny Healy-Rae: -----with only one acre or a half an acre are being metered and they are the people who are in trouble.

An Ceann Comhairle: For the love of God-----

Deputy Eoghan Murphy: Irish Water is doing a very good job to facilitate the easy payment of all bills from all customers in a timely manner. There is a dedicated service to work with customers to make sure that any issues like that can be resolved.

Deputy Danny Healy-Rae: It is not working.

Deputy Eoghan Murphy: This is the first time this matter has been raised with me and if the Deputy wants to give me individual details, I could see if there is a problem in the system.

An Ceann Comhairle: Deputy Healy-Rae can give the Minister the information.

Deputy Danny Healy-Rae: I can give the Minister hundreds of them.

Deputy Eoghan Murphy: The Deputy has raised a separate issue.

Deputy John Brassil: What about my question?

An Ceann Comhairle: The Minister will write to the Deputy. I call Deputy Brady.

Deputy Eoghan Murphy: I will.

Deputy John Brady: There is a commitment under the programme for Government to deliver new schools. On that basis, I raise the crisis facing North Wicklow Educate Together school, whose pupils will be homeless come 30 April next year. That is an immediate crisis facing that school and this Government, but that school also faces a long-term crisis. A dubious decision taken from by ex-chief executive officer of Kildare and Wicklow Education and Training Board, KWETB, and the Department to colocate two educational facilities on a site on Novara Road in Bray was overturned by the board of the KWETB this morning and it has asked for a review of that entire process. Therefore, the school faces the immediate crisis of 180 pupils being homeless come 30 April next year and 60 of those pupils will sit their junior certificate next year. What will the Taoiseach do to ensure temporary accommodation is immediately provided for this school and that long-term accommodation will be provided for it?

The Taoiseach: There is no legislation promised on this matter but I will ask the Minister for Educate and Skills to provide-----

Deputy John Brady: There is a commitment in the programme for Government.

The Taoiseach: It is not mentioned in the programme for Government either but I will ask the Minister to provide the Deputy with a written answer.

Deputy Imelda Munster: Regarding Project Ireland 2040, I refer to yesterday's announcement of funding allocations under the urban regeneration and development funds and, first, I want to welcome the specific funding allocation for Dundalk's Long Walk Quarter. While the inclusion of Drogheda's Westgate Vision is very welcome I have serious concerns that no specific funding has been allocated to it despite the fact that Drogheda has been identified as one of five regional cross-Border drivers along with Sligo which got a specific allocation of €5 million, Letterkenny which got a specific allocation of €1 million and Dundalk which got a specific allocation of just over €0.5 million. However, there was not specific allocation for Drogheda's Westgate Vision. The Taoiseach can understand our concern given that he and his Government have relegated Drogheda to third tier status in their plan. Can he clarify for the people of Drogheda what funding will be allocated for Drogheda's Westgate Vision and when we will get it? What is allocated funding?

The Taoiseach: The Deputy has made my day.

Deputy Imelda Munster: That is good.

The Taoiseach: That is the first time I have heard her welcome anything ever, so I am really pleased-----

Deputy Imelda Munster: The Taoiseach's policies are hard to welcome.

The Taoiseach: -----she has welcomed the announcement made yesterday to provide funding for Dundalk and Drogheda.

Deputy Imelda Munster: There is no funding for Drogheda; that was my question.

The Taoiseach: It was done in different tiers. Some projects have an allocated amount against them, with the biggest single one being for Waterford of €6 million. There are projects in Ballina, Castlebar, Kilkenny and Dundalk. A number do not have an allocation against them yet and it is intended that will be allocated next year.

Deputy Jackie Cahill: Approximately 5,000 farmers have not received their first payment under the single farm payment scheme for 2018. This has been an extremely difficult year for farmers' incomes, with falling prices and weather conditions. I ask that extra resources be put in place to ensure that those 5,000 farmers will be paid before the Christmas recess.

The Taoiseach: I thank the Deputy for his question. I will mention that to the Minister for Agriculture, Food and the Marine. We obviously want to ensure that people are paid what they are owed as quickly as possible and that farmers receive their payments well before Christmas.

Deputy Carol Nolan: The programme for Government contains a firm commitment to end discrimination against small farming families and small businesses. I understand that changes to the fair deal scheme were approved in July in the context of a three-year cap on farming and business assets. Where does this matter stand? Farming families in my constituency are really struggling, as are families involved in small businesses, to pay nursing home costs. When will the proposed changes come into effect? They need to do so as a matter of urgency.

The Taoiseach: We are keen to make those changes in order to make the fair deal fairer for farmers and people who own small businesses. We anticipate that legislation will be brought forward in the next session.

Deputy Bernard J. Durkan: When is the Adoption (Information and Tracing) Bill likely to come before the House and be progressed?

The Taoiseach: That legislation is still on Committee Stage in the Seanad.

Deputy Michael Moynihan: There are commitments in the programme for Government relating to home care packages and home helps or home care assistants, as they are now called. Why are the HSE and Department of Health insisting on new contracts being negotiated with home care assistants? What is the logic behind this? It is a tried and tested plan. The home helps have delivered a fantastic service, in both urban and rural areas. What is the thinking behind the Government, the HSE and the Department of Health changing the contracts of those providing home care?

The Taoiseach: I have no information on contracts and no involvement in the matter. If the Minister for Health does, I will ask him to provide a reply to the Deputy. Contractual matters are generally not dealt with at ministerial level.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy John Lahart - to discuss implementing Operation Open City throughout the year in order to tackle congestion in Dublin; (2) Deputy Frank O'Rourke - to discuss housing development in Celbridge, County Kildare; (3) Deputy John Brassil - to discuss the status of the negotiations between Fórsa and the HSE regarding new home help services; (4) Deputy Darragh O'Brien - to discuss the impact of staff shortages in the Dublin region's homeless mental health team based at Parkgate Street; (5) Deputy Jackie Cahill - to discuss the gas network connection for Lisheen and Thurles in County Tipperary; (6) Deputies David Cullinane and Mary Butler - to discuss the development funding for the North Quays project in Waterford; (7) Deputy Dessie Ellis - to discuss the funding deficit for drugs and alcohol task forces and the pay structures of staff; (8) Deputy Mattie McGrath - to discuss publication of the independent report on the future of the national broadband plan; (9) Deputies Martin Ferris, Pat Buckley and Donnchadh Ó Laoghaire - to discuss the job vacancies and the waiting lists for mental health services assessment in community healthcare organisation, CHO, 4; (10) Deputy Maureen O'Sullivan - to discuss lung cancer in Ireland; (11) Deputies Michael Fitzmaurice, Catherine Connolly and Éamon Ó Cuív - to discuss the provision of adequate funding for Galway city and county councils in 2019; (12) Deputy Gino Kenny - to discuss the Government's proposed cannabis access programme; (13) Deputy Stephen S. Donnelly - to discuss the accommodation difficulties for North Wicklow Educate Together school and St. David's in Greystones; (14) Deputy Richard Boyd Barrett - to discuss the latest Economic and Social Research Institute, ESRI, report highlighting work-related stress; (15) Deputy Eugene Murphy - to discuss plans for a direct provision centre in Rooskey, County Leitrim; (16) Deputy Peadar Tóibín - to discuss the provision of a rail line from Dublin to Navan; and (17) Deputy Mick Wallace - to discuss the discrepancies in waiting lists for home care packages in different counties.

The matters raised by Deputies Ferris, Buckley and Ó Laoghaire; Brassil; Fitzmaurice, Connolly and Ó Cuív; and Eugene Murphy have been selected for discussion.

Ceisteanna - Questions

Taoiseach's Meetings and Engagements

1. **Deputy Micheál Martin** asked the Taoiseach if he will report on his visit to County Cavan on 12 October 2018; if he met businesses; and if they discussed the impact in addition to the uncertainty of Brexit. [43891/18]

2. **Deputy Brendan Howlin** asked the Taoiseach if he will report on his visit to County Cavan on 12 October 2018; and the meetings he held in respect of Brexit. [45716/18]

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

I visited counties Cavan and Monaghan on Friday, 12 October, where I had several engagements.

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In the morning, I visited the Cavan County Museum in Ballyjamesduff, which is really worth a visit and I would recommend it to anyone. I also visited the new autism unit in Bailieborough community school and Bailieborough courthouse.

In the afternoon, I visited Cootehill where I had the pleasure of turning the sod on the new Holy Family school, which is a special school. I spoke at the cross-border childcare conference in Emyvale, County Monaghan.

While I had no formal meetings with business people on this occasion, I met a wide variety of invited guests and members of the public at the events I attended. As people can imagine, given that Cavan and Monaghan are Border counties, Brexit was to the fore during my visit. The cross-Border childcare conference afforded me the opportunity to engage with those attending on Brexit and how it may impact on their services and businesses.

Deputy Micheál Martin: I would have thought that the Taoiseach might have heard from more business people about their concern regarding the impact Brexit will have on them. Recent data from the Central Statistics Office suggest there is a noticeable slowdown in the Border region and that the devaluation of sterling has had a significant impact on small and medium enterprises, SMEs, there. There are many Brexit schemes but the combined take-up of these to date has been minuscule. Is the Taoiseach willing to set a specific target for the number of businesses receiving support in order that they might cope with the impact of Brexit? To date, all there has been is the announcement of amounts of money to be spent at some point in the future. Until we see specific targets for businesses directly helped, the delivery deficit is likely to be continually hidden behind the advertising campaigns which promise a lot but deliver little.

Last week, the Taoiseach became very defensive when I raised the Government's love of referring to things as "action plans". He even claimed the Government had delivered 200,000 jobs through the Action Plan for Jobs. The Organisation for Economic Co-operation and Development, OECD, reviewed the action plan and said it is not possible to isolate any specific figure of job creation under the plan. We do not need action plan for Brexit designed to help the Government claim credit for other people's work. We need hard targets for businesses directly helped through the schemes launched with such fanfare by the Minister. There needs to be a stronger correlation between the announcement and what is actually done. The vote is taking place in the House of Commons on 11 December and the draft withdrawal treaty is coming into far more focus. Most business and farming people on both sides of the Border support the withdrawal treaty. It is disappointing, therefore, that the DUP seems to be hardening its original stance on the draft withdrawal treaty following its conference at the weekend. Will the Taoiseach provide an update on the preparation of east-west arrangements for Dublin Airport following Brexit? Given that most goods entering the North come via Dublin Port, is there any further update on scoping and expansion to facilitate further checks if needed? Is the Government scoping the use of Rosslare Europort in order to ease any possible congestion and ensure the smooth transport of goods via truck, etc.?

Deputy Brendan Howlin: It would be surprising if, when visiting the Border, any politician did not involve himself or herself in dialogues on Brexit. The Taoiseach said he did so with a variety of groups. Did he meet any representatives of workers, specifically unions organised on an all-island basis, to discuss their understanding of the implications of Brexit? Did the Taoiseach discuss the implications of a hard Brexit, which is now a very real prospect? Will he share his view on preparations for such an eventuality? We obviously have to prepare for that eventuality. It is hopefully not likely but it is certainly a distinct possibility.

This morning, we had easterly winds which closed Dublin Port. The immediate consequence of that was the blocking of the port tunnel and traffic chaos. That was the result of an hour's closure due to adverse winds. As an island nation, what specific logistical preparations are we making in the event of a disorderly departure from the European Union by Britain? What impact will it have on our potential imports or exports of goods?

Deputy Pearse Doherty: Yesterday on "Morning Ireland" the Tánaiste stated that in the event of a no deal scenario things would be much more complicated, and we all know this is undoubtedly true. He went on to say there would be no hard border in such a scenario. Will the Taoiseach outline to the House what the Tánaiste meant by that and what steps can be taken to ensure that in a no deal scenario there would be no hard border?

The Taoiseach: The focus of this particular visit to Cavan and Monaghan was very much on education, disability and childcare as well as a visit to Cavan County Museum. I engage with business groups and the Irish Congress of Trade Unions regularly but not every day. It is good on occasion to have days where we focus just on education, childcare, disability, health or housing. The particular focus of this visit was education, disability and childcare.

We have not set particular targets for businesses accessing credit under the various Brexit loan schemes. We have decided not to do this for good reasons. There are a lot of businesses that do not want to borrow or increase their debt and this is a decision they are entitled to make. Many of them have paid off debts they built up over the recession period and they do not want to take on new debt. Some have their own reserves and they will use them rather than take on more debt. We want to make sure these low-cost loans are available to business but that is quite different from encouraging businesses to take on additional debt if they do not want to do so.

I meet businesses all the time that tell me they feel they are being unfairly criticised when we say they have not taken up offers of vouchers, Brexit assessments or loans because they have made an assessment themselves that Brexit will not affect them dramatically because they do not trade much or they only trade with particular countries. Sometimes they state they have made a decision to wait and see. They want to see how things will pan out over the coming weeks or months before taking action. We need to make sure the loan supports and information vouchers are available to business but we need to respect the fact that many businesses will decide they do not want to take up these supports because they do not trade with the UK, because they feel they have adequate reserves and finance or because they are already adequately prepared. We have to respect their autonomy and their right to make their own decisions about their own businesses in this regard.

We approved another memo at Cabinet today on contingency planning. We have planned for two things. These are the central case scenario, which is pretty much the deal that has now been made and the deal we hoped would be made, with a transition period, a single customs territory and backstop. We have also planned for a no deal hard Brexit scenario, which we do not think is likely but we must prepare for nonetheless. In many ways they are a graduation of the same contingency plan because the central case scenario requires one amount and the no deal scenario requires another amount of activity. This involved an update on recruitment and we are confident. We have an assurance from Revenue and the Department of Agriculture, Food and the Marine that the necessary recruitment is under way. I cannot remember the exact figure with regard to Customs and Excise officials, but several hundred will be in place in March and the rest will be in place after that. We also examined what would be required in terms of physical infrastructure at Dublin Port, Dublin Airport and Rosslare Europort and how it can be

provided. In Dublin Airport it would involve an upgrade to the customs and border services and at Rosslare Europort and Dublin Port it would involve physical infrastructure, such as parking areas for HGVs and examination stations. These preparations are very much under way.

I have no doubt we can be totally prepared for a Brexit with a deal because we have the transition period and we know what will happen if there is no deal. We will have a backstop. It will be impossible for any country to be fully prepared for a no deal cliff edge hard Brexit but we will be as prepared as we possibly can be.

National Digital Strategy

3. **Deputy Micheál Martin** asked the Taoiseach if he will report on the consultation process on the digital strategy recently announced by his Department. [45623/18]

4. **Deputy Michael Moynihan** asked the Taoiseach if he will report on his Department's digital strategy. [45639/18]

5. **Deputy Brendan Howlin** asked the Taoiseach if he will report on the digital strategy of his Department. [46990/18]

6. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on the recently announced consultation process in respect of the national digital strategy. [49144/18]

Leo Varadkar: I propose to take Questions Nos. 3 to 6, inclusive, together.

The Government is developing a new national digital strategy to help Ireland maximise the economic and societal benefits from digitalisation. This is a commitment in the Action Plan for Jobs 2018. The strategy is being led as a shared effort by the Department of the Taoiseach, the Department of Communications, Climate Action and Environment, the Department of Business, Enterprise and Innovation and the office of the chief information officer in the Department of Public Expenditure and Reform. An interdepartmental group, which includes representatives from all Departments, is also assisting the development of the strategy. This approach reflects the broad spread of policy areas impacted by digitalisation.

In July, the Government agreed a framework for the national digital strategy, which reflected preliminary consultations with civic society, business representatives, education providers and academics. A wider public consultation exercise to allow citizens to influence the development of the strategy started on Monday, 22 October, and closed last Friday, 23 November. This allowed people to submit their views online, by email or by post. More than 300 responses were received and the submissions are now being analysed. In parallel, there is ongoing consultation with stakeholders and experts to inform development of the strategy.

It is intended that the new national digital strategy will set out Ireland's vision and ambition in the fast-changing digital world as well as specific initiatives in areas such as eGovernment, enterprise policy, digital inclusion, access and regulation. Importantly, it will also position Ireland internationally and within the European Union, where we are active supporters of the digital Single Market.

Deputy Micheál Martin: I thank the Taoiseach for his reply. The Government announced its intention to produce another digital strategy in its Action Plan for Jobs in 2018. We are

agreed it is meant to maximise the economic and societal benefits that arise from ongoing digitalisation. It is meant to be citizen focused and to set out how we are all meant to embrace digital advances and provide for a national discussion on how it will impact on the people of Ireland well into the future. Given recent reports, the strategy cannot be done quickly enough. It seems it has infiltrated all of our lives far quicker and deeper than anyone could have anticipated. Throughout the European Union, 66% of the labour force has basic digital skills whereas in Ireland it is 53%. A total of 50% of Ireland's labour force has above basic digital skills but in the European Union it is 63%. How will the Government address what is, essentially, a digital literacy gap? Is the Government assessing how job displacement will be catered for? Is the Government planning to diversify courses and target workers most at risk? Will these courses be available free of charge to workers?

Deputy Brendan Howlin: Any digital strategy that is truly national must envisage access to high-speed broadband for every citizen wherever he or she lives. This is axiomatic. Clearly, there is a real difficulty for the vindication of true equality and there is a real danger of a digital divide. How does the Taoiseach propose to address this issue?

There is another issue, which is that one in six adults in this country is functionally illiterate. This will impact on people's ability to use new digital technologies. Before they even get into digital capacity being illiterate is an enormous impediment to accessing services online.

An enormous amount of work on eGovernment was done and I am glad to see the Minister for Public Expenditure and Reform is present. We looked at best practice in countries such as the Republic of Korea, where an enormous number of public services are accessible very readily, with a unique identifier for each citizen so they do not have to put in endless data each time they contact a local or national Government office or agency. Is it envisaged that we are making progress on facilitating ready access to all Government services online?

Deputy Pearse Doherty: Surely digital safety is a key component, if not the key component, of a new national digital strategy at a time when an increasing number of young people are accessing the Internet and social networking apps. Young people are accessing them not just in greater numbers but also at a younger age. The Oireachtas Committee on Communications, Climate Action and Environment recently discussed the Digital Safety Commissioner Bill, which was brought forward by my colleague, Deputy Ó Laoghaire. The Bill is supported by the Irish Society for the Prevention of Cruelty to Children, ISPCC, CyberSafeIreland and the Ombudsman for Children's office. Industry bodies have also stated that they are open to the concept. The Bill complements many of the objectives in the Minister for Justice and Equality's action plan for online safety. The previous Minister for Communications, Climate Action and Environment broadly supported the Bill as does the Chairman of the Committee on Communications, Climate Action and Environment, Deputy Hildegard Naughton.

Does the Taoiseach support the establishment of such an office? Does he believe we need a regulator with powers and that such an office should be established as soon as possible? The Minister for Justice and Equality said last week that consideration is being given to the matter by a review group led by the Department of Communications, Climate Action and Environment and that he expects the group will report soon. Does the Taoiseach have an update on when we are likely to see such a report? Does he support the objective of Deputy Ó Laoghaire's Bill, which provides for the establishment of a digital safety commission and commissioner to protect our young people?

The Taoiseach: First, with regard to digital skills, we believe it involves a number of approaches. Obviously there is upskilling of people already in the workplace. That is important to ensure they can continue to have jobs into the future and that companies embrace the digital economy. That is done through a number of existing mechanisms. Sometimes it is fully funded by the Government and sometimes businesses have to make a contribution. A great deal of learning is happening in schools. Children in primary and secondary schools are getting a good digital education and I am impressed when I visit schools around the country to see the extent to which technology is being integrated into schools, particularly primary schools. Deputies will be aware that computer science is now an examination subject in the leaving certificate examination for the first time.

There is also the future jobs programme. Last week, we took the first steps in developing that programme, which anticipates the reality that the world of work will look very different in the next couple of decades. People will not have a job for life, and most people will have two or three different careers in the course of their lives. Many jobs that currently exist will not exist in the future and many jobs that we have not even imagined will exist. Changes such as automation, augmented reality, virtual reality, robotics and so forth will fundamentally change the world of work. Autonomous driving is one example. Between 10% and 16% of men in this country drive for a living in some way or other. If we replace buses, trains, taxis and trucks with autonomous vehicles we will have to find new jobs for the people who currently drive those vehicles. The future jobs programme is all about that.

In terms of encouraging greater use of online Government services, a healthy digital Government is fundamentally connected with the wider digital health of a country. We have made substantial progress in increased delivery of high quality online public services. For example, we have centralised portals for communications and services, gov.ie and MyGovId.ie. We also continue to work on improving the citizen experience and promoting the uptake of online activities. The national digital strategy will help to raise awareness and highlight the benefits of engaging with online Government services.

On the issue of the digital divide and digital engagement, increased digitalisation is going to change Ireland and the world with or without policy action. We cannot stem the tide but we can determine how to embrace digitalisation positively for the benefit of every citizen, business and community in Ireland. To this end we are working to develop a strategy that is collaborative and is developed in partnership with citizens and stakeholders. The public consultation is very important and that is why continuing engagement with stakeholders in all sectors of society will be a hallmark of the strategy's development. There will be a focus in the strategy on trust, society and inclusion. We are putting the well-being of citizens at the heart of the strategy. Digitalisation presents us not only with challenges but also profound opportunities. Digital Government services, for example, offer the chance of more equality and efficiency in how our public services are administered.

Regarding digital protection and digital safety, the general data protection regulation, GDPR, came into effect on 25 May last. We enacted the Data Protection Act 2018 which gives effect to limited areas of flexibility under GDPR before this date. Ireland is among a small group of member states to meet the deadline. Since GDPR came into effect the Data Protection Commissioner has seen a rise in data breach notifications, which are now obligatory. In addition, the Data Protection Commission is already seeing numerous major difficult cross-border complaints being transferred to it under the EU one-stop-shop model. There are several significant data protection cases before the Irish and European courts, as well as other cases that might end

up before the courts. Whatever the outcome, the Government will continue to comply with GDPR as it evolves. Funding for the Data Protection Commission is €15.2 million for next year, which represents a 30% increase on the 2018 allocation and an eight-fold increase since 2014.

On the issue of a digital safety commissioner, many stakeholders have called for the establishment of such a commissioner. Last February the Government did not oppose the passing on Second Stage of Deputy Ó Laoghaire's Private Members' Bill which seeks to establish the office of a digital safety commissioner. The Bill has been referred to the joint committee by the Oireachtas. The action plan for online safety covers a range of activities relevant to the proposed office of the digital safety commissioner, including education, awareness raising, communicating with the public, oversight and consultative structures. Action 18 of the plan commits the Government to working with the joint committee on the Bill in this regard and the Minister attended a meeting of the joint committee on 25 October last during detailed scrutiny of the Bill. At that meeting the Minister said that if the Oireachtas is to pass the legislation we must ensure we get it right and that it is robust, effective and meets the urgent public policy need to protect all online users, particularly children.

The Minister, Deputy Bruton, has now requested legal advice from the Attorney General on the legal issues the Bill presents, most notably the lack of a definition of what "harmful digital communications" are and proposals in the Bill that would apply extra-territorially, which could be difficult. However, we are committed to working with the committee and the Deputy to resolve these deficiencies in the legislation.

Taoiseach's Meetings and Engagements

7. **Deputy Micheál Martin** asked the Taoiseach if the war in Yemen was discussed at the October 2018 ASEM summit. [45882/18]

8. **Deputy Brendan Howlin** asked the Taoiseach if he will report on his attendance at the ASEM summit; and the leaders he met and meetings he attended. [45714/18]

9. **Deputy Richard Boyd Barrett** asked the Taoiseach if the war in Yemen was discussed at the October 2018 ASEM summit. [46873/18]

10. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on his attendance at the recent ASEM summit. [49145/18]

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

I attended the 12th ASEM summit, or Asia-Europe meeting, on 18 and 19 October in Brussels. The summit, which takes place every two years, provides an opportunity for Asian and European leaders to discuss how to enhance co-operation in tackling regional and global challenges and deepening economic, social and cultural links between our two regions.

The focus of the recent summit was on improving trade and connectivity between Europe and Asia and on reinforcing the multilateral, rules based system of governance on issues such as international trade, peace and security, sustainable development and climate change.

As well as attending the plenary sessions, I held bilateral meetings with the Prime Minister

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of Norway, Ms Erna Solberg, President Battulga of Mongolia and the Deputy Prime Minister of Malaysia, Dr. Wan Azizah, focused on strengthening bilateral relations. I also used the opportunity to raise Ireland's candidature for election to the UN Security Council for the 2021-22 term.

I engaged informally *en marge* with a number of other leaders including Chinese Premier Li, Japanese Prime Minister Abe, Russian Prime Minister Medvedev, Vice President Naidu of India and the foreign ministers or special envoys of Laos, Myanmar, Australia, Kazakhstan and New Zealand. These were primarily courtesy conversations about bilateral relations, although in several instances I raised Ireland's candidacy for the UN Security Council.

While discussions at the ASEM considered a number of foreign policy issues, Yemen did not feature on the agenda. I anticipate that Yemen will feature in summit level discussions between the EU and the Arab League early next year. In the meantime, Ireland and the EU continue to be extremely concerned about the security and humanitarian situation in Yemen and the plight of civilians.

The Government is voicing our concerns at every appropriate opportunity, including at the United Nations, the EU's Foreign Affairs Council and bilaterally with the relevant authorities.

Deputy Micheál Martin: I am somewhat surprised that the conflict did not feature on the ASEM agenda, given that the war in Yemen represents one of the world's greatest humanitarian crises and is now the world's largest crisis. Some 17.8 million people are food insecure, of whom 8 million are severely food insecure. We have all watched the emaciated bodies of the children on television, which is horrific.

It is extraordinary that such an horrific conflict has been allowed to continue for more than four years. To a certain extent, there is complacency within the international order, which almost confines the conflict to a regional war that does not necessitate an urgent, global response, apart from the humanitarian assistance that is in place. The EU has provided €440 million to Yemen for humanitarian development, stabilisation, resilience support and so on. Ireland has also provided €16.5 million in humanitarian assistance to Yemen.

We support Mr. Martin Griffiths, the UN Special Envoy to Yemen, in his efforts to try to bring the warring parties to the negotiating table. Having said that I believe there is a sense that the powers that be in the EU, and western leaders in general, are pulling their punches on this conflict with regard its origins and conduct. While providing all this humanitarian assistance, the regional actors need to be called out, for example, on the role of Saudi Arabia which has a strong relationship with the United State. That is unacceptable in the context of the situation in Yemen, Iran and elsewhere. The use of proxy fighters who wreak appalling devastation on civilian populations is barbaric and should have led to a far greater call for action and intervention from the major powers of the world than it has to date.

We cannot salve our consciences by doling out humanitarian aid, important as that is. The political background to this conflict needs to be addressed urgently by the powers that be. This is why it needs to be on the agenda of ASEM and other global fora.

Deputy Brendan Howlin: I agree with Deputy Martin. It is remarkable that what is widely regarded by the UN as the greatest humanitarian crisis of our time was not a matter of focus. In many ways, this is a forgotten, if not ignored, war. It is a proxy war between Saudi Arabia and Iran, which is being fought at a the cost of the people of Yemen. We see heart-wrenching images of children dying of malnutrition in 2018, which is beyond shocking. I hope that Ireland

will continue to raise the issue at every possible forum.

Did the Taoiseach attend the EU-Korea Association of Southeast Asian Nations, ASEAN, summit, which was held the next day? If so, what were his inputs there? Did Ireland voice a view on the ongoing discussions to bring peace to the Korean peninsula?

With regard to the Taoiseach's discussions with the Russian deputy prime minister, were the ongoing concerns over Russian interference in the election process both in Europe and elsewhere raised by him or by any of the participants in the bilateral meetings or at the summit itself?

Deputy Richard Boyd Barrett: I am surprised that while at the ASEM conference the Taoiseach did not discuss the disaster that is unfolding in Yemen. It begs the question generally about whether European leaders and leaders of other governments around the world are willing to call out the Saudi regime for imposing a brutal blockade on the people of Yemen, which has brought between 11 million and 17 million people to the brink of starvation, with at least 10,000 killed directly. Save the Children estimate that 50,000 children died in 2017 as an indirect consequence of the blockade.

We must also consider what is happening in Saudi Arabia itself. There was the barbaric killing of Jamal Khashoggi who was dismembered and, we think, dissolved in acid. In the past few weeks, we heard that some women activists who campaigned for the right of women in Saudi Arabia to drive have been imprisoned. Amnesty International recently produced a report on the routine sexual harassment, torture and degradation of civil rights activists, including hanging prisoners from the ceiling and sexual tormenting of women prisoners by people wearing face masks. Three activists who had just received the alternative Nobel prize in Stockholm have been imprisoned for between ten and 15 years for crimes such as "disobeying the ruler" and "harming the reputation of the State", "engaged in peaceful protests where they criticised the Government". Europe, America and this country continue to treat the regime there as if it is some sort of normal regime. It is a vile and vicious regime that is doing appalling things, and the world is sitting by with Europe and America selling them guns. At least Senator Bernie Sanders has tabled a motion this week in the US Senate calling for an end to the support by the US of Saudi Arabia in this horrific war in Yemen. What are we doing about these people? What is going on is barbaric. It needs to be called out and sanctions are needed.

Deputy Pearse Doherty: The war in Yemen should have been discussed at the ASEM summit. Like everybody, I am disgusted and shocked at the images of the humanitarian crisis and the suffering in Yemen, where thousands of people have died and 14 million people are going without food. They are on the brink of famine. The UN World Food Programme has warned that Yemen is facing a full-blown famine in approximately six months unless circumstances change rapidly. What are we doing about all this? What are we doing to assist the humanitarian response to the crisis? Aid organisations cite the blockade over the past three years by the Saudi-led coalition at the city port of Hodeidah, which handles 90% of Yemen's imports, as the reason for the food shortages. Clearly, responsibility for the humanitarian crisis must fall at the feet of the Saudi regime. We are aware that it has used its military might to bomb civilian areas, infrastructures, homes and school buses. Data collected by *Al Jazeera* and the Yemen Data Project show that 18,000 air raids have been carried out in the Yemen area since 2015 by the Saudis and the UAE-led military coalition. Almost one third of those bombings struck non-military sites, yet Britain and the US have sold weapons to Saudi Arabia worth more than \$12 billion since it entered this war.

There is an urgent need for an arms embargo on Saudi Arabia because of the war crimes taking place there. What is the Taoiseach's position on an arms embargo? Does he support that and will he press his EU colleagues and counterparts to support such a call?

The Taoiseach: The Government is greatly concerned about the deteriorating humanitarian situation in Yemen. The crisis unfolding before our eyes is deeply troubling, particularly the horrendous impact on civilians, including children.

Ireland, together with the EU, fully supports the UN special envoy in his efforts to ensure that all parties respect international humanitarian law, and that humanitarian aid to the civilian population is allowed to flow unhindered. The increase in hostilities around the port of Hodeidah is alarming, particularly as the port is essential for the importation of food and humanitarian aid to Yemen. The Government has called on all parties to the conflict to agree a ceasefire as a matter of urgency. We will continue to work through the UN and the EU to encourage all parties to make concessions and to arrive at a negotiated settlement.

Ireland is doing everything it can to mitigate the devastating humanitarian situation in Yemen. Since 2015, we have provided almost €16.5 million in humanitarian assistance directly to Yemen and we are also providing additional humanitarian aid through our contributions to the EU. Ireland has consistently and strongly communicated its concerns, especially regarding the safety of civilians and the need for safe access for humanitarian assistance. We have conveyed this to all parties to the conflict - to Saudi Arabia but also the United Arab Emirates and Iran, which are involved as well. In October, the Tánaiste relayed Ireland's strong views directly to the Saudi ambassador and will continue to make our views known both bilaterally and at the UN and EU. At present, there is no consensus at EU level for an arms embargo on Saudi. Ireland does not have an arms industry and, therefore, unilateral action would not have any effect. However, all exports from Ireland of military and dual use goods are subject to a strict assessment on a case-by-case basis against eight criteria contained in the EU code of conduct on arms exports.

The agenda for ASEM was focused primarily on regional geopolitical issues affecting the European and Asia-Pacific regions. It is important to understand that ASEM covers Europe and east Asia but does not cover the Middle East or the Arab world. Yemen, Iran and Saudi Arabia were not present and are not members of ASEM. However, I anticipate that the conflict in Yemen will feature in discussions at the EU-Arab League meeting, which is scheduled to take place in Egypt next February. Ireland continues to work at EU and UN level to seek a resolution to the crisis in Yemen. The issue was discussed at the Foreign Affairs Council on 20 November, at which EU foreign Ministers reconfirmed our backing for the efforts of the UN special envoy, Martin Griffiths, to bring all parties to the negotiating table. I was not present at the EU-Korea meeting, as that was handled at Commission President and Council President level. I did not have a formal bilateral with Prime Minister Medvedev but we were at the same table for one of the meals and I did raise the issue of election disruption with him.

Regarding Saudi Arabia, the Government fully supports calls for an independent and impartial investigation into the murder of Saudi journalist Jamal Khashoggi. There has been some progress in identifying the perpetrators but we are still awaiting clarification of what transpired. The ongoing investigations must be transparent and credible, get to the facts of the case and ensure that all those responsible for the killings are held accountable. Ireland and the EU are closely monitoring investigations as they proceed and we will consider what further steps to take in due course in close consultation with our EU partners. Ireland raised its concerns about

the killing at the UN Human Rights Council on 5 November during Saudi Arabia's universal periodic review and we will continue to raise our concerns about this case, in particular, and human rights issues in general both directly with the Saudi authorities and at EU and international level whenever appropriate opportunities arise. As I mentioned earlier, the Tánaiste met the Saudi ambassador in Dublin last month and stressed the need for a credible and open investigation leading to accountability for all of those involved.

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

National Broadband Plan Funding

56. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform if his Department has undertaken a value for money review of the cost of the national broadband plan; the impact it will have on the wider national development plan; and if he will make a statement on the matter. [49186/18]

An Ceann Comhairle: Is Deputy Cowen ready for action?

Deputy Barry Cowen: I will let the Minister answer first and will add up my time after that.

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): Under the public spending code, value for money reviews are conducted on existing programmes of expenditure and are targeted at areas of significant expenditure where there is the greatest potential for them to add value and influence policy developments. These are ex post evaluations.

The Department of Communications, Climate Action and Environment is the sponsoring agency for the national broadband plan, NBP. As the Deputy will be aware, that Department is currently evaluating the final tender received under the existing procurement process. As such, this will be a new area of expenditure. It is the responsibility of the sponsoring agency for the NBP to comply with the provisions of the public spending code. The Department of Communications, Climate Action and Environment has conducted a full appraisal of the plan, including an economic appraisal in the form of a cost-benefit analysis.

In respect of the impact on the wider national development plan, NDP, it would not be appropriate to comment or speculate on the NBP at this juncture in advance of the Government having considered the matter.

Deputy Barry Cowen: I hear what the Minister is saying. An evaluation is taking place and it is difficult for him to commit on the cost this will entail, in spite of how long it has been going on and the various reports and controversies surrounding the provision of broadband. As he said during the lunchtime news, 27% or 28% of the population, or 500,000 homes, still do not have access. All they want to know is how much this will cost and when they will have it. A sum of €275 million is committed under the NDP. If it costs more, is there provision within the plan for that sum to be increased? I am also conscious that €500 million has been committed by the European Investment Bank, EIB. If this process were to collapse, for example, and it was to be undertaken by a public body, would the €500 million still be available? Is that sum the full extent of the commitment that has been made by the EIB?

To summarise my questions, is €275 million the limit of the commitment in the NDP? If it is to be increased, what provision will be made and from where? Is the €500 million committed by the EIB the entirety of the provision there? In the event of the existing process being amended, will that €500 million remain committed?

Deputy Paschal Donohoe: The Deputy is correct regarding how much money is currently profiled for this in the NDP. Under it, I acknowledge that depending on the decision the Government makes, the amount that might be needed for the national broadband plan could increase. We have to make a decision in that respect in the coming period.

If additional funding is put in to fund the NBP, it can come from two different areas. Assuming that we do not increase our level of taxation or borrow more to pay for existing infrastructural commitments, there are two options open to Government. The first is that we could make a decision to put additional funding into the national broadband plan and the national development plan. That would clearly have an opportunity cost and there would be other measures for which that money could not be used. Equally, a decision could be made to move capital around within the NDP to make additional commitments available for broadband.

All of this is premature at this point because, as the Deputy has acknowledged, both the Department of Communications, Climate Action and Environment and my own Department have further work to do as part of the procurement process. On the Deputy's final question about the EIB, I believe it is fully committed to this plan but any additional funding it might need to put into this is a matter for the bank and I cannot speak on its behalf.

4 o'clock

Deputy Barry Cowen: However, the Minister acknowledges the EIB has already committed €500 million towards the entirety of whatever process is put in place to provide the national broadband plan. The Government recently published the national development plan with various aspects of it having been launched in recent times and more to come in the coming months. Regarding next year's allocation, it would appear that if the Government put €275 million aside it would be a major error of judgment if that were grossly undervalued and it would impact on other provisions that are made in the national development plan which might not rest easily with many other Government commitments.

Deputy Paschal Donohoe: On the first question I do not have the exact amount of money the European Investment Bank has committed to the national broadband plan, but I will get the information and send it on to the Deputy.

On the second question, as I said if the national broadband plan needs additional funding within the national development plan, that funding could only be provided in one of two ways: either more money goes into the national development plan overall or we make a decision to reprioritise funding within the national development plan. The latter would have consequences for other commitments in the national development plan.

At this point further work needs to be done to complete the evaluation and tendering process for the national broadband plan which was understandably delayed to allow the work being led by Mr. Peter Smyth to come to a conclusion. I and the rest of the Government will now engage on the next steps for the national broadband process, to which we remain fully committed.

Dáil Éireann
Public Sector Pay

57. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform the status of pay negotiations; and if he will make a statement on the matter. [49531/18]

Deputy Paschal Donohoe: The status of pay negotiations is that we are in the first year of a three year collective agreement to progressively dismantle emergency legislation, giving individual public servants benefits of between 7.4% and 6.2%, or up to 10% for new entrants hired after 2012.

Unwinding the emergency legislation has been a priority for the Government and we have ring-fenced substantial resources to deliver this. Over the period from 2018 to 2020, some €887 million has been allocated to fulfil our commitments and honour the terms of the agreement. A further €306 million in carryover costs and additional funding will be required to completely unwind the financial emergency measures in the public interest, FEMPI, pay reductions bringing the total level of resources committed to €1.1 billion.

In addition the public service stability agreement required two further issues to be addressed: new entrants and, where they occur, recruitment and retention difficulties. Regarding new entrants, following my report to the Oireachtas last March, we engaged with the public services committee of the Irish Congress of Trade Unions and negotiated a deal which will see 35,750 new entrants, 58% of the total, benefitting in year one, rising to 78% in year two. All of the current stock of new entrants will have fully benefitted by 2024. This is a fair agreement which manages the €200 million cost associated with the remaining salary scale issues in a responsible and affordable manner. In 2019 the cost of this measure is €27 million. Importantly, by intervening further up the pay scale, at points 4 and 8, this initiative will increase the ongoing attractiveness of public service employment, helping to retain staff.

The Deputy will be aware of the Public Service Pay Commission and its various reports in this area.

Deputy Jonathan O'Brien: The Minister is aware of the threat of industrial action in a number of sectors, particularly the health sector. I note his press release this weekend outlining the consequences of that. While I do not agree with it and find it unhelpful, there is a very small window of opportunity to try to address the ballots currently taking place. I know the Minister will probably disagree with that and will claim he cannot deviate from the pay deal that is in place for budgetary reasons.

However, the Minister recently said that addressing pay for nurses and consultants could compromise the budgetary policy. My argument back to him is that his failure to address these issues is compromising our health service and something has to give. Will the Minister engage with the unions as they have asked for direct discussions under the mechanisms available to him?

Deputy Paschal Donohoe: On recruitment, between October 2013 and October 2018, the number of nurses and midwives has increased by 10%, or 3,300 full-time equivalents. Since 2011 alone, 10,000 new entrants have joined as nurses and midwives. Significant recruitment has taken place in both those areas in recent years. At this point having negotiated an agreement in good faith with all our public and civil servants, it is not tenable for the Government to make additional money available to one sector but not to another. The reality is that were such

a development to happen, it would trigger a set of competing claims that would make it very difficult for any government to manage its public pay bill.

I reiterate my appreciation of the work our nurses and midwives do, but I emphasise that we have a wage agreement and recommendations from the Public Service Pay Commission that I am willing to implement next year.

Deputy Jonathan O'Brien: I acknowledge the recruitment figures the Minister mentioned. However, 2,000 fewer nurses work in the system than ten years ago. While we have increased the number, we are still behind where we were in 2008 and we have a long way to go.

The INMO general secretary has called on the Minister to engage in direct discussions with INMO members on this. I do not believe - I do not think the Minister believes - that nurses want to take industrial action. They feel they are being forced down this avenue and they are trying to reach a compromise solution with the Minister. They are asking for direct discussions within the current public sector pay agreement. There is no harm in accepting that offer of negotiation and at least sitting down to see if a solution can be found. If we do not find it, we are likely to see nurses on strike, possibly as soon as January.

Deputy Paschal Donohoe: We have a mode and a format for engagement with the nursing unions, which is the oversight committee of the Public Service Stability Agreement. Officials from my Department are key participants within the committee. Through that we have the opportunity to engage directly, for example, with the nursing unions, on any issue that pertains to the Public Service Stability Agreement.

I again emphasise the respect I have for the work our nurses and midwives do in our hospitals throughout the country. Alongside that respect for them, I emphasise the economic consequences that would flow from the issues they are raising. A 12% pay increase alone would cost the health services €300 million. If the health service were to meet the demand for an additional two hours of continuous professional development per individual per week, it would remove approximately 3.5 million nursing hours from our public health service. The cost of that alone would be €127 million. Those are the costs for the health service alone. From all the experience we have had of collective agreements over many years, the reality is that meeting those concessions would trigger equivalent demands across the entire public service and Civil Service, which would cause difficulty in terms of our ability to run public pay in an affordable way and be able to hire more nurses and doctors in the future.

Departmental Expenditure

58. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform the controls in place to prevent Departments from breaching their expenditure ceilings in a given year; and if he will make a statement on the matter. [49187/18]

(Deputy Paschal Donohoe): Managing the delivery of public services within allocations forms a key part of the responsibilities of every Minister and Department. My Department is in regular contact with all other Departments and offices to ensure that expenditure is being managed within the overall budgetary 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 set out in the most recent Fiscal Monitor, total gross voted expenditure at the end of October was €49,931 million. This is broadly on profile. Gross voted current expenditure of €46,181 million was 0.6% above profile, with gross voted capital expenditure of €3,750 million 8.4% below profile.

However, given the scale of Government expenditure and the cash basis of Government accounting, the need for Supplementary Estimates can arise for a number of reasons, including policy decisions, timing issues and overspends. They are a budgetary tool that can allow for the proper alignment of funding allocations with planned expenditure. They can only be allowed where they can be accommodated within the overall budgetary parameters. The Expenditure Report 2019 outlined the requirement for Supplementary Estimates in 2018, including for the provision of a 100% Christmas bonus for weekly social welfare recipients and additional investment in key areas including housing and health.

Taking the additional expenditure set out in our 2019 report into account, it is now projected that the general Government deficit target of 0.2% outlined in the summer economic statement will be over-achieved, with the expectation now of a general Government deficit of 0.1%.

Deputy Barry Cowen: This question is primarily related to the overspend and the excess in respect of the Department of Health that we have seen in recent years. Is it definitive that the Department of Health will be over budget this year by approximately €700 million? They are not necessarily budget expenditure ceilings. They appear to be negotiated ceilings. In respect of the Department of Health, it is inevitable that it will exceed its expenditure ceiling, not through any fault of its own but that the budgeted ceiling was meaningless to begin with. In acknowledgment of that fact, there appears to be no enforcement procedures, which can make a mockery of the initial expenditure ceiling we talk about. What assurances can the Minister give that this is not the case and that the expenditure ceilings are an important control over expenditure?

Deputy Paschal Donohoe: The reality is that the expenditure ceilings the Deputy is referring to are both negotiated ceilings and budgetary ceilings. Budgetary ceilings, and the figures we set for 2019 and beyond, are a consequence of Government making decisions regarding where resources need to be allocated, overlaid with the inevitable political negotiation that happens, particularly in late September and early October.

In terms of our adherence to those ceilings, most of the Departments deliver them most of the time. The key issue we have had is in respect of the Department of Health, which has exceeded its expenditure ceiling, in particular this year, by a far larger amount than we experienced last year.

In terms of what we are looking to do differently to manage that issue, I expect we will enter next year with a board, a chief executive and a chairperson for the HSE. That will enable a better degree of budgetary control than we have had this year and, hopefully, a renewed focus on where we are with budgetary targets, given the great difficulties the HSE had to deal with earlier this year.

Deputy Barry Cowen: I would like to think that would be the case, and I sincerely hope it is, but it has not been in recent years. We get the kickback from the public when they hear about an excess expenditure over either negotiated or budgeted ceilings in various Departments. They do not see that on the ground, and they do not see it in respect of health. Perhaps

the HSE was right and it has cost €700 million to stand still. There is a big hoo-ha about the finance sought by the HSE being made available to it but, at the end of the day, we do not see the improvements that are necessary for delivery in the Department of Health. People then become frustrated to hear about that. It is the same in the Department of Education and Skills, which is €69 million over the ceiling to date this year. The figure for last year was €60 million. The figure for the Department of Health this year to date is €340 million, and possibly €700 overall; that is the estimate. The Department of Housing, Planning and Local Government was €385 million over the ceiling in 2017. Again, people do not see that reflected on the ground. They do not see the amount of social and affordable housing that is necessary being provided. They see the delays associated with it and so forth. Apart from what the Minister said relating to the Department of Health and the expectations of those in senior offices, what controls can he put in place to ensure that either negotiated or budgeted ceilings, or a combination of both, might be adhered to in the future?

Deputy Paschal Donohoe: The controls we have work for nearly all Departments most of the time. The key issue we have had has been in respect of the Department of Health. I have outlined the way I am looking to handle the matter differently in 2019. I make the point, however, that myself and the Minister, Deputy Harris, were successful last year in significantly reducing the need for a Supplementary Estimate. We now need to examine what worked last year and how we can put in place a different approach for next year, and I have outlined that.

Regarding the other two Departments the Deputy mentioned, where I differ from the Deputy is that we can see a significant shift in the number of new homes being delivered. By the end of this year, we will see up to 20,000 new homes being delivered. Next year, we will see that figure increase to 23,000 to 25,000, with between one in four to one in five of those being social homes built directly by the State. There is a clear output from the capital investment in the Department of Housing, Planning and Local Government.

In terms of the Department of Education and Skills, the environment that anybody experiences, particularly in primary schools in the morning, shows that this is money that is making a difference to the day-to-day lives of our younger citizens.

National Development Plan

59. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform if the allocations provided for in the National Development Plan have now been abandoned; and if he will make a statement on the matter. [48990/18]

(Deputy Paschal Donohoe): Public capital investment has a critical role to play in ensuring a whole of Government implementation of the new national planning framework. This is why the new national development plan was fully aligned with the national planning framework, all of which combined to deliver Project Ireland 2040.

Project Ireland 2040 moves beyond the approach of the past, which saw public capital investment spread very thinly and investment decisions which did not align with a spatial strategy. These practices contributed to some of the major issues that we face today as a country, particularly the predominance of Dublin alongside the challenges that face rural towns and communities.

The national development plan is therefore strictly aligned to the vision set out in the national planning framework and its ten national strategic outcomes, which were developed following extensive consultation over the course of 2017.

In adopting this approach, Project Ireland 2040 seeks to develop Cork, Galway, Limerick and Waterford as viable cities of scale which can act as alternatives and a counterbalance to the continued growth of Dublin and its surrounding region. In doing so, these cities will act as drivers of growth for the wider region, including rural areas. The NDP, which was published in February, demonstrates the Government's commitment to meeting Ireland's infrastructure and investment requirements over the next ten years, through a total investment allocation of €116 billion over the period to 2027.

The NDP sets out gross voted capital expenditure allocations on a ministerial level for the period 2018 to 2022. In 2019, capital expenditure under the plan is set to increase by €1.5 billion, or 25% more than the 2018 allocation, which is a significant increase.

Deputy Jonathan O'Brien: I recognise it is a significant increase, but I am asking a different question. As part of the NDP, a document was published which addressed each portfolio and what would be allocated over a number of years in order that we could track exactly where the money was spent. I am asking whether the plan has been abandoned or changed because the allocation for two of those portfolios was reduced from what was initially published. The Department of Transport, Tourism and Sport has seen a decrease of €28 million, while the allocation for the Department of Justice and Equality has been reduced by €21 million, although I am well aware there was an increase in the allocation for the Department of Housing, Planning and Local Government.

The figures which were published at the time were fluid, but is the overall figure static or can it change between Departments? Is it possible that the overall projected figure year on year could increase or decrease in any one year?

Deputy Paschal Donohoe: There was a change of €33 million in the total capital allocation for 2019. The overall capital allocation for Project Ireland 2040 rose by that amount, which is a change of 0.5%. Over the period 2019 to 2022, the period for which we have the clearest budgetary ceilings, there was an overall change of €290 million, which is a 0.3% change in an upward direction.

On the specific Departments and questions the Deputy raised, which were related to changes made in the Department of Transport, Tourism and Sport and the Department of Justice and Equality, a minor switch occurred where some capital funding was moved into current funding to meet current needs the Department had. On the overall figures, at this time I anticipate only a marginal change in the overall capital figures for 2019 to 2021, inclusive. At departmental level, changes are likely only if the Government commits to a significant new project that is not yet profiled or if there is a moderate switch between capital and current funding in any given year.

Deputy Jonathan O'Brien: The Minister is saying there will be no significant change to the Votes or the outlying figures from Department to Department, although there may be switches from capital into current in any given year, and that it will be consistent with what was published.

Over the next three years, there will be an increase of €290 million, or 0.3%. Will the

Minister indicate where that €290 million will be allocated? Which Departments will see an increase? Is the figure of €290 million a net increase, that is, does some of it comprise savings or decreases which are likely in other portfolios?

Deputy Paschal Donohoe: The main reason for those changes is what is happening in the Department of Housing, Planning and Local Government. Of the total amount of increased allocation in that period, that Department accounts for well over €200 million and, therefore, it is the main reason for the increase in the figure over the next three year period. No other adjustments will be made in other Departments to fund it.

Gender Equality

60. **Deputy Joan Burton** asked the Minister for Public Expenditure and Reform his policy on gender and pay issues; the number of civil and public servants; the number of men and women, respectively; the average pay of men and women, respectively; his plans for achieving gender pay parity; and the timeframe for same [49204/18]

Deputy Joan Burton: I wish to ask the Minister about his policy on gender and pay issues. What is the number of male and female civil and public servants, respectively? What is the average pay of a man and a woman working in the service? What plans does he have for achieving gender pay parity, and what is the timeframe for doing it? Will he accept the Labour Party Bill which will come before the Dáil tomorrow and which provides for at least gender pay information in order that we can see what the differences are and address those differences?

Deputy Paschal Donohoe: We have made significant progress on gender equality in the Civil Service, which is my area of direct responsibility. The overall number of civil servants at the end of the third quarter of 2018 was 38,736, of whom 21,954 were female and 16,782 were male.

I have provided a breakdown by grade within the Civil Service for the Deputy. The proportion of females at the levels of Secretary General, assistant secretary, principal officer, assistant principal, higher executive officer and clerical officer is 21%, 35%, 43%, 50%, 57% and 72%, respectively. In my written answer to the Deputy's question, I have laid out the figures in tabular format over the past six years in order that she can compare them.

We have made progress. At principal officer level, for example, we have moved from 34% of all principal officers being female in 2012 to a figure of 43%. At assistant principal level, the figure is 50%, while at assistant secretary level we have moved from 23% in 2012 to 35%. I am committed to building on this, however, and the Civil Service board, which comprises Secretaries General in all Departments, has instructed all Departments to take a number of actions, including training for management boards, better development supports particularly in the area of mentoring, gender balance as a stated business priority, leadership training courses to encompass gender focused knowledge and support, and assigning responsibility for gender and diversity to a specific member of the management board of every Department. While we have made progress, we need to make more.

TABLE

<i>Grade (Female)</i>	<i>End August 2018</i>	<i>End August 2015</i>	<i>End August 2012</i>
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<i>Sec Gen</i>	6 (21%)	6 (20%)	7 (23%)
<i>Second Sec</i>	1 (25%)	1 (25%)	2 (40%)
<i>Dep Sec</i>	4 (24%)	4 (22%)	5 (36%)
<i>A/Sec</i>	82 (35%)	67 (31%)	49 (23%)
<i>Principal</i>	632 (43%)	469 (37%)	394 (34%)
<i>Assistant Principal</i>	2,182 (50%)	1,666 (46%)	1,432 (42%)
<i>HEO</i>	2,953 (57%)	2,589 (57%)	2,522 (55%)
<i>AO</i>	1,161 (47%)	996 (47%)	852 (45%)
<i>EO</i>	5,120 (62%)	3,764 (61%)	3,760 (61%)
<i>CO</i>	8,210 (72%)	8,464 (76%)	8,617 (76%)

Figures from HR Databank on 19 November, 2018

Deputy Joan Burton: The critical statistics say it all. At the top echelon of the Civil Service, that is, the Secretary General level or equivalent in a Department, only 21% of the positions are held by women. The Minister probably knows off the top of his head what a Secretary General earns, but it is as low as approximately €150,000 for small Departments, rising to more than €200,000 in the case of large Departments, which have greater responsibilities. The Minister has previously agreed with me that it is notable that there are relatively few women at the top levels of the Department of Finance compared with the lower levels such as clerical officers. The figure which the Minister provided for female clerical officers was 72%, while 57% of higher executive officers are women.

This is what the gender pay gap means. There are not many women at the upper echelons and yet there are so many women at the lower pay levels that the gender pay gap in the public service is wide and probably at least 14%, which is the general figure given for Ireland, or even higher. A reform programme that will value the work of women and men equally needs to be implemented quickly.

Deputy Paschal Donohoe: I take the Deputy's point. We can point to progress but I am equally clear that we must make more progress. I am encouraged that, whether it is the Department of Finance or of Public Expenditure and Reform, I can see the changes to which I referred happening at assistant principal or principal officer level. At budget time in the Revenue Commissioners, for example, I could see how young and diverse they have become at middle to upper management levels. My aim is that this balance will be reflected in the leadership teams of our key institutions in future months and years. That is why it is important that the management board of each of these institutions has specific action steps in this area. As the Deputy continues to raise this matter with me over time, I hope I will be able to point to the steady progress we are making at that level.

Deputy Joan Burton: I hope the Minister and the Government will support the gender pay Bill, which will be before the House tomorrow. It was introduced in the Seanad by my colleague, Senator Ivana Bacik. That would begin to force institutions and private sector businesses to publish data on the pay gap in order that people can become aware of it and begin to address it.

The top management board the country is the Cabinet. A few years ago, there were two female Tánaistí in succession. There were more women at the Cabinet table, including a female Attorney General; we had a female Chief Justice and Garda Commissioner and there were several women in other high-level posts. This Administration has fewer women. There is also cult of exceptionalism. There are women who get to the top for a period but are then replaced by men so that women's participation is variable and apparent gains can fall away. I want the Government to commit to an equality-based Cabinet. Any of the women who sit in Leinster House, regardless of party, are just as capable as any of the men.

Deputy Paschal Donohoe: I accept the Deputy's point about the need for diversity at political and senior business levels in Ireland. However, I wish that the appreciation for the role played by then-Tánaiste, Deputy Frances Fitzgerald, had been more evident during the period when many people were calling for her to go. It would have been nice to hear the kind of appreciation for diversity offered by the Deputy during that period when many people demanded that the former Tánaiste step down, which ultimately she did to keep the Government in place at a time of great national challenge.

Deputy Barry Cowen: The Taoiseach should not have accepted it.

Deputy Paschal Donohoe: Deputy Burton may be aware that gender equality and the gender pay gap in Ireland have been examined by the European Commission, particularly in 2014 when it compared our figures with those of the EU 27. We then stood at a 13.9% pay gap compared with the EU 27 average of 16.7%. It is no comfort that we were lower than the EU average. It is a pay gap that should be got rid of and the contribution I hope to make through my role is for diversity at lower, middle and upper-management level in Departments to flow all the way up. I am particularly pleased that earlier I could notify Cabinet of the appointment of Ms Maeve Carton of the new chair of the National Treasury Management Agency.

Ceisteanna Eile - Other Questions

EU Funding

61. **Deputy Charlie McConalogue** asked the Minister for Public Expenditure and Reform if he has held discussions with the European Commission on the allocation of additional funding for the Border region in view of the particular challenges that will arise in that area following Brexit and the need to improve infrastructure to assist existing businesses remain competitive; and if he will make a statement on the matter. [48995/18]

191. **Deputy Niamh Smyth** asked the Minister for Public Expenditure and Reform if the particular infrastructural needs of areas such as counties Cavan and Monaghan will be given priority consideration if Cohesion Funds are available post-2020 in view of the negative impacts Brexit will have on the Border region; and if he will make a statement on the matter. [49276/18]

(Deputy Paschal Donohoe): I propose to take Questions Nos. 61 and 191 together.

As I am sure Deputies will agree, the EU-funded INTERREG and PEACE programmes

continue to act as important drivers of regional development for the Border region of Ireland and for Northern Ireland.

INTERREG programmes funded by the EU exist to address the challenges encountered by border regions. In the case of Ireland, an additional and unique programme, the PEACE programme, addresses the challenges in the region arising from conflict.

The current INTERREG programme has a total value of €282 million and is aimed at promoting economic, social and territorial cohesion. The current PEACE programme has a total value of €270 million and aims to promote peace and reconciliation in Northern Ireland and the Border counties of Ireland.

Ever since the UK referendum on EU membership the Government's clear and consistent position has been that it is committed to the successful implementation of the current programmes but also to a successor post-2020. To that end, my officials and I have been working closely with the European Commission at all levels to ensure this important source of funding for the Border region continues post-Brexit and we continue to do so.

I am pleased, therefore, that the Government's ambition for the programmes was reflected in last December's EU-UK joint report on Brexit in which both parties undertook to honour their commitments to the PEACE and INTERREG programmes under the current multi-annual financial framework, MFF, and to examine the possibilities for future support favourably. This was matched by a commitment from the Commission to propose the continuation of the programmes in its proposal for the next MFF covering the period 2021-2027.

This has happened, and I warmly welcome the Commission's proposal for a special new PEACE PLUS programme, which will build on and continue the work of both PEACE and INTERREG.

Deputy Niamh Smyth: Brexit will have a negative impact on counties in the Border region. We hope an agreement can be reached but counties such as Cavan, Monaghan, Donegal and the Border region generally very much depend on programmes such as PEACE. They have made an important contribution to peace and reconciliation and many community projects have gained from them. As someone from a Border county, I know the visible, tangible benefits and advantages that derive from such programmes. The implications of the loss of such funds is something people in the Border region were conscious of during the referendum campaign.

The Minister referred to a PEACE PLUS programme. I ask him to ensure that continues and that the Government commits to do that.

Deputy Paschal Donohoe: Some 83% of the PEACE IV programme, of €270 million, is committed with 88 projects approved for funding. These include groups of projects under the local authority PEACE action plans, and projects in the area of shared education and giving additional support to children and young people. I have visited some of these projects and am aware of how valuable they are.

Under the INTERREG programme, €282 million has been allocated, 87% of available funding, which has been committed to 32 different projects. I am committed to working with the European Commission to try to put in place a successor programme to these funding streams. This will form part of the negotiation that we will have with the Commission across most of next year in respect of the new European budget.

Deputy Niamh Smyth: I thank the Minister. It is vital in light of Brexit. In Cavan and Monaghan county councils, PEACE offices play an integral and significant role in terms of delivery of community and social projects, and there is an economic benefit for all projects that are allocated PEACE funding. PEACE workers in Cavan and Monaghan county councils, such as Jane Crudden, have been instrumental in delivering on that due to their engagement with community groups and due to the community groups having the willingness and the foresight to take on the projects.

As we know, there is huge bureaucracy involved in regard to all of these projects. It is important that community groups are not burdened with further bureaucracy when it comes to securing funding, given these issues become more complicated and complex as we go on. I ask that the Minister commit to securing further funding and that there would be a positive bias towards the Border area.

Deputy Paschal Donohoe: It is in recognition of the vulnerability of our Border counties and the north west to the great challenge of Brexit that, for example, in Project Ireland 2040 we have put particular focus on key projects, such as the N2 and N3, that will be of particular benefit to the communities and counties the Deputy represents. It is why we are also committed to the A5 project and why, for example, we have made particular commitments to projects like the Ulster Canal.

In regard to the concerns on bureaucracy, I will certainly keep this in mind. I am encouraged by the fact the drawdown is so high. The fact over 80% of the funding for both funds has now been committed points to the fact these structures are working and can work. As I said, I will certainly keep the Deputy's points in mind in the negotiations that will continue in regard to a successor to PEACE and INTERREG. I know these are valuable programmes, I know they have made a big difference on both sides of the Border and I will work hard to deliver something that will take their place.

Defence Forces Remuneration

62. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform if he has had discussions with the Minister for Defence regarding the problem of pay in the Defence Forces and the impact on recruitment and retention. [49209/18]

Deputy Clare Daly: I ask the Minister if he has had discussions with the Minister for Defence regarding the problems of pay, recruitment and retention. I note the Minister for Defence managed to wrestle an extra €37.5 million from the Minister, Deputy Donohoe, in the defence budget. However, when we see only €6 million of that went on pay, it really puts the issue into perspective and, particularly given gardaí got €60 million to deal with pay, we can see the scale of the problem. Does the Minister think it is sensible that the Defence Forces would spend six times the amount on capital expenditure than they spend on pay?

Deputy Paschal Donohoe: As the Deputy will be aware, the Public Service Pay Commission has been asked by Government to examine the issue of recruitment and retention in the public service and to establish, in the first instance, whether and to what extent a difficulty may exist in terms of recruitment and retention in respect of specific groups, grades and sectors of the public service. Where a recruitment or retention difficulty is identified, the pay commission is tasked to examine the full range of causal factors.

It is important to point out that the terms of reference for the pay commission for this exercise, as agreed by the parties to the public service stability agreement, do not provide for a generalised pay review for any group. The pay commission emphasised this point in its first module report on nurses, non-consultant hospital doctors and consultants.

The commission is approaching its work in a modular format, having recently completed module 1. The next phase, module 2, will focus on certain other areas of the health services and the Defence Forces. The early inclusion of the Defence Forces in the pay commission's schedule of sectors to be examined under the terms of its remit was welcomed by both myself and the Minister for Defence. I can further inform the Deputy that it is the position that officials from my Department are in close liaison with their colleagues in the Department of Defence in the preparation of material for submission to the pay commission on the issues of recruitment and retention. The pay commission will, having due regard to its terms of reference, consider the matter of recruitment and retention in the Defence Forces and issue its findings accordingly. I look forward to receiving its report.

Deputy Clare Daly: I am, of course, aware of the pay commission. I am also acutely aware of the fact Defence Forces personnel do not have a collective voice in the way normal workers organised in a trade union would have. There is extreme urgency in this situation. We are operating against the backdrop of a massive 21% reduction in Defence Forces personnel, a huge increase in workload and the fact a third of the people who left in the last five years bought their discharge - that is how desperate they are to get out. It has become a paradigm of austerity that when there are cutbacks, it actually costs more than is saved. In the Naval Service, for example, it costs €100,000 to train somebody to able seaman level, and when they leave, that expertise cannot be replaced. That is the particular crisis we now have and it comes against the backdrop that we are spending multiples of that amount on shiny new ships we cannot afford to staff. It seems ridiculous that we are wasting money on equipment in that way. There is a huge urgency in addressing these matters. Pay is not the only reason people are leaving.

Deputy Joan Burton: I had a question down on this point which was, unfortunately, transferred. I want to take the opportunity to ask the Minister if he appreciates there are serving members of the Defence Forces who, because their pay is so low, are qualifying for the working family tax credit, or family income supplement, as it was called. This is a mark of why morale is so bad in the Defence Forces. People are being offered jobs outside and are leaving a career they love and in which they have served their country so well and so proudly.

It used to be the norm all over Ireland that a soldier at corporal level with a family could look forward to buying an affordable house. That has all gone out the window. The Government has shown no imagination in assisting members of our Defence Forces, who do us proud in Ireland and right around the world, to become owners of an affordable house.

Acting Chairman (Deputy Alan Farrell): Thank you, Deputy.

Deputy Joan Burton: Instead, they are out there competing in the rental market in a regime of savage rent increases. No wonder they are leaving.

Deputy Paschal Donohoe: As Deputy Burton will be aware, and Deputy Daly also has a lot of experience in this area, the way in which we manage public sector wage and allowance policy is via a collective agreement. Any change that is made or considered for the Defence Forces, therefore, has immediate consequences for the rest of those who work in the public and

civil services, as noted in the debate a short time ago with Deputy Jonathan O'Brien in regard to those who work in our nursing and midwifery services.

Deputy Daly specifically put to me the issue of why the Department of Defence and the armed forces have got increased funding for capital expenditure. I thought increased funding for equipment, vessels and vehicles would be welcomed, particularly given the Department and some parts of the armed forces have been calling for that.

In regard to the point put to me by Deputy Burton, I reiterate that we have a collective wage agreement overall, and the value of this is still understood by the Labour Party. As I said in regard to nurses, I have nothing but the highest respect for the contribution our armed forces make at home, on the seas and further abroad.

I make the point that, for a newly qualified three-star private and their Naval Service equivalent, after approximately 29 weeks of training, their salary at that point stands at €27,257, including the military service allowance. In the debate on allowances or salary, it is important to have that point in mind.

Deputy Clare Daly: I am sure the Minister finds it ironic to be criticised by his former colleagues for the policies they brought in together, but such is life in here. Increased capital expenditure would, of course, be welcome if we had the staff to operate the equipment. The point is that staff and personnel are being bled dry and are leaving in droves. We do not have the personnel to operate that. Restoring pay to pre-FEMPI levels, as we are often told, is not good enough. It does not address the situation of post-2011 recruits or the cost of living issues. That explains some of the problems being experienced. When small increases in pay operate against the increased workload that fewer Defence Forces personnel are expected to shoulder, the hourly rate is seen to plummet and people spend more time away from their families. They do not have the protection of the Organisation of Working Time Act 1997 or all the things which make it a very family-unfriendly situation. They do not have the same security of tenure as other public sector workers, in fact they must reapply every few years. This is a critical situation. If we are talking about prudent management of our financial resources then investing in staff is far more cost-effective than investing in shiny new toys when we do not have the personnel to operate them.

Deputy Paschal Donohoe: I feel I have to correct the record slightly to say that a new tank or vessel is anything but a toy. It is meeting an equipment need that has been raised with me by the Department of Defence, originating in the armed forces. It is anything but that and at the very least it contributes to ensuring the safety of the personnel who Deputy Daly is referring to. The Deputy was very clear about what she is looking for. She wants us to go to a wage level that is higher than it was before the implementation of FEMPI. They will be higher than they were before we got into difficulty.

I know the Deputy will have ways that this can be paid for but that is overall a wage bill for our public services that will ultimately compromise our ability to deliver services, and all the other things I have been called on to do over the past 45 minutes since I came in here. I am committed to standing behind the work of the Public Service Pay Commission to see if it yield recommendations that can be delivered while maintaining an overall collective wage agreement. I reaffirm the great respect I have for all those in uniform who represent our State at home and abroad.

Deputy Clare Daly: If a person has a Garda uniform they get an extra €60 million, if they have an Army uniform they get an extra €6 million.

Community Employment Schemes Supervisors

63. **Deputy Joan Burton** asked the Minister for Public Expenditure and Reform when he plans to address the status of community employment supervisors and make provision for their payments as per the Labour Court recommendation of 2008; and if he will make a statement on the matter. [49206/18]

73. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform the status of community employment supervisors and provision of their payments under a Labour Court recommendation of 2008; and if he will make a statement on the matter. [48989/18]

Deputy Joan Burton: Has the Minister found a mechanism to resolve the situation for community employment, CE, supervisors, the Labour Court recommendation on their pensions and so on? I am conscious that the recommendation was made before the crash. We are now in a period of restoration. Many proposals have been put forward. What progress has the Minister made to give effect to restoration proposals?

(Deputy Paschal Donohoe): I propose to take Questions Nos. 63 and 73 together.

As Deputies will be aware this issue relates to a claim by community employment supervisors and assistant supervisors who have been seeking, through their union representatives, the allocation of Exchequer funding to implement a 2008 Labour Court recommendation relating to the provision of a pension scheme.

This matter was the subject of discussion at the community sector high level forum which was reconvened to examine certain issues pertaining to the community employment sector and in particular to ensure that the matter was fully examined having regard to costs and precedent. A detailed scoping exercise was carried out by my Department in 2017 in order to comprehensively examine and assess the full potential implications of the issues under consideration. The scoping exercise clearly illustrated the significant issues at play here, with a potential cost to the State of between €188 million per annum and €347 million depending on the size of the sector, in respect of funding to enable a pension contribution in State-funded community and voluntary sectors. This excludes any provision for immediate *ex gratia* lump sum payment of pension as sought, which could, depending on the size of the sector, entail a further Exchequer cost of up to €318 million.

It continues to be the position that State organisations are not the employer of the particular employees concerned and that it is not for the State to provide funding for such pension schemes. The employees in question are, or were, employees of private companies notwithstanding the fact that the companies concerned are, or were, in receipt of State funding.

Deputy Joan Burton: Community employment is an absolutely vital part of the social employment-social enterprise structure of this country. There are more than 1,000 CE supervisors. They give really valuable and important services to communities in urban and rural areas, particularly in areas of disadvantage. I am sure the Minister would agree that the people involved in community employment as supervisors and assistant supervisors have given a very good

service to the State. Various detailed proposals have been put forward which would address this issue. The cost is not enormous and these people have given service. More importantly, the community service model which is so vital to our social infrastructure is in serious danger of simply disappearing because there is not a proper structure for resolving an issue like this.

The Minister is having a kind of King Canute moment. The economy is in recovery yet he is holding up his hands and saying in terms of legitimate areas such as the Defence Forces and community employment supervisors that he is not able to do anything. We have a process of restoration at the moment and that should be applied to the CE supervisors.

Deputy Jonathan O'Brien: I will not add to what Deputy Burton has said but I contend that these workers are providing a fundamental public service. Everyone recognises that and they are funded by the public purse. For that reason alone, the Labour Court recommendation on them should be implemented. This is a Labour Court recommendation and failure to implement that by the Government undermines the court.

Deputy Paschal Donohoe: I will provide a running total of the cost of the different demands and needs being articulated to me this afternoon. We are now at approximately €918 million. The one-off payment for the CE schemes would cost €318 million, with an additional one year cost of a minimum of €180 million; there is €300 million that I updated Deputy O'Brien on in respect of the nursing issue and a further €120 million of the cost of meeting the need in respect of professional development hours. Far from having a King Canute moment I am having a *déjà vu* moment where our economy is doing well in the face of many different risks and different social needs. Both Deputies who have spoken on this matter know that collective agreements matter in that they allow us to manage the value of the issue in respect of competing demands. They know that if I was to meet any of the needs the Deputy refers to it would trigger a whole other set of demands that the Exchequer cannot meet without compromising other commitments we have either to taxpayers or to citizens who depend on services. That is why I am adopting my stance on these matters. Far from trying to undermine the role of our public servants or that people who work in community employment organisations, I am simply looking to make sure we are in a position to be able to continue to meet affordable wage needs in the future.

5 o'clock

Deputy Joan Burton: Deputy Donohoe's reputation is that he is the Minister who dipped down the back of the sofa and found something between €750 million and €1 billion, notwithstanding the information that was given to the Committee on Budgetary Oversight. He lashed out the money. Not alone did that happen, but at the Fine Gael Ard-Fheis last week, the Taoiseach was offering tax cuts to everyone, in particular the very well off. We were presented with a Supplementary Estimate earlier of €20 million for the Pope's visit to the Phoenix Park. I say to the Minister, "Come on." He has lashed out the money here, there and everywhere to favoured particular projects. However, he has not been able to do it for public and affordable housing and he has not done it for the Army. He has not bothered to address seriously in his response community employment in respect of which there is a Labour Court recommendation.

Deputy Jonathan O'Brien: Did the scoping exercise carried out last year come up with any other proposal bar looking simply at how much it would cost to implement the Labour Court recommendation? If any other organisation or private entity ignored such a recommendation, the Minister would be critical, as would I. I have added the figures. If one includes the

ex gratia payments, it would come to €854 million. As such, the Minister is probably a bit short in his own figures.

The Taoiseach: We might compare figures afterwards and see what is the gap. Either way, it is a large figure. No other issues were identified in the process with the community employment sector regarding the scoping of the costs of different options to address the matter. I outlined in my reply to the Deputy what work the forum did and the costs relating to it.

Regarding Deputy Burton's comments, I answered the question on community employment and I said I recognised the value of what people in the sector do and the contribution they make. The Deputy offered a description of me lashing out money but let us look at what that is for. It is additional money to provide social housing this year, to deal with homeless services and to maintain health services. I am sorry the Deputy has such a view on making money available to organise the visit of the Pope, who is a Head of State, to our country. It was about trying to ensure the event could go well and safely in recognition of how many people would participate in it.

We have a public sector wage agreement that is not even a year old and I am committed to maintaining it.

Question No. 64 replied to with Written Answers.

Minor Flood Mitigation Works and Coastal Protection Scheme

65. **Deputy Aindrias Moynihan** asked the Minister for Public Expenditure and Reform the funding available to advance flood relief plans on the R587 Macroom to Dunmanway road at Ardcahan Bridge; whether the necessary works will be approved; and if he will make a statement on the matter. [49195/18]

Deputy Aindrias Moynihan: The R587 is a key access route for west Cork along which traffic passes through Crookstown and Coppeen. There is great concern the route at Ardcahan Bridge which often floods with the result that the road is closed. Action must be taken to improve matters and to prevent flooding from blocking the road. It is not a matter of a quick fix. This is a special area of conservation with wildlife to take into account and there are costs associated with the studies required in that regard. I ask the Minister of State to consider the options to support the local authority on this matter.

Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran): I am advised that local flooding issues are a matter, in the first instance, for each local authority to investigate and address and that local authorities may carry out flood mitigation works using their own resources. The OPW operates a minor flood mitigation works and coastal protection scheme to provide funding to local authorities to undertake minor flood mitigation works or studies to address localised flooding and coastal protection problems within their administrative areas. The scheme generally applies to relatively straightforward cases where a solution can be readily identified and achieved in a short timeframe and which meets the criteria of the scheme.

Flooding caused by the ponding of rainwater or a lack of capacity in surface water drainage systems are the responsibility of the local authority. The local authority is also responsible for

funding and carrying out the maintenance, upkeep and improvement of its roads network infrastructure. It is open to Cork County Council to bring forward a proposal under the minor works scheme for viable measures at this location provided the scheme criteria are met. However, no application has been submitted under the minor flood mitigation works and coastal protection scheme for this location.

Deputy Aindrias Moynihan: The Minister of State outlined the matter as an issue of ponding and minor works, but the flooding involved is substantial and it happens three or four times each winter resulting in the blocking of a key artery for west Cork. The local authority is working in a special protected area in this case in which there are freshwater pearl mussels, salmon and various other wildlife species of which account must be taken. To carry out studies on that wildlife and to identify the works required involves substantial costs. Cork County Council carried out investigations two years ago and was making inquiries with the OPW regarding the costs of what was identified as a major job. Can those preliminary works be funded? It is about more than just the cost of works such as digging and the removal of gravel; it is also a question of the preparatory work and the costs associated with that. The R587 is a key artery for west Cork coming all the way up through Coppeen and Crookstown and when it closes, it causes great inconvenience, not just for locals but for the wider region.

Deputy Kevin Boxer Moran: I am fully aware of the issue but the local authority can apply through the minor works scheme for funding to carry out a study. The Deputy said that nothing has happened two years on, but that is not down to my Department. It is a matter for the local authority to make an application to the scheme. If the criteria are met, it will be funded. It is up to the local authority to do that. There is money available. This year we increased funding for minor works from €2 million to €5 million. While the money is there, it is a question of finding the criteria to set around it. The Deputy is talking about roads infrastructure and I understand that there are different bodies and Departments involved. However, it might be a matter the local authority needs to take up by prioritising a minor works application.

Deputy Aindrias Moynihan: This is not about blaming the Minister of State's Department or the local authority. Studies have been carried out and materials have been put together. The Minister of State says there is funding and a scheme. If the local authority makes an application, I take it the Minister of State will be in a position to fund it. We need to get the relevant work done. It is not about a quick fix and I am not engaged in a blame game. I want to ensure all the doors are open for Cork County Council so that it can get the relevant works needed around Ardcahan Bridge completed as soon as possible. Not only must the wildlife be taken into account, but the complexity of how the flooding happens must also be considered. It comes down the road and out of the river in a number of different ways. There is no quick fix, but if the Minister of State says he has the money, we will have the local authority's report sent into him.

Deputy Kevin Boxer Moran: I was clear that the application must meet the criteria in the minor works scheme. If it meets those, the funding is there. However, the criteria must be met. I am one Minister of State who has gone around the country to see flooding at first hand in every constituency, including the Deputy's. I am very much to the forefront in saying that if an application meets the criteria, we will fund it. However, it has to meet them.

Public Sector Staff Retirements

66. **Deputy Martin Heydon** asked the Minister for Public Expenditure and Reform when he expects to adjust the retirement age for public servants who wish to work beyond 66 years of age. [49182/18]

69. **Deputy Martin Heydon** asked the Minister for Public Expenditure and Reform the status of progress of the Bill to change the retirement age for public servants; and if he will make a statement on the matter. [49183/18]

Deputy Martin Heydon: I raise the matter of the Public Service Superannuation (Age of Retirement) Bill 2018, which proposes to allow public servants to work beyond retirement age if they wish. While the Bill has come through the Seanad and passed Second Stage in this House, I continue to be contacted by public servants who are close to their 66th birthdays and who need the Bill to pass to allow them to continue to work.

Deputy Paschal Donohoe: I propose to take Questions Nos. 66 and 69 together.

The Public Service Superannuation (Age of Retirement) Bill 2018, which provides for an increase in the compulsory retirement age to 70 for public servants recruited prior to 1 April 2004, was published on Monday, 9 July 2018. It passed all Stages in the Seanad on Tuesday, 17 July, and completed Second Stage in the Dáil on 7 November. Committee Stage is provisionally scheduled for 11 December 2018. While scheduling of time for the enactment of legislation is ultimately a matter for the Oireachtas itself through the Business Committee, my intention is to ensure enactment as soon as possible.

Once the Bill is enacted and commenced, the vast majority of public servants recruited prior to 1 April 2004 will have a new compulsory retirement age of 70. For the most part, those public servants currently have a compulsory retirement age of 65.

Until the commencement of the Bill, the current compulsory retirement age continues to apply and public servants reaching the age of 65 are required to retire. To accommodate public servants who reach the age of 65 in the period between the Government decision to increase the retirement age and the commencement of the necessary legislation, I arranged for the introduction of interim measures.

The interim arrangements, which must respect the current statutory position of the compulsory retirement age of 65, provide a temporary solution to affected public servants by allowing them to be rehired for a period of one year, until they reach the age of eligibility for the State pension, which is 66. Existing retire and rehire arrangements are being used to accommodate affected public servants in each sector.

Deputy Martin Heydon: I thank the Minister. I know the scheduling of the House is a matter for the Business Committee but allowing for the fact that it is at Committee Stage on 12 December, it is leaving it tight. Is there a chance that we could pass this before Christmas? It would be great for people and I have concerns for people who will reach their birthdays over the Christmas period were the legislation not to pass. We are in the hands of the committee as well to try to expedite it through as much as we can but it is an issue that we should work on with all sides of the House to try to get it through as quickly as we can.

I understand that the Minister is saying the increase is for those recruited prior to 1 April

2004 and up to the age of 70. That means that different age limits will not apply to different public servants. When it changes it will be 70 years of age for all. Can the Minister confirm that this measure is open to all public servants so that there are not different rules for different elements of the public service?

Deputy Barry Cowen: I spoke on this Bill during Second Stage at the beginning of November. Notwithstanding the optional interim measures which the Minister mentioned, there was an expectation arising out of his comments on this issue that it would be passed long before the proposals that are pending Committee Stage. Deputy Heydon mentioned impending birthdays but many birthdays have come and gone and many people were forced to retire in the interim since the Bill was announced. Many of these people did not wish to retire but were not given the option. Is it possible to bring forward amendments that would be retrospective to when the interim measure was announced which would provide for those who did not have the option of availing of the interim measure?

Deputy Paschal Donohoe: I recognise the strong interest that Deputies Cowen and Heydon have had in this matter. As this Bill was first introduced, some of the ideas first came from Deputy Moran in some meetings that I had with him well over 18 months ago.

I am not planning on changing the legislation to make it in any way retrospective. We brought in interim measures and this is a Bill that many are hoping will pass but regardless of what date it passes on, unfortunately there will be some people who could be affected either side of it.

On what we can do to address the issues that have been raised, I have looked to schedule this Bill at the earliest opportunity and on foot of the exchange that I have had here, I will talk to the Government Chief Whip and see if there will be an opportunity to schedule Committee Stage a few days earlier. If that were to happen, given the consensus there is for the passage of this Bill, that might facilitate a prompt Report Stage a few days after that and then passage of the Bill.

Deputy Martin Heydon: I thank the Minister. I support those measures and it is a sign of how good the Bill is that the only complaints the Minister is getting are around how quickly it can pass. If we can all work together on all sides of the House, there would be great merit in trying our best, as I know the Minister is, to get this passed before Christmas and to get it enacted as soon as possible.

Deputy Paschal Donohoe: It is not often that I deal with enthusiastic claims to get a Bill passed quickly but we are in this case because it could make a difference to the lives of many.

On the question that the Deputy put to me that I did not answer on whether there are any employees who are outside of the terms of this Bill, the answer is those who because of the physical nature of their work might not be able to continue to fulfil that work as the years pass on are affected. For example, I recollect that firemen at least are excluded from the terms of this Bill but I will provide information to the Deputy on what other employees are excluded from it.

Public Service Pay Commission

67. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform the further work and publications expected from the Public Service Pay Commission; and if he will

make a statement on the matter. [48991/18]

Deputy Jonathan O'Brien: Can the Minister give an update on this issue? I know that we covered it in part in the priority questions.

Deputy Paschal Donohoe: The Public Service Pay Commission has adopted a modular approach to its work programme for its current exercise focused on recruitment and retention issues in the public service.

As the Deputy will be aware, the first module was published by the commission in August 2018 and deals with issues relating to nursing and midwifery, non-consultant hospital doctors and hospital consultants.

The commission has not yet confirmed a timeline for completion of the further modules of its work programme which will examine recruitment and retention issues in certain other areas of the health sector, the Defence Forces and the civil service, building on the preliminary analysis in its 2017 report and on the various submissions it has received.

A final module in 2019 will pick up on residual areas requiring examination including senior executive positions and professional and technical posts in the civil service.

I thank the commission for its work to date.

Deputy Jonathan O'Brien: We covered this under priority questions and we also mentioned new entrants and the recruitment and retention of staff. Are we looking at the end of 2019 for the final module which will look at other areas outside of the health service?

Deputy Paschal Donohoe: Yes, that is correct. The work is under way currently and the next module will be delivered in 2019. I know that work on that is well advanced.

Climate Change Policy

68. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform the funding available to Departments for tackling climate change; if his Department is receiving requests for additional expenditure in this regard; if so, the Departments and the amount, respectively; and if he will make a statement on the matter. [48841/18]

Deputy Thomas P. Broughan: The Minister of State knows about the targets we have for 2020 for carbon emissions, which we are dismally failing to reach. We have a new Minister announcing an all of Government action plan, which is presumably concerned with the actions that will be taken by each Department. What impact will that have on spending in 2019 and will there be supplementary budgets? We have had eight supplementary budgets already and I have a parliamentary question down on that but it is not an oral question. Will it mean additional supplementary budgets for each of the Departments so that this all of Government plan is covered?

Minister of State at the Department of Finance (Deputy Patrick O'Donovan): I apologise on behalf of the Minister for Finance and Minister for Public Expenditure and Reform, Deputy Donohoe. He has to go to the Seanad for the Finance Bill.

Policy responsibility for tackling climate change is a matter for the Minister for Communi-

cations, Climate Action and the Environment in the first instance. However, a sustained whole of Government approach will be required to enable Ireland's transition to a low carbon, climate resilient and environmentally sustainable economy by 2050. The Minister, together with his Departments, is committed to playing his part in this transition.

The funding available to Departments is determined through the annual budgetary and estimates process. Each Department makes proposals on a range of measures they would like to implement in the coming year and climate action measures are embedded within the proposals from those Departments covering sectors of the economy responsible for greenhouse gas emissions. It is therefore a matter for those individual Departments to identify the amount which is being spent on climate action from within their own spending envelopes.

The Department of Public Expenditure and Reform has committed, under action point 12 of the national mitigation plan, to develop proposals for identifying, monitoring and reporting of climate related expenditure through the Exchequer. As a first step, this year's Revised Estimates Volume, REV, will tag climate related expenditure in a separate section of that report.

Ireland has also joined the OECD Paris collaborative on green budgeting. The Minister's objective and that of the Department of Public Expenditure and Reform in joining this initiative is to integrate environmental and climate outcome based reporting into our annual budgetary processes. This will be an iterative process but Ireland's participation in the Paris collaborative will lead to more transparency on the level and effectiveness of Ireland's climate expenditure.

In addition to funding made available to Departments for tackling climate change through the annual budgetary and Estimates process, the national development plan and Project Ireland 2040 also provide significant increased levels of funding for climate action related measures. Project Ireland 2040 commits a record level of investment for climate change initiatives over the next decade, with €21.8 billion specifically allocated for national strategic outcome 8 - transition to a low carbon and climate resilient society, and I understand some of that announcement will be made later in the week.

A number of the other national strategic outcomes in the national development plan are also directly relevant to delivering on our climate action goals - €14.5 billion is allocated to ensure compact smart growth and a further €8.6 billion is allocated for investment in environmentally sustainable public transport while €8.8 billion is allocated for the sustainable management of water and other environmental resources.

Deputy Thomas P. Broughan: The senior Minister had an opportunity in the budget to deliver some type of a green budget and now we are talking about a whole of Government action plan for which the Minister does not seem to have any funding and if he is to get funding for it, it will have to be approved by this House. Our Parliamentary Budget Office, in one of its many excellent reports, has reported on climate change. There is grave concern that we have missed our targets in 2016 and 2017 and we will miss the target for this year. It appears we could be facing fines ranging from €65 million to €130 million per percent of the 2020 target that we miss. The Minister of State's Department has quantified this, in general, as a possible fine of €600 million, which is an astonishing figure of a fine we could face in 2020. The report, to which I referred, shows we are ranked second last among the EU nations in our mitigation plan's performance.

The Government seems to have done almost nothing by comparison with countries like

Sweden and many of our other European partners to address this. The Government had an opportunity to address this in the area of transport in budget 2019 but it did not want to know about it. It has not taken any of the steps set out in regard to agriculture or aviation. The Government will be handing the new Government that will be formed following the next general election a fierce problem to address in terms of climate action.

Deputy Patrick O'Donovan: With due respect, whether there will be a general election is not relevant to the question.

Deputy Thomas P. Broughan: The Minister of State might not be here then.

Deputy Patrick O'Donovan: None of us might be here so the Deputy should not pre-empt the decisions of the good people of Dublin Bay North. Regarding what the Government has done in the budget, every element of Government expenditure in every Department has come in on foot of a bilateral relationship - the Deputy might consider it unfortunate that the senior Minister is not here - and the policies are whole of government policies. There is green budgeting already incorporated into this year's budget. The Deputy need only consider the continuation of the vehicle registration tax VRT relief for hybrid cars, the decision of the Department of Transport, Tourism and Sport to continue investing in green buses whereby the bus fleet that will be bought by the State under Project Ireland 2040 will be of a green nature, and our commitments to phasing out Moneypoint and the extraction of peat. Those are all issues that will be transformative in reducing our overall emissions of carbon dioxide.

Regarding agriculture, and I had a discussion on this with another Deputy representing an urban area over the weekend, the farming community and the agricultural sector are playing a huge part already in making Ireland far greener. The Department of Agriculture, Food and the Marine in its bilateral relationships with the Department of Public Expenditure and Reform in which I am the junior Minister - I know the Deputy regrets that the senior Minister is not here replying to him - have climate action mitigation measures in place.

Deputy Thomas P. Broughan: I represent an urban constituency but I come from a rural part of Dublin and I know many of these issues going back to my childhood. The reality is that the Government had an opportunity in budget 2019 to set out what it would do. Why did we not have the whole of Government action plan then, with specific tasks for each Department? The Departments would then come back to the Minister with respect to those tasks and he could quantify the type of funding that would be necessary. If a cost benefit analysis of this is done and we were to take the actions we need to take, it would be far cheaper than the European Commission asking us to pay €500 million or €600 million, an amount that would fund an extraordinary level of developments in health, housing or whatever. The Minister has a very poor record on this matter in government. I am a member of the Committee on Budgetary Oversight. We need to have *ex ante* assessments done of what the Minister wants each Department to achieve next year. That is the reality. The Minister, Deputy Bruton, has moved into the Department with responsibility for climate action and suddenly he announced this plan but we want to see it fleshed out and to identify from where the money is coming.

Deputy Patrick O'Donovan: The Deputy is getting very parochial all of a sudden regarding Dublin Bay North and whether we have a very poor or a very good record in government. The Taoiseach outlined this here last week. The climate action agenda is not just a Government agenda. A challenge has been laid down, even to Deputies like Deputy Broughan. How much will he charge the people per tonne of carbon? Deputy Eamon Ryan challenged the leaders of

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the Fianna Fáil Party, the Labour Party and Sinn Féin. I do not know whether he challenged the Deputy's leader on how much he would charge per tonne of carbon.

Deputy Thomas P. Broughan: We lead ourselves.

Deputy Patrick O'Donovan: This is a whole of society issue in the same way as the water issue was, and we know how that wound up. There are many stories to be told about that and we will rue that day yet. However, there is a whole-----

Deputy Thomas P. Broughan: Does the Minister of State want to bring back water charges?

Deputy Patrick O'Donovan: The Deputy claims to know a great deal about rural Ireland. There are people in my constituency, Deputy Broughan's constituency and Deputy Cowen's constituency who are paying for water. We are not adverse to it at all.

(Interruptions).

Deputy Patrick O'Donovan: I am laying down the same challenge to Deputy Broughan as the Taoiseach did. How much would he charge per tonne of carbon? Let us put his figure on the table and quantify it. Let us put the Government's figure on the table. Let us put everybody's figure on the table. We should take a whole-of-Government and a whole-of-society approach to this issue rather than kicking it around because the Minister responsible happens to represent Dublin Bay North.

Written Answers are published on the Oireachtas website.

Saincheisteanna Tráthúla - Topical Issue Debate

Mental Health Services

Acting Chairman (Deputy Alan Farrell): I note Deputies Ferris, Buckley and Ó Laoghaire are introducing this matter.

Deputy Martin Ferris: The reply to a recent parliamentary question revealed there were 61 vacant psychiatric positions, including 13 in community healthcare organisation area 4, covering cork and Kerry. Those positions were in child and adolescent psychiatry, the psychiatry of learning disabilities, the psychiatry of old age as well as general psychiatry.

Ireland has six consultant psychiatrists per 100,000 of population, just half the EU average. In area 4, covering Cork and Kerry, 1,191 young people are waiting more than three months for an assessment. That is a huge indictment on this Government. That is just for an initial assessment, many having been referred in the first place by their general practitioners. Children and adolescents from Kerry are having to try and access inpatient beds in Cork where there are not enough beds to cater for the number of children in crisis, which is resulting in children being admitted into adult wards in University Hospital Kerry. This situation cannot be allowed to persist. If a child or a young person needs care they will face an extended waiting period,

which puts them and their mental health at serious risk.

Deputy Pat Buckley: We are focusing on the rising number of vacancies within the mental health service. I visited the Linn Dara unit during the summer. There have been problems there and also in the Cork child and adolescent mental health service, CAMHS, where services were either closed temporarily over the summer or have refused new referrals. Also, the ACCES homeless mental health service in Dublin is not taking any more referrals.

The Government claimed on budget day that €84 million was being added to the mental health budget, but that turned out to be only €35 million in terms of new money, which is €20 million short of the €55 million that the Government promised. More than 37,000 children are waiting for their first assessment. How many children are waiting, after their initial assessment, to go into one of the services, whether a disability or mental health service?

Deputy Donnchadh Ó Laoghaire: The overall picture for mental health and disability assessment is very poor with 37,000 waiting for a first assessment and 78% overdue. The Taoiseach tried to distract from that earlier by pointing to the Cork and Kerry CHO as a scapegoat, stating that he did not believe it was under-resourced. This debate is about the services being under-resourced and the issues relating to staffing. The Minister of State can go back to check the record if he wishes. The service is under-resourced for assessment and CAMHS. Some 60 or so psychiatrist posts are currently vacant and 13 or so of those are in the Cork and Kerry region. There are 3,720 applications for assessment, or 33% of the overall number, in the Cork and Kerry area. Some 1,192 have been waiting in the system for more than three months. With regard to CAMHS services in community health organisation, CHO, 4, the Cork and Kerry region has half the recommended numbers of consultant psychiatrists. Those statistics point to the reality and are important. This issue means that young people's potential is restricted because their education is denied to them or their lives and the quality of their lives are being put at risk due to a lack of mental health supports.

Minister of State at the Department of Health (Deputy Finian McGrath): I thank the Deputies for raising this important issue and I will respond accordingly. I do not doubt their sincerity about the issue. I will respond to some of the figures they presented. As is widely acknowledged, there is currently an international shortage of consultants, especially for CAMHS. The Cork-Kerry CHO has established a CAMHS medical recruitment task force to review efforts to recruit and retain medical staff, led by the head of service for human resources. Every possible option is pursued in order to recruit consultant psychiatrists. That is accepted. Acknowledging the critical impact medical vacancies have on service provision, a dedicated medical manpower office has been appointed. Local management is working with 11 national and international agencies to source suitably qualified candidates. All options are being explored, including the provision of out of hours or weekend clinics by a consultant working elsewhere, along with the potential use of telemedicine solutions.

Some 2,453 children were on CAMHS waiting lists nationally at the end of September. Some 656 of these were in CHO 4. There has been a decrease nationally in children on the waiting list for longer than 12 months from 317 in August 2018 to 313 in September 2018. This decrease is reflected in CHO 4 with 174 children waiting in excess of 12 months in September, down from 183 in August. The recent budget saw the mental health allocation increase to nearly €1 billion, a clear indication of the importance placed by the Government on the mental health of the nation. This represents an increase of more than €245 million in the HSE's mental health budget since 2012. This has helped to fund a number of initiatives aimed at reducing demand

on mental health services. It has also provided an extra 130 psychiatric nurse undergraduate places each year to come on-stream in 2020 and 2021. Some 40 postgraduate posts have been funded. Together with the recent appointment by the HSE of approximately 114 assistant psychologists and 20 psychologists into primary care, and ten advanced nurse practitioners directly into CAMHS, it is anticipated that these posts will help to reduce demand on CAMHS. The issues the Deputies raise are important and we have a problem with recruitment.

Deputy Martin Ferris: I do not doubt the Minister of State's sincerity and efforts to try to address the terrible deficit in our disability services and the resources available for that. The figures we have differ from the figures the Minister of State has presented here. These come from parliamentary questions. These figures tell us that CHO 4, which is Cork and Kerry, has 1,1192 waiting who have been waiting for more than three months for an assessment. The programme for Government states that people with disabilities should be supported throughout their lives to maximise their potential by removing barriers. The promises made in the programme for Government have not been realised. This absolutely unacceptable staffing shortage in CAMHS should be addressed immediately but these promises remain unfulfilled. Will the Minister of State and his Government realise the promises they have already given and make them a reality?

Deputy Pat Buckley: I thank the Minister of State for his reply but unfortunately it does not offer much solace for the people who are suffering and their family members. To add to what Deputy Ferris said, the clinical work-time equivalent in the Cork and Kerry CHO area is lacking by 75%. How can anything be done when three quarters of it is missing? More worryingly, 656 children is too many. The Government has failed people within the mental health service, including patients, family members and staff. It has been a disaster. I was disappointed in the AV room last week when the Minister and HSE indicated what they were doing for mental health services. The first thing they mentioned was 75 CAMHS teams.

Acting Chairman (Deputy Bernard J. Durkan): Thank you.

Deputy Pat Buckley: It is misinformation. I think there are three fully staffed CAMHS teams.

Acting Chairman (Deputy Bernard J. Durkan): Thank you, Deputy.

Deputy Pat Buckley: How can things work if one cannot fill the staff vacancies?

Acting Chairman (Deputy Bernard J. Durkan): Deputy Ó Laoghaire is on borrowed time.

Deputy Martin Ferris: The Acting Chairman interrupted Deputy Buckley before his time was up. He has been interrupting all his life.

Acting Chairman (Deputy Bernard J. Durkan): The Deputy has my sympathy.

Deputy Donnchadh Ó Laoghaire: Even accepting the number the Minister of State has outlined, it is a scandalous situation. He is talking about 2,400 being on the list nationally with 656 of those in the Cork and Kerry area. That is only one area out of nine, yet it amounts to more than one fifth of the national list. Some 174 children and their families have been waiting for in excess of 12 months to be seen. That is extraordinary, no matter what context one puts it in. We have 50% of the recommended number of consultant psychiatrists for the Cork and

Kerry area and it is having an impact. It impacts on the quality of people's lives. The lack of assessment restricts people's opportunities and potential. It is very distressing and difficult. There are families and children who are in extremely serious, distressing situations. The Government response has not been good enough for seven or eight years. The implementation of A Vision for Change is far short of where it should be. It is time the Government stepped up on mental health and started delivering.

Deputy Finian McGrath: I thank colleagues for raising this important issue. I point out that the substantial increase in mental health funding in recent years has helped to fund an extra 4.79 consultant psychiatrists in CHO 4 since 2016. I accept that there is a problem. The CHO has stated that there are 7.25 vacancies at consultant level in mental health. I accept that reality. Deputy Ferris has raised the issue of resources in CHO 4 and the 656 on the CAMHS waiting list. Dramatic action has to be taken on those figures. Deputy Buckley said 656 was too high and asked how we make things work. We make things work by recruiting staff and investing what is necessary. Deputy Ó Laoghaire made an important point about the need for progress on these issues. I am listening to the Deputy's arguments. Over the next week or two, we will do the Estimates for the HSE for 2019. I have prioritised assessment of needs and this issue is in my top five requests, along with emergency places, residential places and personal assistance hours. When I am divvying up the €1.8 billion that we are spending this year on disability services, I will demand action on these issues. Of course, I have been listening to colleagues in Cork and Kerry in recent months, and Deputy Brassil knows this as well. I am very conscious of the fact there are issues in these areas and we need action on them. I will try to do something about it.

Home Help Service

Deputy John Brassil: I thank the Office of the Ceann Comhairle for selecting this issue for debate. Had the HSE agreed and implemented what it said it would do there would be no need for me to raise this particular issue. I have discussed it with numerous staff in Kerry, and the issue relates in particular to the Cork and Kerry region where little or no progress has been made on implementation of the agreement.

As part of the agreement, from now on home help workers will be referred to as healthcare support assistants. On 1 October, I asked the Minister for Health the status of the provision of new contracts to HSE home help staff, the timeline for completion and whether he is satisfied with the progress on it. I received a very comprehensive reply. I was told the contracts for home help staff are being rolled out, rostering arrangements will be put in place and the work will be completed by March 2019. I remind the Minister of State the agreement was put in place under the auspices of the WRC through engagement between SIPTU and the HSE. The key provisions of the arrangements are that there will be an increase in contracted hours for more than 90% of the home support staff if they choose to accept the HSE's offer, there will be a change in title from home help worker to healthcare support assistants to better reflect the nature of the service being provided, rostered arrangements will be introduced to give staff greater certainty regarding their hours of attendance, with travel time factored into these arrangements, and there will be an assignment of work bases.

Unfortunately, as of last week, little or no progress had been made, which forced the union to ballot staff members on strike action and an overwhelming majority of members voted in

favour. I understand some progress was made late last week on foot of this and further commitments have been made. I understand the strike action has been put on hold subject to last Friday's agreement being implemented.

There has been some progress throughout the country but not enough. As I represent the Kerry region, and this reflects specifically the Cork and Kerry region, I ask the Minister of State to give me a commitment for once and for all that the WRC agreement will be implemented in full and the outstanding issues will be resolved, which will give healthcare support assistants the necessary terms and conditions they deserve. As the Minister of State knows, they provide an invaluable service in their communities and without them the already strained healthcare system would be further undermined.

Deputy Finian McGrath: I thank Deputy Brassil for raising this very important issue and I am happy to clarify the position. By way of background, in April 2014, following a Labour Court recommendation, the HSE implemented new contracts for its directly employed home help staff. These contracts provided each home help with a guaranteed minimum number of hours per week and a guaranteed income each week with work assignments managed in a reasonable way to meet the needs of clients over the course of 12 months. This new contract was regarded by staff unions and management as a positive development for HSE employed home helps.

More recently, in 2017, the HSE engaged with SIPTU under a WRC conciliation to review current home help staff contracts. This review was provided for in the 2014 home help agreement. The aim was to ensure that contracted arrangements reflect the needs of the service, to maximise contracted hours for HSE directly employed staff and to take further steps towards professionalising the home support service. The agreement, under the auspices of the WRC will provide for an increase in contracted hours for more than 90% of home support staff if they choose to accept the HSE offers; a change of title from home help worker to healthcare support assistant to better reflect the nature of the services being provided; the introduction of rostered arrangements to give staff greater certainty regarding their hours of attendance, with travel time factored into these arrangements; the assignment of work bases; and a requirement that all new home help staff should possess, on recruitment, the minimum qualification equivalent to a relevant QQI approved major award at level 5 or higher.

While this agreement involves home help staff who are represented by SIPTU, the agreement will also have implications for the direct line managers of home help staff, the home help co-ordinators. These co-ordinators are represented by Fórsa. In particular, I understand the co-ordinators are concerned about the impact of this new contract on their role and responsibilities. I understand the HSE has met Fórsa at national level regarding the co-ordinators' concerns about the impact of the home help contract review and the HSE has made a number of proposals to address their concerns. These include the introduction of an IT system to assist in the production of rosters and an examination of the role and function of the home help co-ordinators under the clerical and administration job evaluation scheme. A review of the structure and supports of the role was also proposed. I understand that Fórsa has agreed to these proposals. I am advised that there was a specific issue relating to CHO4 with regard to briefing sessions for staff of the home help services getting under way. However, these have since been resolved and the HSE has informed me that these briefings are to commence this week.

Deputy John Brassil: The reply of the Minister of State is almost identical to the reply I received on 1 October but, unfortunately, no progress has been made. Hence the ballot for

strike action took place. It is ironic that the last line of the Minister of State's reply states he has been advised there was a specific issue relating to CHO4, which is the Cork and Kerry area, and these issues have since been resolved by the HSE. They might be resolved in the minds of the HSE but they are certainly not resolved in the minds of the healthcare support assistants. This is why I am raising the issue in a Topical Issue debate.

I will point out again the key issues that need to be resolved. No contracts have been offered to the healthcare support assistants as yet. There is no recognition of travelling time. No rostering is in place and the Organisation of Working Time Act is being continually broken. We are asking people to work under conditions that break the Organisation of Working Time Act which, in my opinion, is unsafe and unfair. There has been no evaluation of their hours. As I have stated, no break time is given and they are entitled to break time as is every worker. I plead with the Minister of State for once and for all. These people provide an invaluable service to our health system. Rather than the HSE giving the Minister of State assurances that things are in place when, in fact, they are not, will he follow this up and make sure the HSE does what it has promised to do and implement what is a WRC recommendation?

Deputy Finian McGrath: The Deputy raised five key points relating to the contracts, travel time, rostering, the Organisation of Working Time Act being breached and the evaluation of hours. Of course, I will follow up on them and find out the latest position. I accept the Deputy's point that home helps provide an invaluable service to the most vulnerable members of our community, enabling the elderly and those suffering from chronic bad illnesses to remain in their homes and feel comfortable, safe and valued. There is no difference between us in this regard.

Since 2017, the HSE has engaged with SIPTU under a WRC conciliation process to review home help staff contracts. This review was provided for under the 2014 agreement. Understandably, home help co-ordinators who are represented by Fórsa - which is part of the problem - are concerned about the impact of the new agreement on their role and responsibilities. I welcome the fact that all parties are working together to progress matters and there has been ongoing engagement with Fórsa in this regard. I believe the proposals that have been put forward by the HSE to Fórsa, which have been accepted, will assist in allaying these concerns and ensuring that new contracts can be agreed and rolled out. However, I will bring the Deputy's concerns about the contracts, travel time, rostering, breaches of the Organisation of Working Time Act and the evaluation of the hours to the attention of the Minister.

Local Authority Funding

Deputy Catherine Connolly: The matter being raised by my colleagues and I is the urgent need to provide adequate funding and resources to both local authorities in Galway. I will not voice my opinion but refer to the interim reports from the expert group whose recommendation on the amalgamation of the authorities the Minister of State, Deputy Phelan, accepted, although he failed to examine the recommendations to increase staffing and resources, which are a prerequisite before doing anything else. The report in June 2017 refers to the local authorities being significantly under-resourced and resources being significantly reduced by between 20% and 35% from 2008 levels. The April 2018 interim report of the expert advisory group has only nine pages but attention is repeatedly called to the underfunding. It states: "We believe it is now all the more urgent..." and refers to underfunding of Galway local authorities in comparison

with other local authorities. It recommends. “that the existing deficiencies in respect of both the human and financial resources be expeditiously resolved as an essential prerequisite to the amalgamation process”, on page 3. On page 9, the expert group highlights that based on the evidence considered by the group “the current level of human and financial resources available to both Galway City and County Councils falls short...”.

There are many more such instances. The Minister of State should leave my opinion out of this and acknowledge what the expert group is saying in the review.

Deputy Michael Fitzmaurice: In the peripheral areas and municipal districts in County Galway, which Deputies Ó Cuív and Eugene Murphy represent along with me, there is a great shortage of staff. Second, there is a shortage of funding. This has a knock-on effect. I thank the Minister of State for the meeting last week but there is fear in the rural areas on the periphery. Galway borders probably six counties and there is a feeling of being left out in those areas. Galway has one twentieth of the roads in Ireland and we must ensure proper funding is provided both for Galway County Council and outside it so services can be delivered to those areas as soon as possible.

Deputy Éamon Ó Cuív: The stark nature of the funding is outlined in the report of the expert advisory group set up by the Government. It says that if the city and county councils are amalgamated the average funding will be €738 *per capita* as compared to €1,000 *per capita* currently. That means that Galway will be €300 multiplied by approximately 300,000 short every year. I will let the Minister of State do the basic mathematics.

The letter provided with the executive summary at the beginning of the report states that the amalgamation the group recommends must be preceded by addressing the deficiencies in both human and financial resources noted by it. We are asking the Minister of State to follow what is in his report and sort out the money. We will talk about the other issues again.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I thank the Deputies for raising this issue. Deputy Connolly was probably attending the Committee of Public Accounts meeting last week when the Galway Deputies, and some strays from Roscommon, attended a meeting about the Local Government Bill 2018. It particularly focused on funding but also dealt with other issues. I have held this office for a little more than a year and the funding measures relating to the Galway County Council have been raised on many occasions by Members of both Houses.

The funding system that applies to local authorities is complex, as authorities derive their income from a variety of sources, including commercial rates, charges for goods and services and funding from the Government. Local authorities vary significantly in size, population, public service demands and infrastructure. It is not possible to compare absolute levels of funding received in local authority areas as to do so would not take account of the significant differences between them. Government funding of local authorities similarly presents a complex picture, with transfers coming from a wide range of Departments and offices and not solely from the Department of Housing, Planning and Local Government. Most of the funding sourced from the Government and provided to local authorities must be used for specified purposes and services. In 2017, funding from Government sources to local authorities totalled more than €2.66 billion.

My Department has a wide agenda, including the targeted provision of a range of necessary

housing supports. To deliver on this agenda, the Department allocates significant resources to local authorities and channels local property tax receipts to those authorities, the use of which is largely at the discretion of individual authorities. Funding from the Department to Galway City Council totalled €18.6 million in 2016, €25.7 million in 2017 and €22.3 million to date in 2018. In the case of Galway County Council, a total of €71.8 million was provided in 2016, €86.2 million was provided in 2017 and €87.8 million has been provided to date in 2018. This must be recognised as significant funding. I work closely with all local authorities to ensure the local government sector generally, and local authorities individually, have the financial wherewithal to meet existing and emerging challenges. In doing so, I must operate within the parameters of the national fiscal and budgetary situation and competing priorities.

Local property tax, LPT, payments replaced general purpose grants in 2015. The role of local authorities in deciding the local adjustment factor for LPT, up to 15% annually, is vital. The decision provides an important connection between local revenue raising and local expenditure. While Galway County Council increased the LPT by 10% for 2018, by not doing so for 2019 the council has forgone €2 million of additional revenue for 2019. The adoption of a balanced budget is probably the single most important duty that the elected members are called upon to carry out each year. To achieve that balance, the members must make informed and necessary choices to balance the level of service provision with the available income, prioritising as necessary. Galway City Council adopted its budget for 2019 last week and the county council is scheduled to hold its budget meeting next Friday.

A review was established to examine local authority baseline funding more generally and to develop a methodology for distributing any available additional funding to achieve a greater balance and equity of funding outcomes. This work is almost complete and I will provide further information in due course. Separately, the expert advisory group on local government arrangements in Galway, in its report in April this year, recommended that ahead of the amalgamation of Galway city and county councils existing deficiencies in respect of both human and financial resources be expeditiously resolved as an essential prerequisite to the amalgamation process. Both the city and county chief executives participated in the group and endorsed its recommendations. My Department is currently engaged with Galway County Council with regard to additional funding, which was discussed at the meeting last week, and will continue to engage constructively in that process over the coming weeks.

6 o'clock

Deputy Catherine Connolly: I welcome constructive engagement at any level but at this stage we need action. It was the Government's own expert group and it is acting on a recommendation that asked for a transition director. It did not ask for a joint CEO. The Minister of State is acting on that but he is not acting on the clear findings that both local authorities have been significantly underfunded since 2008. As public representatives, we are in receipt of constant representations on this matter.

Deputy Éamon Ó Cuív: I put it to the Minister of State that the report quite clearly says the amalgamation "must be preceded by the addressing of the existing deficiency in respect of both the human and financial resources..." as noted by the group. The chairman made it clear what he meant when he said "the relative revenue underfunding must be addressed in the first instance". The report states that we are €70 million short every year and recommends that this issue be addressed first, and then we can talk about the rest.

Deputy Michael Fitzmaurice: As other Deputies pointed out, the serious gap in funding has been acknowledged in this report. People are reasonable and, in fairness to them, every Deputy here is reasonable. This is the one thing we need and it must be worked on. We cannot put the cart before the horse. We have to make sure that we do this right. Galway deserves to be treated well. There are three counties on the bottom of the scale and Galway is one of them. With regard to the Bill, and for the benefit of trying to get agreement with everyone, the funding is the first issue that must be addressed. We need to get this sorted. The funding was the major problem for many years. The Deputies here are willing to work with the Minister of State, but that has to be done.

Deputy John Paul Phelan: Deputy Connolly and other Deputies referred to staff numbers. I believe the Deputy quoted a reduction of between 20% and 30% in staff numbers in the Galway councils since 2008. There is not a local authority in the State that has not had a 20% reduction in staff members since 2008. There might be an issue in Galway about the increase in numbers since, such as in the last year or two. I do not have those figures on projected increases in staff numbers but I will try to ascertain them. The local authority sector was decimated by the downturn as funding was decreased. The recruitment embargo in the public sector also had a huge effect on local authorities across the State, not least in Galway.

The proposal to have a joint chief executive stems completely from what happened in similar merges in Tipperary, Limerick and Waterford. The first step in the process, before the merger had even begun, was to appoint a joint chief executive. We will endeavour, with the Oireachtas Members who represent Galway and with the Galway councils' management, to ensure there is a cash injection for Galway on the basis of reform. The discretionary fund that is available to anyone in my position is tiny. Despite the fact local government annual budgets amount to anywhere in the region of €4 billion, discretionary funds for the Ministers are very small and are ring-fenced for advancing reform in the local government sector.

I acknowledge that Galway's municipal district structure is weaker because the funding issue has been an overhang for years. I put it to Deputy Ó Cuív that it was an overhang when he was in government also, and it was not resolved. It did not just appear in recent years. It has been exacerbated by the downturn, which exacerbated everything with regard to funding. I acknowledge and accept that in order for a merger to happen the funding issue has to be addressed. We will address it by short-term funding in Galway and by the adjustments to the baseline. The fundamental problem in Galway is the baseline figure. The model that is used currently has 100 individual variables. Shortly we will propose a much more streamlined baseline calculation mechanism for local government funding.

Direct Provision System

Deputy Eugene Murphy: I thank the Minister of State, Deputy Stanton, for coming to the Chamber this evening to deal with this Topical Issue matter. We might have a difference of opinion at times but the Minister of State engages quite a lot. We also had a scenario with the centre in Ballaghaderreen some time back.

This Topical Issue matter concerns a centre, which I accept is a direct provision centre, on the Leitrim side. It is not in the Roscommon-Galway constituency. Deputy Fitzmaurice and I represent the Roosky area and much of the village is in County Roscommon. I am not here with any flowery presentation for the Minister of State nor to make a glossy speech. I am here

to talk facts. I acknowledge we need to accept the agreements Ireland into which has entered to take in asylum seekers and to make their lives an bit better, and I fully pledge my support in that regard. However, the method by which it is being done in many parts of the State is causing grave concern. People should not be locked away in direct provision centres for seven, eight or ten years as I heard one lady say last night on the television.

Whether one is on the Leitrim or Roscommon side of Roosky, and Deputy Fitzmaurice will be aware of this, it is the veil of secrecy that surrounded this news that is really annoying the local community. This community is rebuilding its village. This community has many foreign nationals living in it who are treated like everyone else in the village. It is unacceptable to me and the other public representatives in the area to suggest bringing in 80 plus people to live in a hotel there, increasing the population by at least 15% where there is not the proper infrastructure, where there are not the jobs and where there is not the public transport.

We have to change the way we deal with direct provision. The way it is being dealt with is not good enough. I am sure the Government also recognises that there will have to be improvements in the way the matter is dealt with. We need to have more consultation with local people. It is really annoying to think that there was such a lack of consultation with the local community in this case. Were the teachers in the school spoken to? Were the local doctors spoken to? Was there any talk about reopening the health centre that was closed in the last 12 or 18 months? No, there was not. That is not good enough.

I consider the communities I represent in Roosky and other places in the Roscommon-Galway constituency as mature communities and I am sure the representatives on the Sligo-Leitrim side also feel the same. These people would like to be told what might be happening in their community. I consider them to be intelligent people who certainly would not turn a blind eye to people in need. The manner in which Government is dealing with this is unacceptable.

I accept the Minister of State, Deputy Stanton, is a decent individual who always picks up the phone to people when they make representations on issues. Why were the people of Roosky not informed of this? Why was there no consultation? Why was there no engagement with the schools or the doctors? I asked for a meeting last week for the public representatives from Roscommon-Galway and Sligo-Leitrim, which was granted, but it now seems to have gone off the agenda. Why were the people in the community not met, as they requested? I will give the Minister of State an opportunity to answer those questions.

Minister of State at the Department of Justice and Equality (Deputy David Stanton): I thank Deputy Eugene Murphy for raising this important topic. I also acknowledge his interest and support in Ballaghaderreen previously and his sincerity in this regard. It is important to set out for the record and for public awareness the chain of events that led to this development. In January and again in September of this year, the Reception and Integration Agency of my Department published a call in the national press for expressions of interest for premises to meet the increasing demand for accommodation for persons in the protection process, known as asylum seekers. This call sought expressions of interest from parties who may be interested in providing accommodation and related services on an urgent and emergency basis. This was issued in response to the urgent and unforeseen demand for accommodation and related services from those persons arriving in the State seeking international protection. The criteria against which the Department assessed the offers of accommodation were availability, standard of property, ability to provide communal social spaces for residents, ability to cater at mealtimes and proximity to various other services.

It should be noted that these premises were offered to the Department by individual contractors across the country. The Department did not randomly choose any one location over another location. The owners of the properties came forward and offered them.

Following on-site assessments carried out by staff of the Department, the Shannon Key West Hotel in Roosky, County Leitrim, was deemed to be a suitable premises for the needs of the Department. The premises will be available following refurbishment, is capable of providing meals to residents, has scope to provide the required communal social areas required by residents and is located close to other services. My Department has engaged with the chief executive officer of Leitrim County Council and has provided the elected members of the council with information regarding the opening of the new accommodation centre.

As with every other accommodation centre in the country, my Department works closely with the HSE, the Departments of Education and Skills and Employment Affairs and Social Protection and all other relevant Departments and agencies to co-ordinate the delivery of State services to residents.

The Shannon Key West Hotel will provide accommodation and ancillary services for approximately 80 asylum seekers for one year, pending compliance with all regulatory requirements. The indicative timeline for the opening of the centre is within the next six weeks. I understand there are other legal issues involved at the moment; that is one of the reasons our meeting did not go ahead at this time. As I have indicated, this centre is opening on an emergency and time-limited basis. To meet the accommodation needs in the longer term, the Department has recently commenced a public procurement exercise under which public tenders for the provision of accommodation and ancillary services by way of the independent living model, to persons in the protection process, will be advertised. This process is scheduled to continue throughout 2019 and is scheduled for completion in 2020. This will be delivered via a series of regional competitions to cover the entire State.

As soon as it was known that an agreement was possible, people were notified straightaway. Prior to that, it could be that an agreement would not be possible. As soon as it was known, people were notified. I also wish to stress again that this is on an emergency and time-limited basis. The alternative is for people to be on the streets. We are also working hard using the McMahon report and others to improve and upgrade the standard of accommodation throughout the country; 98% of the recommendations in the McMahon report have been fulfilled. The Ombudsman and the Ombudsman for Children also can visit all these centres to take complaints. We are in the process at the moment in co-operation with the NGOs of putting together a series of standards to upgrade things even further. As well as that, we have decreased the amount of time people are staying in these centres quite a bit. People are offered accommodation; they are not locked away. They can come and go as they wish. It is not as described by the Deputy.

Deputy Eugene Murphy: The term “locked away” might not be appropriate but if I was an asylum seeker waiting ten years for my case to be adjudicated on and I was confined to a small area in a hotel, I would certainly call it being locked away. The Minister of State knows if all our families were put together in a small space, how long we would stay sane in it. That is one part of the argument.

He has answered the second part. He has spoken about communications with the Department of Education and Skills and other Departments. My information comes from speaking to the medical and educational people. There certainly was no communication with the people.

There was no communication with the community. What is wrong with the Government that it cannot come and talk to people? Does it think people are foolish? They are human beings. I have a significant issue with direct provision. I have said it before and will say again that it is legalised people trafficking.

Deputy David Stanton: It is not. That is terrible.

Deputy Eugene Murphy: I cannot understand, when the Department was offered the Shannon Key West Hotel in Roosky, how the officials did not know about the legal situation or why they would push this on a village that does not have the infrastructure or the facilities. Nothing has been delivered in that village over many years. I ask the Minister of State again to say when Mr. Banks will meet Oireachtas Members from Roscommon-Galway and Sligo-Leitrim. When are the community leaders going to be invited to a meeting with him as was promised? I was promised both of those meetings. I know the Minister of State is a sincere man and that he delivers. I want those questions answered this evening and I want proper engagement with the community. I do not want this veil of secrecy around such announcements. It is not the way to go. I totally reject the way direct provision is being handled. Initially when it was brought in, the intention was to move people on within three to six months. That has gone out the window at this stage. Maybe the Minister of State can give me some answers.

Deputy David Stanton: I will do the best I can. A lot of people criticise direct provision, but we have made significant improvements in the system over the past number of years and continue to do so. That has to be acknowledged. We have shortened the time people live in the centres and we move them on as quickly as we can. Either they are told their application has not succeeded and they must leave, or they are told they can stay and we try to get accommodation for them. Some 60,000 people have benefitted from that over recent years. People can come and go as they wish. I have outlined the services that are available. I have yet to see a better alternative. If the Deputy has one, he might tell me what it is. I would be delighted to sit down with him for as long as it takes to learn about it.

To meet our obligations as set out in the EU directive, which lays down standards for the reception of persons seeking international protection, and which was transposed into Irish law as the European Communities (Reception Conditions) Regulations 2018, the State must have available sufficient accommodation to meet the demands of persons in the protection process. Due to significant demand, my Department has sought to identify additional accommodation by publishing expressions of interest in the national press, as the current accommodation portfolio will not meet the demand. In response to that expression of interest, the premises in Roosky and elsewhere were offered to the Department by the owner. As with all our accommodation centres, whether located in rural or urban areas, my Department will work closely with all relevant State agencies such as the HSE and the Department of Education and Skills to make sure the residents get what they need. All contractors are obliged to meet the reasonable transport needs of residents and so on. The contractor in each centre is also required to set up a friends of the centre group. There are 37 such centres around the country and they are all working well. I am sure Roosky will be no different. The friends of the centre groups were recommended by the McMahon report to facilitate linkages between the residents and the local community and to encourage integration and inclusion. My Department worked closely with this group to achieve these aims. That is happening all over the country and is going very well.

With respect to the other questions the Deputy asked, there is no difficulty whatsoever meeting Oireachtas Members. As he will be aware, there is a question mark over this centre at the

moment and until that is resolved, it would be better for us to hold on and see what will happen. As soon as that is resolved, I have no difficulty meeting the Deputy and his colleagues at any time and place to answer any questions they may have.

African Development (Bank and Fund) Bill 2018: Instruction to Committee

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I move:

“That it be an instruction to the Select Committee on Finance, Public Expenditure and Reform, and Taoiseach, in relation to the African Development (Bank and Fund) Bill 2018, that:

(a) Standing Order 154 is modified as outlined in Standing Order 200 to provide that the Committee has power to make amendments to the Bill which are outside the existing subject matter of the Bill, in relation to sections 1 and 2 of the International Finance Corporation Act 1958, in order to allow for proposed changes in the International Finance Corporation’s Articles of Agreement to be approved by way of Dáil Resolution rather than by primary legislation; and

(b) pursuant to Standing Order 154, the Committee has power to make amendments to the Bill which are outside the scope of the existing provisions of the Bill, in relation to section 851A of the Taxes Consolidation Act 1997 and the confidentiality of taxpayer information, in order to allow for this information to be disclosed by the Department of Finance when authorised by the Freedom of Information Act;

and that it has power to make other consequential amendments required to take account of the changes above.”

The purpose of my remarks is to explain to Members the background to, and the need for, amendments to the International Finance Corporation Act 1958 and the Taxes Consolidation Act 1997, respectively, and to explain why they are being tabled by the Minister for Finance to the African Development (Bank and Fund) Bill 2018.

As Members will recall during his Second Stage speech on the Bill the Minister of State, Deputy D’Arcy, outlined that we were considering introducing a number of amendments on Committee Stage. While these amendments do not directly relate to the original intentions behind the Bill, which as Members will be aware serves to facilitate Ireland’s membership of the African Development Bank and African Development Fund, both amendments are of a time-sensitive nature, with the African Development (Bank and Fund) Bill considered an appropriate vehicle to address them.

I will now provide further details. Although outside the scope of the Bill as published on 25 September, the first proposed amendment relates to an issue that is relevant to Ireland’s relationship with development banks generally, through amending the International Finance Corporation Act 1958 which provides for Ireland’s relationship with the International Finance Corporation, IFC. The IFC is a sister organisation of the World Bank and member of the World Bank Group. Its focus is to encourage private sector development in developing countries. Ireland has been asked to vote in respect of a proposed change to the IFC articles of agreement before

the voting deadline of September 2019. The proposed legislative amendment seeks to alleviate the legislative burden associated with Ireland's participation in the IFC through allowing for changes in the IFC's articles of agreement to be approved by way of Dáil resolution rather than by primary legislation.

As Members may be aware the International Finance Corporation Act provides for the approval of the IFC's articles of agreement and allows for the Minister to make payments related to this agreement. This is in line with Article 29.5.2° of the Constitution which provides that the State shall not be bound by an international agreement, including any amendments, which involves a charge upon public funds unless the terms of the agreement have been approved by Dáil Éireann.

The proposed amendments to the International Finance Corporation Act will enable changes in the articles of agreement to be approved by way of resolution of the Dáil. Currently, as has been advised by the Office of the Attorney General, approval of changes to the IFC articles of agreement would require primary legislation. In the case of Ireland's membership of other international financial institutions, the Development Banks Act 2005 provides that such changes may be approved by means of a Dáil resolution. This approach has reduced the administrative and legislative burden associated with our membership of these institutions, while still allowing for full Dáil oversight via a resolution.

In summary the proposed legislative amendment seeks to replicate this provision in the case of the IFC legislation through amending the definitions within sections 1 and 2 of the Act. This would bring it in line with the legislation governing Ireland's membership of other international financial institutions.

The second amendment proposes to amend section 851A of the Taxes Consolidation Act 1997 which provides the basis for confidentiality of taxpayer information. Section 851A also provides the basis for the circumstances in which such information can be disclosed by the Revenue Commissioners, including the limited circumstances in which such information can be disclosed to the Department of Finance.

The proposed amendment will address a conflict between the legislative provisions of section 851A of the Taxes Consolidation Act and those of the Freedom of Information Act, which currently prevents the Department of Finance from providing records to the Office of the Information Commissioner, even when it is statutorily required to do so in the context of the operation of freedom of information legislation.

Deputy Michael McGrath: Fianna Fáil supports this instruction to committee motion. In effect what the House is deciding is to enable the Minister to introduce the amendments which will be considered in the normal way on Committee Stage of the Bill.

I thank the Department for providing some background notes in advance so that we are aware of the substantive nature of the amendments, in particular the first amendment relating to the International Finance Corporation, which the Minister of State has addressed in his remarks. The second amendment will enable the operation of the freedom of information, FOI, legislation in the context of a particular decision. The third amendment changes the Short Title and Long Title of the Bill.

We will engage in respect of the details of these amendments along with any other amendments introduced on Committee Stage, which is to be taken on 4 December.

Deputy Pearse Doherty: Tá dhá pháirt leis an rún seo agus ba mhaith liom tús a chur leis an aitheasc agus dul go dtí Acht na Cánach, is é sin chun deireadh a chur leis an coimhlint idir na rialacha ó thaobh faisnéise idir an FOI, agus dlíthe na gcánacha.

I do not object to the motion which covers two amendments. The second seeks to resolve the conflict between the FOI rules and the tax Acts. We will discuss the matter in more detail in committee. I have no problem with allowing it to proceed. It is interesting to consider the balance between taxpayer confidentiality and the right of the public to access information deemed by them to be important. I understand this change will allow the Office of the Information Commissioner to access and assess information that is confidential under tax laws. That is a necessary change, but it is limited to the Information Commissioner, which is worthy.

I have had freedom of information requests refused when I sought records related to the Department of Finance, for example, in its meetings with Apple at a time when the House was discussing changing our tax code, a change which actually favoured the company and others to the tune of billions of euro. Private meetings which result in potential changes to the country's GDP are of public interest and the influence of big businesses in a small country means that their business becomes our business. That discussion may be appropriate for another day when the amendment is discussed in committee. The motion should open up a wider conversation about how in very limited circumstances freedom of information and the notion of taxpayer confidentiality can coexist.

I do not object to the first amendment the Minister of State mentioned, as it will still require Dáil resolution. In light of recent legislation, including the Asian Infrastructure Investment Bank Act and this Bill, vigilance is needed to ensure that expenses related to the development banks are always democratically assessed and approved.

I support the motion.

Deputy Joan Burton: I hope we will have an opportunity to discuss the amendments in greater detail. This is in the context of the relationship with the International Finance Corporation which is a sister organisation of the World Bank. I recommend the Minister of State read some of the recent statements by Dr. Kim, the president of the World Bank who comes from South Korea, in which he points to the error in the approach of organisations such as the World Bank which over many decades has just really been about big dams and other very large infrastructural projects, which in many cases did not particularly benefit local communities and may have moved them off their lands in parts of Asia and Africa.

Dr. Kim has suggested we should now have a focus on investment in people, particularly in education and in meeting the Millennium Development Goals. Ireland's commitment to the African Development Bank is relatively modest and will take place over a lengthy period. As a new contributor to the bank, we need to ensure that our contribution reflects this welcome change of heart on behalf of institutions such as the World Bank, which, of course, in Africa and Asia is very influential in the projects that get the international funding.

The proposed concentration on investment in people, education and the Millennium Development Goals would mean that post Ireland joining the African Development Bank the focus would be more people centred than simply, as we have very often seen, very rich western bidders for contracts walking away with most of the money spent in Africa and local people benefiting very little. Among these local people I include women and children who by and large

are the people who suffer most from poverty in Africa. Women, by and large, are the people responsible for carrying out the bulk of subsistence farming. In the context of farmers, women, by and large, are the small business people who are not necessarily part of the modern money economy. However, many parts of Africa are now advancing. I welcome that EU countries generally are beginning to have a fresher and deeper relationship with African countries because Africa is a vibrant continent with a huge population. The millennium development goals have helped reduce infant mortality, increase girls' access to education and generally widened the scope of third level education.

In terms of Ireland's participation in the African Development Bank, if we can be assured that it will meet the millennium development goals requirements, I would have no difficulty in supporting it. However, if this is about mostly men driving around in massive Land Rovers to very poor parts of Africa and spending working people's tax payments in Europe and the rest of the world in a way that simply aggrandises the people in certain types of development agencies and leaves little or nothing behind, I will not welcome it.

It will be for the Minister, and this Government, to answer how they propose to address that because as a country we spend well over €0.5 billion every year on development in our contributions. The African Development Bank commitment will be approximately an extra €8 million per year over the coming period. That is not a major sum in the scale of things but it is important that our development programme should be a quality programme aimed at enhancing the lives of the people who are very poor, particularly women and children, but also enhancing the capacity of African countries across the continent to make provision in a full way for their own people and lead to that period which many African writers and intellectuals have spoken and written about of an African renaissance that we would see in this decade.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): To conclude the comments I made at the outset on the second amendment to which the Deputies referred, the change in the law this amendment speaks to is necessitated by a specific issue that arose during the course of a review of a freedom of information decision by the Information Commissioner, which in part involved records that are taxpayer confidential. Under the current provisions of section 851A, officials in the Department of Finance are precluded from providing these records to the Information Commissioner as to do so could constitute a criminal offence. On the other hand, however, under the Freedom of Information Act there is a statutory requirement to furnish this information to the Information Commissioner and failure to comply may constitute a criminal offence. That has resulted in a highly unsatisfactory legal position with the conflicting legislative provisions, and prevents the Department providing the records to the Information Commissioner as it wishes to do. That is the purpose of it.

On the broader discussion about specific amendments, those will be matters for debate on Committee Stage. Regarding our role in the future with development funds and banks, particularly in Africa and Asia, I am very familiar with the Asian Development Bank and the efforts it is making. Earlier this year, I was in Manila, Kuala Lumpur and Singapore for a few days. We have a permanent member on the Asian Development Bank, Mr. Gibbons, who happens to be from Kilkenny also but of a famous name, and he explained to me some of the issues Deputy Burton spoke about such as moving away from the big bang infrastructural projects to more people-based projects. In terms of some of the forms of agriculture, the production in Malaysia of palm, which is something I was not very aware of but is a highly sought after product, has led to a conflict between that industry and environmental issues. I am aware the Asian Develop-

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ment Bank is examining ways of ensuring that Malaysian farmers will have alternative sources of income and activity into the future. I agree with the Deputy on that but, ultimately, those will be matters for discussion on Committee Stage.

Question put and agreed to.

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

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I move:

That, pursuant to Standing Order 200, Standing Order 154 is modified to provide that it be an instruction to the Select Committee on Finance, Public Expenditure and Reform, and Taoiseach that it has power to make provision in the Central Bank (National Claims Information Database) Bill 2018 in relation to:

section 8 of the Civil Liability and Courts Act 2004 to enhance the effectiveness of the statutory requirement for a plaintiff to serve a notice in writing on the defendant stating the nature of the wrong alleged to have been committed by him or her; and section 14 of the Civil Liability and Courts Act 2004 to allow for the court to draw inferences from non-compliance with the requirement to lodge a verifying affidavit within 21 days after the lodgement of the service of the pleading concerned, and deduct costs from the party responsible for the failure;

and to make other consequential amendments required to take account of the changes above.

The purpose of my remarks is to explain the background to and the need for amendments to the Civil Liability and Courts Act 2004, and the reason they are being tabled by the Minister for Finance to the Central Bank (National Claims Information Database) Bill 2018.

Members of the House will recall that the Minister of State, Deputy D'Arcy, signalled that amendments were being considered to sections 8 and 14 of the Civil Liability and Courts Act 2004 on 20 September as part of his Second Stage contribution on the Central Bank (National Claims Information Database) Bill 2018. Both of these amendments arise from key recommendations 6 and 14 contained in the Cost of Insurance Working Group's Report on the Cost of Employer and Public Liability Insurance.

I will now give some further information on the amendments. The first amendment relates to section 8 of the Civil Liability and Courts Act 2004. The key aim of this amendment is to reduce the notification period for the serving of a letter of claim from two months to one month. Its rationale is to align the time period with data protection legislation, which provides that data shall not be kept for longer than is necessary for the purposes for which it is obtained - generally, no more than one month. However, an exception to this rule is where information or CCTV footage is held in the context of an investigation such as a personal injuries claim. Consequently, by requiring a plaintiff to notify a defendant within one month of an alleged incident under section 8, the defendant is being given the opportunity to identify within the data protection time limits any relevant CCTV footage he or she may have of the incident, and keep

it beyond the one month period for investigation purposes where they believe the claim is questionable. This earlier notification period will also help a defendant prepare his or her defence in a range of other ways such as being able to put together more accurate employee witness statements where this is relevant.

In addition, the working group believes that the existing wording of section 8 needs to be strengthened to ensure it is used more effectively by the courts. In this regard, it is proposed that instead of a court having the option to draw inferences from the failure to serve a letter of claim on the alleged wrongdoer within the prescribed period of time through the use of the word “may”, it should be required to do so as a matter of course through the use of the word “shall”.

Amendment of section 14 of the Civil Liability and Courts Act 2004 proposes the insertion of a new subsection (4A) into section 14 of the Act. Section 14 deals with the matter of a verifying affidavit in a personal injuries action. At the time this Bill was being legislated for it was described as a key element of the 2004 Act and was designed to combat false and exaggerated personal injury claims.

The working group concluded that non-compliance with section 14 as a whole is not frequently raised in court as an issue, and no instance of a prosecution or conviction pursuant to section 14 was found. The working group also took the view that the requirement to lodge an affidavit within 21 days of the service of the pleadings was not unreasonable. However, it would appear that this regularly does not happen.

Consequently, it proposed a new subsection which would provide for a court hearing a personal injuries action, where there is a failure to lodge an affidavit in court by the deadline set out in the existing subsection (4) to draw inferences and, where it thought it appropriate in the circumstances of the case, to deduct costs from the party responsible for the failure.

The working group hopes that by providing for potential financial consequences to be applied for non-compliance with the procedural requirements, where a court thinks it appropriate, it will force parties to the action to strictly adhere to the requirements set out. The aim of the working group regarding this amendment is to reinforce the original intention of the provision as a measure to combat fraud and exaggeration in personal injury claims.

In summary, both of the amendments are seen as important for small and medium businesses in particular. When implemented, they should make it easier for businesses and insurers to challenge cases where fraud or exaggeration is suspected. The Minister for Finance, Deputy Donohoe, and the Minister of State, Deputy D’Arcy, believe these proposed amendments form important steps in the reform of the overall personal injuries framework.

Deputy Michael McGrath: We support the motion to instruct the committee to enable the Minister to bring forward these amendments on Committee Stage on Thursday, at which time we can have the substantive debate on them. The Civil Liability and Courts Act 2004 is in need of reform. It is clear that the Minister agrees and his amendments speak to that. There are issues with the mismatch between the period for notification by a plaintiff to a defendant of an incident and the data protection rules governing the retention of CCTV data, which must be addressed.

The working group also identified issues with allowing the court the discretion to consider the failure to report an incident within the timeframe. Merely reducing the two months to one will not resolve this issue but it is movement in the right direction. We will deal with the sub-

stantive issue on Thursday. We will also deal with the substance of the second amendment, which relates to the verifying affidavit in a personal injuries action, compliance with that and the potential for financial penalties. We support the motion, which allows the Minister to bring these amendments forward on Committee Stage.

Deputy Pearse Doherty: Likewise, I do not oppose the motion, but these amendments could potentially push the line further in regard to what is good law and what is constitutional. We will examine that in more detail on Committee Stage but I would not be surprised if a section of the amendment was challenged in the courts. I could speak more about that but our time is restricted.

Given the impact of what is proposed, it should have undergone pre-legislative scrutiny. The report has been available since the start of the year and it should have been scrutinised to give an opportunity to hear from other sides. I am aware that there is an insurance crisis which involves many factors but the Government seems to be fixated on the issue of fraud, which is an important issue but is not the only one.

At the committee meeting last week, insurers ran rings around the Minister of State, Deputy D'Arcy. It is time to pause and look at the actions. Why is the insurance industry time and again allowed to block or delay unfavourable measures while pushing ahead with favourable ones? This is a procedural motion to allow the Bill to proceed to Committee Stage, and I have no issue with that. While there are issues with the inference that could be drawn from the wording, which we should change from "may" to "shall", I would like to hear what impact a reduction of the prescribed period from two months to one would have on genuine claims. The House is united in its view that fraudulent claims need to be stamped out, but there also needs to be prosecution in respect of fraudulent claims. Suspect claims are coming from notable people but nothing happens. Other claims are thrown out of court when the judge deems them fraudulent, yet no convictions result.

The question I always ask is: where is the Garda fraud unit? We were told that there will be a meeting between the Minister of State, Deputy D'Arcy, and the Garda Commissioner. I made the point time and again, to the Minister of State's predecessor, Deputy Eoghan Murphy, and others, that the idea that a private enterprise would fund a section of the Garda is not right. It is a precedent we should not establish. I know it operates in London, but it should not happen here. We should not allow any private interest to fund a section of our police service. As I said to the Minister of State, he needs to make it clear on behalf of the Government that it and this House stand foursquare behind the Commissioner in terms of resources and personnel to establish a publicly funded Garda fraud unit. We should no longer tolerate people walking out of court after chancing their arms in the context of bringing fraudulent cases and knowing they will never be prosecuted, which is what happens. I would also like to hear an update on the Competition and Consumer Protection Commission's investigation into cartelism.

These issues will be examined in detail on Thursday. I am not opposed to them but they are only a part of the picture. While it is more of a justice issue than a finance issue, it should have been subject to pre-legislative scrutiny, or at least there should have been an option for the committee to tease out the wording of this in written format with other sectors. We are united in the idea of stamping out fraudulent claims. There is an issue with how long the video files can be kept, which I understand, but I would like to see what, if any, unintended consequences there are for genuine claimants.

Deputy Joan Burton: We will support the motion on the understanding that we will receive a full and detailed briefing before the debate on Thursday. These amendments seem to be innocuous at first glance but, on closer inspection, the period in which one may make a claim will be reduced from two months to one. In the case of genuine claimants, there may be reasons for providing for the longer period. We need to hear both sides of the argument on this matter.

I am somewhat concerned about the retention of CCTV footage and the requirement to notify a defendant. There is an issue with the retention of the data and general data protection regulation, GDPR, is quoted in this context. I would be extremely disappointed if GDPR became the go-to reason in the public service and other situations for limiting information and access thereto.

Before the matter is discussed in greater detail, I would like us to get a note or a briefing in advance. I know the civil servants are busy and, therefore, a note will suffice in order that we can examine what is proposed and seek legal advice on it. These changes are significant and the Dáil has not had an opportunity to discuss them. They need to be examined in the light of honest claimants - for example, a person who is injured in a genuine accident and who must then make an insurance claim or someone whose car is badly damaged in an accident and who makes a genuine claim - and how their access to the court and their experience in court may be affected. We must also deal with the issue of fraudulent claims. As has been stated, it is astonishing that while we frequently read about fraudulent claims in the newspapers, there is never any follow-up or prosecution. If people are bold enough or criminally minded enough to make what judges describe as fraudulent claims, why is no subsequent action taken against them? It is important to state that most people are honest and the claims they make are honest. Insurers' profits are significant or, for most of the insurance cycle, extremely significant because premiums are high. We need more information about this and I would like it to be supplied to Deputies before we discuss these matters in greater detail.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I will try to address some of the issues. No one has objected to the Motion itself and the Deputies will have opportunities to tease out issues further at Committee Stage. I share Deputy Doherty's reservation that the insurance industry would directly fund An Garda Síochána, as would many Members of the House. I have discussed this with the Minister and I understand that he is like-minded to a certain extent. The Deputies will have to tease it out with him at Committee Stage.

Deputy Burton spoke of the timeframe of a month for people to lodge their papers. I understand that the court would still have discretion in extreme circumstances if, God forbid, somebody was in a coma or incapacitated and could not direct a solicitor, where a judge could consider the circumstances. Data protection rules require business owners and others to dispose of personal information, in this case, CCTV footage specifically. It is not inappropriate that we should try to get those two time periods to coincide which is the primary aim of this. It is also highly appropriate that the affidavit which followed the proceedings would be submitted within three weeks. Perhaps only anecdotally from my own dealing with the law and from dealing with constituents, but often that time period can be lengthened for any number of reasons. Those are contributory factors and, as Deputy Doherty said, fraud is not the only reason we have high premiums. Delays in the legal system and in the processing of claims are a significant contributing factor. That is why I welcome Members' agreement that we would have this discussion on Committee Stage on the amendments that the Minister has flagged.

Question put and agreed to.

Health (Regulation of Termination of Pregnancy) Bill 2018: Order for Report Stage

Minister for Health (Deputy Simon Harris): I move: “That Report Stage be taken now.”

Question put and agreed to.

Health (Regulation of Termination of Pregnancy) Bill 2018: Report Stage

Acting Chairman (Deputy Bernard J. Durkan): It is proposed to group the following amendments for the purpose of debate: amendments Nos. 1 and 2; Nos. 4, 61, 62, 64 and 65; Nos. 5 to 10, inclusive, 57 and 58; Nos. 11 and 12; Nos. 13 and 29 to 34, inclusive; Nos. 14 to 22, inclusive; Nos. 23, 24 and 26; Nos. 25 and 27; Nos. 35 and 36; Nos. 39 and 40; Nos. 41 and 44; Nos. 42 and 43; Nos. 47 to 49, inclusive; and 52 to 55, inclusive. Amendment No. 63 has been ruled out of order.

Deputy Mattie McGrath: I wish to make a point of clarification. Deputy Fitzpatrick is on his way. His name was not on a grouping of amendments that some of us put in. Has this been corrected?

Acting Chairman (Deputy Bernard J. Durkan): What is here now is correct.

Deputy Mattie McGrath: Is it?

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

Deputy Clare Daly: On a similar note, the Bills Office was supposed to correct the first amendment. A line number in the printed amendment is incorrect as the lines changed. I was told that the Bills Office has accepted that amendment No. 1 should read “from line 11” and not “line 14”. That is how we submitted it but the numbers changed. I believe it was the Bills Office’s mistake and they have accepted it. I was told that it would be clarified with the Acting Chairman before we began.

Acting Chairman (Deputy Bernard J. Durkan): My brief reads as follows: “In page 5, to delete all words from and including “An” in line 5 down to and including “Act 1997” in line 14 and substitute the following” should have read as follows: “In page 5, to delete all words from and including “An” in line 5 down to and including “Act 1997” in line 11 and substitute the following”. Is that what the Deputies agreed? Agreed.

Deputy Clare Daly: I move amendment No. 1:

1. In page 5, to delete all words from and including “An” in line 5 down to and including “Act 1997” in line 11 and substitute the following:

“An Act to ensure that pregnant women may have equitable access to abortion care in a safe and timely manner, and at no cost, and for that purpose to amend the Health Act 1970 and certain other enactments; to make provision for reviews at the instigation of a pregnant woman, or a person on her behalf, of certain medical opinions given in respect

of pregnancy”.

Amendments Nos. 1 and 2 relate to the Title and description of the Bill. These are issues on which we have a great deal of discussion, but we still think it is very important that we do give it the attention it needs even at this late stage. The amendment seeks to tweak the language to reflect better the reality of the legislation in the context of the majority vote and the significant mobilisation six months ago of people across the country and, indeed, across generations to repeal the eighth amendment.

There are parts which we welcome such as the repeal of the Protection of Life During Pregnancy Act, which was not fit for purpose, and the provision to make available without charge services for women in relation to the termination of pregnancy. However, there are also parts that are not helpful in the overall sense of trying to establish women’s rights which we are trying to amend, which relate to the continued criminality and stigmatisation of abortion by the inclusion of the provision of offences in respect of the intentional ending of the life of the foetus, and also the avoidance of word abortion, which is not mentioned anywhere, and the phrase “access to abortion”.

We believe the Minister’s Title does not reflect the purpose of the Bill or the intention of the “Yes” vote which was to provide access to abortion within the Irish healthcare system so that women are not forced to travel or buy abortion pills illegally online. The problem with the Bill as drafted is that the only reference to access is in the offences section. Access to health services should mean the timely use of personal health services to achieve the best outcomes for all women, regardless of their geography, economic status or other factors. What we should say in the Title is that people with disabilities, those in direct provision and those in any form of incarceration must be guaranteed access, and this is not mentioned currently. They should get the same care and it requires gaining entry to the healthcare system and finding the information through a number of platforms. They need much more than just a helpline, which we will deal with later. A helpline is not acceptable to everybody, for instance deaf women cannot access a helpline. We need to look at access, which is what the referendum was about. We need healthcare officials to be able to communicate with their patients and so on. The legislation should be about removing barriers to abortion care. Therefore, it is very important that the title reflects the tone of what we are doing here. There was a vote to provide access to abortion.

I know the Minister has said that this is on the advice of the Attorney General who says that it is not in the Constitution so that we cannot use the word, but that is an incredibly weak argument. Legislation does not have to mirror the Constitution: that argument is absolute nonsense. The Constitution refers to the dissolution of marriage yet we have the Family Law (Divorce) Act. Divorce is in our law when it is not in our Constitution, and this is exactly the same thing. The group, Lawyers for Choice, in particular, has been very clear that the term “access to abortion” that we want to include does not create any inconsistency with the Constitution and, if anything, it reflects the reality and is flexible in terms of access. People voted against messing around with ambiguous language that created barriers for women and we think that the Title should reflect that.

The Minister has said that if mention of the foetus is removed, that will remove all protection of the foetus because of the eighth amendment but that is not true. The whole law is framed in the context that the protection of the foetus grows with the foetus, in that we are not providing access to abortion beyond 12 weeks, except in very limited circumstances. There is a whole raft of protections there and they do not need to be specified in the headline as is the case here.

It is important, particularly given where Ireland is coming from, that we set the tone correctly up front, and the manner in which it is being done does not reflect what Irish people voted on.

Acting Chairman (Deputy Bernard J. Durkan): I will call Deputy Louise O'Reilly next. I should have mentioned earlier that initial interventions will have a maximum of seven minutes and subsequent contributions will have two minutes.

7 o'clock

Deputy Louise O'Reilly: I have no intention of using seven minutes. This has been a long time coming and I do not want to intentionally make it any longer. The vote in May was a vote to end the stigmatisation around access to abortion and, therefore, we should not be afraid to use words such as "abortion" or "access" - that is exactly what this is about. People did not vote for the continuation of stigmatisation or for the continuation of the use of language that is in any way vague. I had hundreds, if not thousands, of conversations with people on doorsteps, as did many of my colleagues. People were very clear what they were voting for.

I am of the view that what is proposed would make for a more appropriate Title. It endeavours to ensure women will have access to abortion services. We should start as we mean to go on with this legislation. We should do the vote justice. As has been pointed out, there are plenty of things in legislation that do not appear in the Constitution and they do not contradict each other; in fact, they coalesce quite nicely. I ask the Minister and all present to give consideration to supporting amendments Nos. 1 and 2.

Deputy Mick Wallace: I will be brief. Repetition could become a problem as we discuss these matters.

Amendment No. 1 seeks to make clear that the Bill is primarily about access to healthcare, not criminalisation. Earlier today, Alison Spillane of the Irish Family Planning Association stated that parliamentarians must take the criminal law out of medical consulting rooms and replace it with a provision guaranteeing access to abortion care.

Amendment No. 2 is a reworked version of the earlier Committee Stage amendment which sought to remove "Health (Regulation of Termination of Pregnancy) Act 2018" as the Title to the Bill and replace it with "Health (Access to Healthcare by Women Seeking Termination of Pregnancy) Act 2018". The earlier amendment tried to highlight that the Bill is, or at least should be, primarily about facilitating access to abortion services. However, there is still much in it that seems to create barriers to access. I acknowledge the Minister's words on Committee Stage regarding the amendment to which I refer, when he spoke of the need to stick with the phrase "Termination of Pregnancy" in the Title due to the fact this is used in the Constitution, as amended by the referendum. This amendment would retain the phrase "Termination of Pregnancy" while also introducing a reference to abortion, specifically "Access to Abortion", in the Bill. On Committee Stage, the Minister also referred to the broader scope proposed in the phrase "Access to Healthcare by Women Seeking Termination of Pregnancy" and stated that this might open up the scope of the Bill well beyond its intention. I accept his point. However, this reworked amendment seeks to avoid the possible pitfalls the Minister identified on Committee Stage by limiting that scope in the larger term "Health" to a much more specific phrase "Access to Abortion".

Deputy Peter Fitzpatrick: On a point of order, the Bills Office has made a genuine mistake. I had put my name down for 13 amendments, amendments Nos. 28, 30, 37, 38, 41, 43 to

47, inclusive, 51, 55 and 59. I would like the House to take note of them. I accept that it was a genuine mistake. I hope this does not reflect on me and that my name will be attached to these amendments.

An Ceann Comhairle: I thank the Deputy. Before he or I arrived in the Chamber, that matter was clarified.

Deputy Catherine Murphy: I do not want to repeat what has been said in respect of amendments Nos. 1 and 2. The public cannot be under any illusion as to what this is about. We had the Citizens' Assembly and an all-party Oireachtas committee with very detailed discussions and debate. We followed that with very extensive debates in both Houses, followed by a referendum. People know what this is about and it should be reflected both in the Title of the Bill and in what is intended in the legislation. I am keen to hear what the Minister has to say regarding what the Attorney General has advised. I can think of frequent situations where something is referenced in the Constitution in a very opaque way. For example, political parties are not mentioned in the Constitution yet the phrase "forming associations" is taken to mean political parties. Indeed, the whole scheme of funding of political parties would be inconsistent with the Constitution if it was not read that way. It is just another example.

Deputy Joan Collins: I will also be brief. On amendment No. 2, to avoid the word "abortion" on the advice of the Attorney General because it is not in the Constitution is a very weak argument. The legislation does not have to mirror the Constitution word for word. An example was given by Deputy Catherine Murphy in regard to forming associations. The Constitution also talks about "dissolution of marriage" yet we have a Family Law (Divorce) Act and we use the word "divorce". It has to be very clear that the Bill contains the wording "Access to Abortion".

An Ceann Comhairle: Is Deputy Bríd Smith offering?

Deputy Bríd Smith: I do not want to repeat what has already been stated.

An Ceann Comhairle: I call the Minister.

Minister for Health (Deputy Simon Harris): I will also be brief, particularly as we discussed this matter on Committee Stage. We have a difference of opinion on it so I will restate my view. To be clear, this Bill is enabling legislation that provides for access to abortion and for termination of pregnancy here in our country in a way that has not been the case up to now. It will allow a woman to access termination of pregnancy in a safe manner in her own community, where possible, and free of charge. The key provisions of the Bill are exactly the same as that of the draft general scheme approved by Government and published prior to the referendum and the updated scheme made public in July. In that sense, there are no surprises in terms of what the Title to the Bill is doing, or, indeed, what the Bill is endeavouring to do.

On the reference to ending the life of the foetus, we had this debate on Committee Stage. The committee would have received a letter from the doctors drawing up the clinical guidelines to say that, regardless of the debate in the House, it is a phrase they find clinically useful because that is how they define the issue clinically. This is a Bill about access to abortion, of that there is no doubt. People can lay out all the reasons they want in respect of pejorative terms but the legal advice available to me is that it is better to align the wording in the Bill with that contained in the Constitution. Given that this is an area which has been subject to so much court adjudication and challenge over so many decades, I, for one, do not intend to take any risk or

do anything that would heighten the chance of success of any challenge.

These are technical, legal titles and they reflect accurately what this Bill is endeavouring to do. I appreciate Members' intentions in trying to change that wording but to do so would not be in line with the legal requirements and advice. Therefore, I do not propose to accept the amendments.

Deputy Clare Daly: We are all conscious of time. Unfortunately, the Minister did not address any of the substantive points made. Clearly, we have not seen the legal advice but we have given him some graphic examples of how the excuse offered does not really stack up in the context of other legislative experience. In view of the fact that the context was very much the backdrop of the damage caused to women's health as a result of an ambiguous clause in the Constitution and poor subsequent legislation, we now have a unique and historic opportunity to get matters right. In order to do that, however, we need to not just do it in a legislative sense but also in the medical-clinical sense. To guide that, the legislation needs to be clear. This is about access to abortion. I have not heard a substantiated argument for a barrier to that.

Amendment put and declared lost.

Deputy Clare Daly: I move amendment No. 2:

In page 5, line 19, to delete "Health" and substitute "Access to Abortion".

Amendment put and declared lost.

Deputy Clare Daly: I move amendment No. 3:

In page 6, line 14, to delete "female" and substitute "pregnant".

The legislation only provides for services to be provided to women. This amendment is a way to work around the transgender inclusion issue and would redefine women for the purposes of the Act to include all pregnant people without labelling them as female. I acknowledge the Minister has included a definition in the explanatory memorandum, which is helpful and a bit of a compromise, but the transgender community is not entirely happy that it is not included in the Bill. He was trying to compromise and the amendment is also an effort at compromise.

Deputy Louise O'Reilly: The members of the transgender community came to the fore and more than stepped up to the plate and played their part in the referendum campaign. The intention of the amendment is to make sure that nobody is left behind or excluded unintentionally because the intention is to make this legislation inclusive has been stated. We need to step that up.

I am aware that the Minister met members of the transgender community and I am interested in how that meeting went. We welcome its inclusion in the explanatory memorandum but we want to make sure that we do not tell those who stood with us we that have the result we wanted and then pull the ladder up.

Deputy Catherine Murphy: As someone who spent her life reading documents with exclusively male terminology which it was presumed covered male and female, every time I came across that I felt excluded. We have caught up on some of that now but we need to future-proof and understand that we need to be sensitive to the inclusion of other communities in legal terminology. That is why this is important. It concerns inclusion. We will come back and amend this at some point if we do not include it now.

Deputy Simon Harris: We all want to achieve the same thing here. There is no doubt but that this legislation has to be trans-inclusive and is trans-inclusive. As Deputy O'Reilly said, I had an excellent meeting yesterday with Transgender Equality Network Ireland, TENI, BeLonG To and with LGBT Ireland to outline to them how this legislation is trans-inclusive but also how I wanted to make sure that was beyond doubt. It has always been my Department's policy, that of this Oireachtas and my own, that a biologically female individual identifying as a male should enjoy the same rights and liabilities as a woman for the purpose of the legislation.

Section 18(b) of the Interpretation Act 2005 is of pivotal importance in ensuring that rights contained in legislation of a gendered nature apply seamlessly to trans people. It provides in an Act passed on or after 22 December 1993 and in a statutory instrument made after that date that a word importing the feminine gender shall be read as also importing the masculine gender. As Members and the trans community know, I considered inserting words such as "pregnant person" into the Bill but I have received legal advice, which I have discussed with the trans community, that to do so would create significant risk, as it would have the potential to cast doubt on other gendered provisions in other Bills. It could open up the possibility for people to argue successfully or otherwise but by implication that references to women or other gendered references in the Statute Book did not appropriately include trans people. Visibility and inclusivity are important. Following our Committee Stage engagement and the engagement with the community, I have included in the explanatory memorandum in section 2 definitions the following text: "For the purposes of the Bill a woman is defined in section 2 as meaning a female person of any age, in line with section 18(b) of the Interpretation Act 2005, a word importing the feminine gender shall be read as also importing the masculine gender so a biologically female individual identifying as a male will enjoy the same rights and liabilities as a woman for the purposes of this Bill."

Explanatory memorandums are read and published alongside the legislation. I have also spoken to those drawing up clinical guidelines to make sure they are aware that the legislation is trans-inclusive. They have assured me that they are and that they will also include that in the clinical guidelines. It is a different way of trying to achieve what we are all trying to achieve but let the record of this House show clearly in passing this Bill, which I hope we do shortly, it is trans-inclusive and there should be no doubt about that

Amendment, by leave, withdrawn.

An Ceann Comhairle: Amendments Nos. 4, 61, 62, 64 and 65 are related and will be discussed together.

Deputy Carol Nolan: I move amendment No. 4:

In page 6, between lines 29 and 30, to insert the following:

"(2) No public moneys shall be provided by the Oireachtas to pay for the carrying out of a termination of pregnancy other than a termination of pregnancy in accordance with *section 10* or *11* in a case where there is a risk to the life of the pregnant woman."

These amendments ensure that taxpayers' money is not used to fund abortions except where there is a risk to the mother's life. They seek to modify sections 26 and 27, which were inserted only after the referendum had taken place and, therefore, would not even have been seen by those who read the Bill before the referendum. They place abortions among special categories of health services not to be charged for. The Minister has said he does not want cost

to be a barrier. That is an artful way of telling people that they should have to pay for the State-sponsored elimination of the most vulnerable. We know cost is a barrier to most things, including things that no one would have a moral objection to paying for and, unfortunately, including even forms of necessary medical treatment. Surely it cannot be that when it comes to the taking of an innocent human life, we are all to be forced to pay for it in every case and for any reason.

I ask Members to think about that and what it is we are talking about forcing people to pay for here. This is not health care. Real health care does not have a victim but abortion does. I want to mention a few facts about the victim who is most affected by it, the one for whom it is the end. These facts are from the embryology textbook, *The Developing Human: Clinically Oriented Embryology* by Drs. Moore, Persaud and Torchia. I mention this because at times some important points about embryology such as the commencement point of the heartbeat have been denied to suit a particular agenda. She or he has a heartbeat which begins to beat at three weeks after conception. Eight weeks after conception, the baby's fingers and toes are distinct and separated and purposeful limb movements first occur at this time, though it is too early for the mother to feel them. He or she has hands and feet, eyes, ears, arms and legs. What is to happen to that baby? What are we expected to compel citizens to pay for? We are told that after nine weeks the abortions will be surgical abortions. Section 14 allows abortion for any reason up to 12 weeks.

Dr. Anthony Levatino, an obstetrician who performed 1,200 abortions before changing to a pro-life stance, has explained how a surgical abortion is done up to 13 weeks. He says:

The suction is then turned on, with a force ten to twenty times more powerful than your household vacuum cleaner. The baby is rapidly torn apart by the suction, and squeezed through this tubing down into the suction machine.

Later abortions, which are provided for in this Bill on broad grounds, particularly under section 11, are even more shockingly brutal. How can we tell people that they must fund such things? How could that be anything other than an abuse of public power? The position of some in government amounts to this: as a condition of being allowed to live and work in this State, they are to be forced continuously to pay for the infliction of fatal acts upon the most vulnerable who have done no wrong. The despicable injustice of forcing people who cherish human life to pay for babies to be destroyed is simply too plainly obvious for any of us not to see it. People deeply upset by seeing this State become a place where the law provides for the deaths of the innocent and defenceless should not have foisted upon them the added pain of having their taxes fund that killing.

There are many different views on whether and in what circumstances abortion should be lawful but it is surely reprehensible to force people to pay for the infliction of fatal acts upon innocent, helpless, little human beings. We should not talk only of the "No" voters in this regard. No one, whether he or she voted "Yes", "No" or abstained, should be put in such a horrendous position. It should be remembered that the sections on taxpayer funding for abortions were not even in the Bill before the referendum. Even those who knew everything that was in the Bill could not have seen them. A poll conducted since the referendum found that, excluding "Don't know", 59% of adults, including 44% of "Yes" voters, opposed the taxpayer funding plan. Can the Government not find compassion in its heart for people who just want to live their lives without continuously financing abortions?

Not providing taxpayer funding for abortion will also save lives. In June 2017, the British

Government announced that it would fund abortions for women resident in the North of Ireland. The official report outlining abortion statistics for England and Wales in 2017 notes that there has been an increase in the number of women from the North of Ireland having an abortion in England and Wales since the funding announcement. The volume in quarters 3 and 4 of 2017 increased by 42% and 62% respectively compared to the same quarters of 2016. That is no surprise where a state, knowing the deep and enduring hurt it may cause, presents vulnerable women in crisis with a false, easy answer and then adds that it is free.

A review of numerous peer-reviewed studies in the USA has shown that the absence of public funding for abortion reduces the number of abortions which take place. The amendment suggested here is similar to the Hyde amendment, a provision in federal US law which prohibits, with very few exceptions, the federal funding of abortions. The Hyde amendment has been enacted repeatedly for many years with bipartisan support since its introduction in 1976. Most states have enacted laws along the same lines as the Hyde amendment. Dr. Michael J. New notes that the Hyde amendment has been passed every year since 1976 as a rider to the annual federal labour, health and human services appropriations Bills and says it has typically enjoyed support and been signed into law by both Democrat and Republican US Presidents.

The very fact that the Minister, Deputy Harris, speaks of cost as a barrier shows that he realises free abortions will mean more abortions. Whether he wants to realise that is another matter. We need to be given fair play. As the Minister knows, hundreds of thousands of women voted “No” and, like me, they are taxpayers with a conscience.

Deputy Richard Boyd Barrett: Reluctantly, as one does not want to get into the graphic, intense debate the last contribution from Deputy Nolan invites, I appeal to her to reconsider the amendment and withdraw it. The language she used is the verbal equivalent of the horrible posters we saw displayed outside the Dáil which were designed to induce trauma, fear and shock, which is not the way to conduct a debate on something as sensitive and difficult as the issue we are discussing. It is depressing that the Deputy resorted to that sort of language with all the connotations it has for women who have made a decision to choose termination. The Deputy should reconsider. I find it amazing and shocking also because whatever her feelings on the issue, she is actually asking us to agree that a service that will be legally available to women should in reality only be available to those who can pay for it. She is asking for a two-tier system of healthcare for women. It is awful that she would even suggest that. She can correct me if I am wrong, but I am sure I have heard Deputy Nolan rail time and time again against the two-tier health service in other areas. Nevertheless, she advocates a two-tier health service when it comes to women’s healthcare in situations where a woman’s health and welfare is at stake. She suggests a financial barrier should be put in the way of a woman making her own choices about how to deal with a situation in which her welfare, health, including mental health, or any other aspect of her wellbeing is at stake. Deputy Nolan says that people who do not have money should not have that service made available to them. It is shocking that Deputy Nolan would suggest that. I urge her to withdraw the amendment and to try to conduct the debate in a somewhat dignified manner which does not use shocking tactics and graphic language to convey her point. Surely, she recognises that whatever she may feel about the issue, a huge majority of people in the country feel differently. They have spoken very clearly on that. The least she could do is show a bit of respect for the fact, notwithstanding her differences of opinion on the matter.

Deputy Mick Wallace: If we were to accept the amendment, it would be to ignore the voice of the Irish people who have already voted otherwise. They voted overwhelmingly that a

woman has a right to have an abortion up to 12 weeks without reason and after that for specific reasons. The State will not save lives by refusing to fund healthcare for women in Ireland.

Deputy Louise O'Reilly: Mention was made there of the old shock tactics and graphic language. Sure, it is all they have left at this stage. It is a little bit sad that we have people coming in here to do the bidding of a certain well-known businessman who I will not name. We all know who he is. Irish women access abortions every day. They travel from every county on the island every single day of the week, including from Offaly, Meath, Louth and Kerry. What we can do is make it safe and affordable because that is what people voted for. One can choose to ignore the vote. That is fine. However, no one should come to the House and try to inject all of these shock tactics, US nonsense and the use of this type of language because all that does is achieve the opposite of what the people involved claim to have come here to do. There is no compassion in what Deputy Nolan said at all.

Deputy Peadar Tóibín: A Ceann Comhairle-----

Deputy Louise O'Reilly: It was dripping with judgment and a kind of visceral hatred of those women. It is unhelpful. The Deputy knows the amendment will not pass. As such, she is using it as an excuse, just as people did during the referendum when they held up those vile posters that made any woman - and they spoke to me - coming in and out of here who had a miscarriage or termination, including the women from Terminations for Medical Reasons, upset. It did not change anyone's mind, it just upset people. I urge Deputy Nolan to withdraw the amendment and to reflect on where it came from and whose bidding she is doing here. She is not in here on behalf of Irish women.

An Ceann Comhairle: The subject matter of the amendment is a matter for all Members. In terms of how people speak or address the House, however, we are 158 very diverse people who bring our own experiences and thoughts to bear. It is not a highly desirable situation to try to force anyone to try to speak our particular, individual language. Deputies are entitled to express their views and we are entitled to disagree with them if we want to.

Deputy Louise O'Reilly: That will set the tone for the debate.

An Ceann Comhairle: The tone is well set.

Deputy Danny Healy-Rae: I too have concerns about where the funding for this will come from because many aspects of our health service are being let down at present due to the lack of funding. For the greater part of this year, University Hospital Kerry has been suffering because we cannot pay nurses properly. Likewise, we cannot pay consultants properly in University Hospital Kerry. People who cannot pay for hip or knee procedures or for all the other things that go wrong as time and the biological calendar move on are also suffering.

It was said on the radio this morning that we are trying to stall the Bill and take up time. I reject that. We are entitled to highlight what we think is wrong with this Bill as much as any Deputy from Mayo, Dublin or anywhere else. We respect the way the people voted but it is amazing to think that the Minister can find so many millions of euro at the click of a finger with no bother at all.

It is a fact that we are taking people up to Belfast by the busload week after week to allow them to get their sight restored. There is no bother about arranging the buses but what is wrong and tough is that people have to leave places on the crest of the Atlantic Ocean, including Din-

gle, Cahersiveen and Valentia Island, in the dark of night to travel that long journey up through the midlands, through Dublin and into the North of Ireland to ensure that for their remaining days they will be able to see the world and see the countryside around them. We are not providing that service for them in the South of Ireland and I applaud the people who go that distance to try to save whatever bit of life they have left in them. Some of these people are over 90 years of age and they want their sight to be restored to them but we cannot do it for them here.

When the Minister was appointed, we all wished him well. I said that he was a young man and that I trusted in him to do better than what had been done for the people of Ireland and for the people who needed medical attention before, but to tell the truth he has failed abysmally. We have asked him time after time to visit University Hospital Kerry but he will not do so and does not care. Things are in a shocking order there but the Minister does not care and the Government does not care about the health service that it is not providing but it will provide funding for this.

I do not mind if people who cannot pay are assisted in some way but this will ensure that people who have millions of euro can get a free service. Why can that not apply to the people who want their eyesight restored? Why does that not apply to the people who want to be able to walk and have the use of their legs, hips or knees again? There is no hurry about that but this must be in place by 1 January. Come hell or high water, that is what the Minister wants. I have the same time to speak as any other Deputy and I am not hogging the airwaves or the speaking time, so do not let any other Deputies say that I am because they are blackguarding when they go out on the airwaves and say things like that. I am concerned that we are getting people up in the dark of night to travel to get their eyesight restored and we are inviting people to come down here to have abortions in the South of Ireland and we will pay for it. That is the turnaround we have in this country and I am very worried and disappointed that we are going that way. It is not about saving people at all but about getting rid of people.

Deputies are hurt when we talk about babies rather than foetuses but when they are 20 or 22 weeks old, they are babies and they are entitled to live. We asked that if the baby comes out alive, it will get the same attention as a baby over in the maternity ward would get but the Minister rejected that. When we asked if we could ensure that the little baby would not suffer pain, he rejected that as well. It is all about rushing this through come hell or high water. The Government has not even talked to the doctors or the midwives and it has not gotten assurances about anything.

The Government is rushing it through and bullying people into doing this and if they do not do it, they will be fired. Is that what the Government wants? Is it wrong for us to stand here and ask that those people who have conscientious objections be given the right to object to carrying out this atrocious act? They have the right but the Minister does not seem to want to listen and many of his buddies here are helping to rush this through.

There was no pre-legislative scrutiny but the Government does not want to hear about that. It is case where if a fellow is not saying what the other side is saying, then he should not be talking at all. I am very hurt and disappointed that we are going down this route of paying to get rid of little babies when we will not pay to look after our people who want to be relieved of pain in many different ways with our health service letting them down. The Minister is happy to do that but I am not.

Deputy Bríd Smith: I want to take note of Deputy Danny Healy-Rae's empathy for those

who are forced to travel for healthcare. It is a terrible thing to be forced out of one's county, town or, indeed, country to access healthcare. It is disgraceful that people have to go by the busload to Northern Ireland to get their eyes or hips treated. I am sure the Deputy is full of empathy for women, young girls and trans people who for years have been forced onto boats and planes on a daily basis with the stigma, fear and exclusion that go with it. Very often they have to pay out a hell of a lot of money to do so and very often they have to live with a crisis pregnancy because they do not have the money to do so.

I note the amendments Deputy Nolan is putting down have everything to do with the public purse and very little to do with how an abortion procedure is carried out, but of course most of her speech was dedicated to that and I can see that this is where this debate will go for several Deputies in the House.

The Ceann Comhairle mentioned that we are 158 democrats and we all have a right to speak. I absolutely agree with that but the vast majority of people in this country have already said "Yes" to abortion rights and we need to address the fine-tuning of a Bill that is long over due. Deputy Danny Healy-Rae says that the Minister is rushing it through but I will defend the Minister, which is something I would not do very often for a Fine Gael Minister, but we have been through a long, 12 week committee process that scrutinised the Citizens' Assembly recommendations which had gone through weeks of same beforehand.

This time last year we were not even sure if we would have a referendum and a year later we are in a position where we are here legislating for abortion in this country. That is a major and amazing step forward. All I can say to Deputies who sound as if they want to go on for the next three days about stuff that is not related to the amendments and is irrelevant is that the people in their constituencies have told them by clear majorities that they want legislation for women to have access to abortion in this country. They did not say they only wanted rich women to have access, therefore, it should not be paid for or allowed through the public health service. They did not say they only wanted privileged people to have access. That was not what they were asked. They were asked to repeal the eighth amendment to ensure that, finally, we could have access to termination and abortion in this country. That is what this Bill sets out to do.

I note the empathy for people who have to travel. I note also the distraction with the raising of other issues that have absolutely nothing to do with people's own amendments – I am referring to Deputy Nolan – but it will be a sorry three days for the people of Ireland if we have to listen to people ignoring the democratic will of the people. The decision was decisive. It was not ambiguous; there was no if, maybe or people not being sure about it. We are setting out to act on that here today.

My last word on the amendment before us and the four later amendments grouped with it, and as was said by other Deputies, is that if we wanted to live in a country that is full of inequalities, we would support these amendments. We would say that if someone is rich, they can pay for it but if they are not, they will have to either do without it or possibly illegally access the abortion pill on the Internet. There are some disputes about the figures but between 90% and 98% of abortions take place before 12 weeks gestation, which means that the pill is safe to cover them. If the pill is safe to cover them and we do not provide abortion services through the medical service, women, girls and transgender people will access it illegally on the Internet and will, in a lonely space, take that pill and risk their own health. There is nothing logical, fair or equal about these amendments and I, too, ask the Deputy to withdraw them.

Deputy Clare Daly: I support the Chairman's remarks made earlier. Deputy Nolan and everybody has the right to put down whatever amendment they wish. What they do not have the right to do, however, is put misinformation before the House. Much of what was said is medically and factually 100% incorrect. I do not say that simply as a view but on the basis of participating in weeks of discussions and the top-level exposure we were given to medical information, which utterly contradicts much of what was said. I will not waste time by repeating those points.

This is about access to healthcare, as part of our maternity services. We are very lucky in this country that despite all the cutbacks women who are pregnant get access to free healthcare, which is incredibly important. Are we now to put into that scenario a two-tier system where one goes to one's doctor - one might not have children or have a few children, everything might be going great and then something happens and the woman decides she needs a termination in consultation with her doctor - and he says, "Sorry, you do not have the money, I cannot deal with you so off you go." It does not make sense.

Many of the arguments made by the Deputies simply do not stack up. It is unacceptable that we would expect the British state to provide healthcare services for our citizens. While I appreciate the points made by Deputy Danny Healy-Rae, all the problems in health service, which he outlined in terms of eye operations and all the rest, exist now when we do not pay for abortion care. Clearly, they have nothing to do with whether we provide abortion care. There are many ways in which we could get this money. He said that people with millions of euro could get abortions. People with millions of euro get child benefit but we do not argue against that. It is a universal payment. How are we to get the money for the operations? We might tax them on their income and perhaps Deputy Healy-Rae would support me in our call made previously for a millionaire's tax that would generate some much wanted revenue that could assist in providing these services.

Deputy Billy Kelleher: This is my first time to speak on the Bill as it has moved from Committee Stage to Report Stage, having contributed to the debate on Second Stage. We amended the Constitution to the effect that: "Provision may be made by law for the regulation of termination of pregnancy". We are now in this Chamber doing that very bidding on behalf of the Irish people. I disapprove in some shape or form to most of the amendments tabled. We should stay central to what was published in the heads of the Bill in advance of the referendum to be consistent in interpreting the view of the people, who I believe were very well informed in view of the fact we have been discussing this for a long time, for several generations at this stage. As to the idea that the public were ill-informed, did not comprehend or were unsure of what they were being asked to vote for, I believe they were very well informed and had been waiting for some time to amend the Constitution to allow us to legislate. In doing that, there is an onus on us all to adjudicate on each other's opinions and views, peruse the amendments and go through a process that does justice to the views of people in how they expressed them in the recent referendum. With that in mind, the debate among the broader public was a very respectful. We would be doing ourselves a disservice if we descended beyond where we are now in terms of having proper robust scrutiny of the legislation.

It is important we consider the amendment before us which, effectively, proposes that no public moneys shall be provided by the Oireachtas for the provision of terminations except in the context of sections 10 and 11. What Deputy Nolan is proposing is that we would insert in law a means testing by fiat, by legislation effectively, ensuring this service would be available only to those who could afford to procure an abortion, which the people now accept needs to be

available to women in certain cases, thereby being the preserve of the rich. If we start to debate these particular issues in this tone we are bringing the discourse to a level that I had hoped we would not reach. I do not say that lightly because I respect everybody's view and have consistently tried to take the politics out of it to get to where we are.

At some stage one has to say that if we were to continue the discussion on this amendment and allow it further passage through the parliamentary process, we would be enshrining in law that some women are automatically deemed second class in terms of access to healthcare in this country. We should bear in mind that this is primarily around the provision of abortion services in the first 12 weeks without cause but for a reason, whatever reason that may be. That is entirely a matter for the woman and her medical team; it is not for us to interpret. Beyond that, we have put extra provisions in place providing for it only in the context of a risk to the life or the health of the woman, or in the context of fatal foetal abnormalities. I would find it difficult for anybody to suggest that it would be only rich people, or those who can afford it, who would be able to access a termination in those contexts when they may have many reasons they can no longer continue with the pregnancy. For us to move this debate in a way that respects the views of the people, I suggest these types of amendments be withdrawn to allow us go about passing the Bill as envisaged in the heads of the Bill published in advance of the referendum.

To put it into context, Savita Halappanavar died on 28 October 2012. We had debates in this House and it was amazing how people's views outside this House can be formed by what we say inside it. What I found very uncomfortable at that time was some of the public discourse around the late Savita Halappanavar. What was said about that woman after she died in a Galway hospital was distasteful to the point where I did not believe people could descend so low. I say that because I want to put on the Dáil record that I took several phone calls from people at that time because I was my party's spokesperson on health. What was said to me about Savita Halappanavar was shocking and appalling by people who had a medical background or licences to practice in this State. What they said to me was beyond belief. They were trying to cast aspersions on her character, her good name and all the reasons she sought a termination when the only time she sought a termination was when she was dying. Unfortunately, she is dead now. When we are talking about the subject, we have to be conscious of the many thousands of women across this country who have had to avail of that for whatever reason. People can judge. I will not.

It is very difficult for me to put a cost on a woman having to get up at 4 a.m. to get a plane to Birmingham or Manchester for a termination of a pregnancy, for whatever reason. Having listened to the people who had to go there because they were carrying a child with a fatal foetal abnormality and felt they could no longer continue with that pregnancy, I think the State should be obligated to support that family in that decision. I believe that because it is a healthcare issue and because women make these choices for many and varied reasons, which will always be within the law if we pass this Bill, the State should be obligated to provide healthcare to any women from whatever financial background or for whatever reason she decides to terminate that pregnancy.

Deputy Lisa Chambers: I will oppose this amendment. We have come a long way to this stage. When it started, I was not sure that we would get here but after 35 years of debate, the Citizens' Assembly, the Oireachtas committee, the referendum and people's vote, the Select Committee on Health and contributions in this Chamber, it is fair to say that we are all fairly well-informed and the public is as informed as we are. I think there is a sinister motive behind the suggestion that by not funding abortions, we will somehow save lives. That suggests to me

that by not funding abortions, we will deprive women of lower means of access to services, forcing them to remain pregnant against their will, regardless of the situation. That is control of women by financial means, which is the wrong approach. Regardless of Deputy Nolan's personal views, the suggestion that the Deputy would control a woman's access to these services because she cannot afford to pay for them, because the Deputy believes it is right or wants to achieve a restriction on abortion and will use money to do so, is wrong on many levels. I think Deputy Nolan is exploiting impoverished and vulnerable women. Not every woman has financial independence. She may not have a medical card but that does not mean she has access to the funds she needs, for whatever reason. We do not know specific domestic situations but we know people are in those circumstances.

For a Deputy who has advocated that there should not be inequality, that there has been a two-tier access to health services and inequality in many areas of society, to advocate that she would discriminate against women on the basis of a socioeconomic background and how much money they have is wrong. It is a perverse way of imposing a personal view on other women. I respect that Deputy Nolan's views are sincerely held personal views, trying to impose them on other women by using financial means is wrong.

Think about the inequity in that and the impact of such an amendment. What about a young girl who may not be working and does not have money? We do not know why she is in those situations. What about a young girl who may have been impregnated due to incest? Where is she supposed to get the money to pay for the service? What about a woman who may be in a very difficult domestic situation where her partner is the problem and she does not have financial independence? We do not charge for maternity services. They are health services. Why would this be different? It is part of maternity services. If they cannot access a termination due to cost, does Deputy Nolan think that woman, having really thought about this and being in a situation where she needs to access those services will, because we erect a financial barrier, sit back and get on with it? Is she accessing the service because it is a little easier? That does a disservice to women and is quite insulting to the process she has gone through to get to the point of making that decision.

Deputy Nolan clearly fundamentally disagrees with abortion in pretty much all circumstances but the fact is that the people of this country voted to provide services. The Deputy says they did not vote to pay for abortion services. I would counter that by saying that citizens did not vote to discriminate between women who are poor and women who are wealthy, for inequality and to erect barriers to the most impoverished and vulnerable women in society. Citizens did not vote for the intention of this amendment. Trying to restrict a woman's choice by financial means is imposing one's personal view through a backdoor and is trying to undermine the very real, sincere and well-informed vote that took place last May. Citizens knew what they were voting for and that women needed services. They are well aware that even now, women are still travelling every week and accessing services in another jurisdiction.

While I appreciate that a number of Deputies who are in a minority are unhappy with the result of the referendum, it happened and that vote stands. It is as valid as any other referendum that has taken place. The legislation was put before the people and they knew what was intended to go through this House. To come into this Chamber and seek to materially and substantially amend the legislation because one is not happy with it, and to implement this method of control and restrict access for women without the financial means to access services, is anti-women, anti-choice and seeks to exploit the real inequalities in our society. Many women would not be able to afford these services if they were charged for. That is a fact. It seems to

be suggesting that if the Members supporting this can somehow restrict women or force them to remain pregnant, they will get what they want and that it does not matter about the women affected, the vote, the people's will or what is right for the women, since they will get what they want no matter what it takes. It does not matter if they have to use unequal means to get there, money as a way of restricting women or if they have to seek to exploit their very difficult circumstances, whether they are very young, unemployed or in a very difficult domestic situation. If they have to exploit that, that is what they will do. That is what this amendment says to me. It is important that we look at the impact of such an amendment. I appreciate the Deputy's personal views but to seek to exploit the financial inequalities in this country to force her own views and restrict access goes against the spirit of the people's vote last May.

Deputy Mattie McGrath: Deputy Nolan's amendment ensures that taxpayers' money will not be used to fund abortions except in situations of risk to the mother's life and I certainly support it. The rationale for this amendment is clear. It is not what Deputies have tried to say, hijacking it and claiming all other kinds of intentions. The amendment simply respects the choice and convictions of people who do not wish to have any involvement with abortions, by ensuring that they are not continuously forced to pay for the taking of innocent human life. Anyone can appreciate that. Whatever differing views people may have about whether abortion should be legal, compelling people, especially those who believe that all human life should be protected, to pay for the killing of the most vulnerable is disgraceful. If this amendment is accepted, as I believe it should be, there will still be nothing in the Bill to prevent those who wish to pay for abortions from doing so. The amendment simply prevents people from being forced to pay for abortions that they do not believe in. For the Oireachtas to exercise such compulsion in respect of people would be a cruel and oppressive disregard of the right of persons to refrain from involvement in abortions.

8 o'clock

The prospect is outrageous and is a mark of striking intolerance for the right of a person at the very least to stay out of the taking of human life. To create a situation whereby all who live and work in Ireland cannot avoid paying for such killing is profoundly wrong. It is no answer to say only a small percentage of public expenditure will go to fund abortions. The gross injustice of forcing citizens to pay for abortions remains regardless of the exact amount, and the Bill in its current form provides for taxpayer funding of the full cost of abortions in all cases, even for abortions under 16 weeks that can be performed for any reason.

The Amárach Research polling in the wake of the referendum showed that, excluding those who stated they did not know, 59% of adults in Ireland, including 44% of "Yes" voters, oppose taxpayer funding of abortions. Of course, the referendum vote was for a change to the Constitution. Lest the naysayers here say we do not accept that, of course we accept it. We are democrats, elected by the people for the time being. However, the referendum was not a mandate for everything in the Bill. It was to delete the eighth amendment and we were to legislate here. It is shocking that people are not allowed to table amendments. We are allowed to do so and to debate them here without being ridiculed for our views and for representing those views here fairly and squarely.

As I have said, taxpayer funding of abortions was not inserted in the Bill until after the referendum was held. Much has been said about people reading the Bill before the vote. There was nothing about taxpayers funding abortions inserted in the Bill until after the referendum. This is very clear and factual. There was nothing about this prior to the referendum so how

would people have known about the intention to fund it? This is why so many people told the Amárach Research pollsters they were opposed to the funding. This is not the only thing they were not told. Many things were said and told and untold but history will have to judge that.

Declining to provide public funding for abortions also saves a great many lives. A range of peer review studies from the US, where the use of public moneys to fund abortions is generally prohibited at federal level and in most US states, shows the absence of public funding for abortions reduces the number of abortions. In June 2017, the British Government announced it would fund abortions for women resident in Northern Ireland. The official report on abortion statistics for England and Wales in 2017 noted an increase in the number of women from Northern Ireland having an abortion in England and Wales since the funding announcement. The volume in the third and fourth quarters of 2017 increased by 46% and 62%, respectively. If this is not evidence, what is? Adopting this amendment, therefore, is also in line with the Government's pre-referendum assurances that abortion would be safe and rare if legalised. That has gone out the window.

I respect what Deputy Clare Daly said about the right to table amendments and others attacking the amendment. I salute Deputy Nolan for being courageous and brave enough to table this amendment. She is a mother and a caring person. Deputy Kelleher mentioned the late Savita Halappanavar. Her name was used and misused. We all got phone calls and we must deal with that. Her name was hugely used in the referendum campaign in spite of the fact that three reports commissioned by the State found she died from medical neglect. The Minister can shake his head all he likes.

I want to mention fatal foetal abnormality. I travelled to Geneva with a number of women who had diagnoses of fatal foetal abnormality. We travelled to the United Nations in an effort to get that horrible terminology disused and we had great success. The Minister's HSE, of which he is so proud, has in the main disbanded the terminology and is using "life-limiting conditions", which is much more humane and respectful of the parents and their little unborn babies and born babies. I have met some of them. Some of them live for weeks. Some live for days, hours or weeks. One is 11 now and living in County Cavan. I have met many who received that cruel diagnosis of fatal foetal abnormality. They did not get perinatal hospice or support here. We asked in talks on forming a government for Fine Gael to roll-out a perinatal hospice service but it fell on deaf ears, like all of the other questions we have on healthcare for women and their babies. It is not there. All of sudden, the Minister has money and manna from heaven to pay for everything. He will pay the doctors more to carry out abortions than he does to deliver healthy babies.

Earlier in his speech the Minister noted he met people-----

Acting Chairman (Deputy Frank O'Rourke): I thank the Deputy.

Deputy Mattie McGrath: I am nearly finished. The Minister noted he met people to discuss equality and gender issues but he refused to meet the doctors or nurses. He refused to meet ten Deputies in the House who wanted to debate him before any amendment was tabled.

Acting Chairman (Deputy Frank O'Rourke): Other Deputies are offering.

Deputy Mattie McGrath: I am just pointing this out on the record and we know it is fact.

Deputy Peadar Tóibín: Some people have said that some of the language that has been

used so far has been shocking. Many people on this side of the debate feel the Bill is shocking. The Bill itself gives a definition of termination of pregnancy as the ending of the life of a foetus. For many people this is a very difficult and sobering issue to have to deal with. We have been told for years we need to have a debate on abortion but any time a person discusses an abortion, they are closed down in the particular debate. If we are to have a debate on these issues, we need to tolerate people from different sides of the Chamber discussing and representing their views fairly. This debate will be held over the next three days and we should not call each other names. I do not second-guess the motivation of anybody on the other side of the Chamber. If anybody has a radically different view on this issue, I take it as read that his or her view is designed and comes from a human rights and compassionate space. Members should not continuously second-guess the motivations on this side of the Chamber either. To be honest, people spent so much time on Committee Stage second-guessing each other's motivations that it added at least another three or four hours to the debate and I imagine the pro-choice side did not have that as an objective.

It is true that a large majority of people voted for repeal. They were asked a binary question and it is pretty much impossible when asked a binary question to give a view on all the detail of a particular Bill. A large minority voted "No". A total of 723,000 people voted "No", which is more than voted for Fianna Fáil, Fine Gael or Sinn Féin, the Labour Party, People Before Profit, the Socialist Party and the Social Democrats combined in the most recent election. It is a voice that is entitled to be articulated in the Chamber. We have been debating this for more than an hour and 20 minutes and only three pro-life voices have been heard and all of them have been attacked for what they have said on the issue.

Deputy Lisa Chambers: We are all pro-life.

Deputy Peadar Tóibín: We will get through the Bill faster if people fully respect each other's motivations.

It is very important that minorities have a voice in the Chamber because if the Chamber does not reflect in some way the views that exist among the public, it will be a very dangerous place to be. Healthy respectful opposition is important in a functioning democracy. It is not the enemy in this debate. To be honest, many parties here have minority mandates. If they do not agree that a minority should have a voice here, surely the smaller parties should fold up their tents. The idea that we have to abide by the majority view is nonsense. We have to be able to give voice to the people on both sides of the debate outside the Chamber.

I was surprised by this issue being raised during the debate because my focus was on making sure we left no mother or child behind. I was surprised that after the debate was over, people came up to me on the street who were shocked by the fact they would have to pay for these abortions. I thought it was very much a minor issue in comparison to the major issue of abortion itself but that is the way of the world. That is what people's fears are about. Most of the fears relate to the issue of opportunity cost. There is always an opportunity cost. If we take €12 million out of a particular budget to pay for this, it will mean certain operations will not happen. It will mean some people will not get the healthcare to which they are entitled.

We are told that the State should not seek to control people on a socioeconomic basis. This Government controls people every day on a socioeconomic basis. It denies healthcare to hundreds of thousands of people on that basis. Some 2,500 children are waiting more than a year for their first mental health clinic appointment because of the control of the Government for

socioeconomic reasons. It is incredible that people are travelling today for healthcare while at the same time money can be prioritised for abortion. Healthcare has different meanings for people. My belief is that healthcare saves lives and does not create preventable deaths. That is the difficulty with this.

If it were my amendment I would not have drafted it in that fashion. I would have sought to give people a conscientious objection or a freedom of conscience with regard to how their tax money is spent. If one pays for an operation like this, one is involved in the delivery of the operation and many constituents will feel that this operation is morally unjust. To force them to pay for something they do not agree with is not right. I have no desire to deny healthcare to anybody. Healthcare should be free at the point of delivery on the basis of need, not on the basis of income. I also believe, however, that people should be able to object in a conscientious fashion to the spending in which they are involved.

Deputy Mary Butler: As Members know, I was a strong pro-life Deputy prior to the referendum and I remain a strong pro-life Deputy. I have spoken on this at every opportunity but I have always tried to be as dignified and thoughtful as possible. The people spoke clearly and emphatically last May. It took me a while to accept that decision but I have accepted it. I cannot support this amendment. If a young girl or woman is in trouble, perhaps because she is in an abusive relationship or feels she cannot continue the pregnancy, I could not support her not having access to the termination of the pregnancy, if that is what she wants. It is not what I would want but it is what she wants. We have a two-tier health system and we are trying to move away from that with Sláintecare. I am afraid that if we do not support people we would probably end up with more illegal abortions and more people accessing abortion pills online down the road, which is what we are trying to avoid.

However, I have a question for the Minister. It was reported in the media recently that a GP will be paid approximately €450 to provide abortion services for the termination of pregnancy and aftercare. Subsequent reports in the newspapers show that a GP is paid, and I accept this could be wrong, approximately €250 for the care of a pregnant woman for nine months of pregnancy and her aftercare. Can the Minister confirm these figures? If they are correct, why is there such a variance in cost between providing the termination of a pregnancy and providing the care of a mother for nine months and her aftercare?

Deputy Michael Healy-Rae: I wish to refer to something I already pointed to at another briefing today. It is the unfair press release from a colleague stating that Deputies were engaged in delaying tactics in the House. Nothing could be further from the truth. With regard to the amount of time in which every Member spoke on Committee Stage, nobody spoke for a minute longer than the person needed. Everybody had points to make. If we had not done that we would rightly be accused of being neglectful in doing our job where we have something to say, if we have a question, if we wish to query an amendment or if we wish to support, amend or object to an amendment. One person came out today and cast an aspersion on every Member of the House by saying that a Member who is not supporting the legislation wholeheartedly as it goes through the House is to be seen as objecting to it.

When the vote took place I gave a commitment at the outset that I would not do anything to obstruct the legislation passing through the House because that is what the people had voted for. However, to say that one should not be allowed to question, propose amendments, speak on amendments or make one's views known is ridiculous. That is an attempt to stifle democracy. It is saying that anybody who does not agree with me should keep their mouth shut and not do

their job. It will take more than one person from a political party to stop me doing my job. I am here to represent people and I will do that to the best of my ability in a workmanlike way at all times. Nobody from a political party will stop me or any of my friends from doing that.

The most striking feature of Committee Stage was the sheer avalanche of amendments put forward by supporters of the Bill and advocates of abortion on demand. For months we have been told that we must get on with it, respect the verdict of the people, that the proposals put to the people before the referendum must be respected and that proposed amendments to the Bill be kept to a minimum. What happened instead? Over 150 amendments were put forward by supporters of the Bill. Each of them had the aim of watering down the already weak or token restrictions contained in the Bill. An amendment was proposed in respect of every section, subsection and almost every line of the Bill. Put simply, those who were calling for the verdict of the people to be respected have systematically set about tearing the Bill to shreds and introducing a regime which would be more liberal than the extremely liberal proposals in the Bill.

They are repeating that on Report Stage with over 70 proposed amendments that seek to gut the Bill and make the legislation even more liberal than what was promised by the Government early in the year. That is what is happening. Do I agree with that? They are perfectly entitled to do so. To return to the point I made earlier, if people wish to do that they are entitled to do so. Other Members have a different opinion, as I do, and are worried that the people get what they voted for and not a watered down version of it. I know many people who voted for the legislation but they are not happy now because they see the Minister and others running away with it and trying to make something of it which is not what they said they wanted. During the campaign the Minister made promises and certain commitments which he appears to have thrown out. When he was asked about this at earlier meetings he completely forgot what he had promised the people when they were going to vote. Again, people can say that is politics. If the Minister changed his mind, and he has changed his mind many times so far on this subject-----

Deputy Simon Harris: That is not true.

Deputy Michael Healy-Rae: He has if he recalls how he campaigned a number of years ago. Why does he not like me pointing to the fact that he had a completely different viewpoint a couple of years ago?

Deputy Simon Harris: This is not on the amendment.

Acting Chairman (Deputy Frank O'Rourke): I ask the Deputy to speak to the amendment.

Deputy Michael Healy-Rae: I will. I am just reminding the Minister that he had a different viewpoint when he was campaigning for election a number of years ago. He told the people something different in 2011. However, that is his choice. He is entitled to change his mind and he did. That is democracy and I respect that, just as I would like people to take that view when I stand to speak in the House and do not agree wholeheartedly or run with everybody else just because they are all going one way. I will not run that way, and I am entitled not to do so.

There are other comments I wish to make but I will make them at other points in this debate. However, I wish to knock on the head the impression being conveyed by people in political parties that I or other Members are holding up or stifling this debate. That is wrong, it is untrue and it misrepresents the facts. We are scrutinising the legislation, or trying to, even though the debate is being stifled and rushed and we are not being given a chance. All we are trying to do

is our best, and that is to represent. Not everybody is of the same viewpoint on this legislation. Some 100% of the people did not vote for it, so it is not true for some people to give the impression that everybody is in favour of it in its entirety. I ask the Minister to please remember there are people who voted for the legislation and they are not happy with the way it is being changed and with the way it is being ripped asunder.

Acting Chairman (Deputy Frank O'Rourke): Before I call Deputy Michael Collins, I remind Deputies that we want to be respectful. Deputies are not speaking to the amendment. Rather than get into confrontation about it, I ask all Deputies in the House to please speak to the amendment.

Deputy Michael Collins: I am glad to get an opportunity to speak on this amendment, which I fully support. I will try to outline the reasons for this. I am delighted to get the opportunity to speak because it is part of democracy to get to speak in the Parliament. Many have tried to stifle that here tonight, but they certainly will not stifle me.

Having spoken to many people on the issue, I put it to the Minister that the people were not aware their taxes would be funding the procedures that would end the most innocent lives in Irish society. With regard to abortion clinics, or hospitals, in a poll last August up to 60% of respondents claimed they did not want their taxes paying for abortions. That is a huge number of people, and it is people who were not aware of this situation when they went to vote in the referendum. I listened to many Deputies who spoke here tonight. Some of them were very respectful while others were questionable. One Deputy said that we do not know what a woman's financial situation is. I accept that we do not know this. We do not know anybody's financial situation but I certainly know about the thousands of women, men and children and their financial situation when they are looking for an emergency procedure they cannot have because the State cannot afford to give it to them. That is a very serious issue and it is probably why there much frustration among the public. While some people voted for abortion they did not vote to pay for the abortion and now they feel that they will be paying for these procedures.

I met many people along the route throughout this campaign and, being honest, most of them were against it. Obviously they would have known where I came from on the issue, but in my clinic I also met people who were for abortion. I was respectful to them and they were respectful to me. I gave them the opportunity to give their views and I listened to them very carefully, in the same way I respect people who listen to me tonight and who give me the opportunity to speak.

We have to look at other countries that have and pay for abortions because Ireland does not have abortion. One person who had done much research on abortion told me that in the UK, a huge percentage, which I believe is 40% - unfortunately I did not write down the percentage - of women have a second abortion. The state pays for the second abortion also and I assume that will happen here too. In many cases in the UK, a high percentage of women have had up to eight abortions. I do not like this. There are two issues. The first is that I do not believe the state wants to pay for continuous abortions. The other aspect is that I hope information and statistics are being kept on these women because some might be abused and perhaps they are being forced into having the abortions. If a woman is having numerous abortions, then something is wrong. I hope this statistic would be there to protect the woman. I do not believe that this information is being recorded in the UK. It could be the case that a partner is forcing a woman to have an abortion. It is a high percentage and it needs to be looked at.

Deputy Healy-Rae is right. Bantry General Hospital cannot afford to have a consultant. People are desperately in need of continuing medical procedures, yet we cannot afford it. We can, however, afford the many millions of euro the Minister has put aside for this measure. There was no consultation with the Dáil but a phenomenal amount of money is being put aside for these procedures. It is we, the taxpayer, who will have to fork out. That would be fine if we saw equality and that other people were not suffering. While it is great that every week busloads of people are taken abroad to get their cataracts, hips and knees done, because it cannot be done in the State, that is done to help them and to make sure they have a quality of life, so that they can have their sight back and so that perhaps they will not suffer later on with mental health issues. It is not the loss of a lovely little child.

Reference was made by a Deputy to a businessman backing us. The Deputy many have meant all of us but I certainly have no businessman or businesswoman behind me. We have put forward these amendments and we have been very respectful throughout this debate, be it in this House or in committee. We put forward the least number of amendments. We were the ones who were supposed to be disruptive and the ones who were going to filibuster. We are not filibustering and we did not put forward the dozens of amendments that were brought forward by those who support abortion. They are entitled to do that, but we put forward a limited number of amendments, of which this is one. I am delighted to get the opportunity to speak on it. The Minister said that he had engaged with transgender groups on the Bill, and there is nothing wrong with that. We would like to have had extra meetings prior to this matter going to the health committee. Deputies asked for that but were refused. I am aware of medical people who also requested meetings with the Minister but they were refused. We now find ourselves in a crisis because many of them do not want to administer this procedure. About a week and a half ago, I went to a meeting to which the Minister invited me and I appreciated the opportunity to go. I raised three questions and not one was answered at that meeting. The Minister, however, did everything in his power to answer every other question posed by those who supported and who wanted to bring in the Bill. I waited for answers but I did not get them. I was not going to bend over backwards. I put the questions forward and the Minister wrote them down but he did not get to them.

I will support this amendment and a number of others. I will certainly not be filibustering but I will take the opportunity to speak. I do not believe the people wanted their taxes to pay for abortions. It is millions of euro that should be spent on the people who are losing their eyesight, suffering severe pain in their hips or who need other procedures, which are not happening.

Deputy John Curran: I enter the debate this evening with something of a heavy heart. I had hoped this was a debate I would never have to be involved in. I was on the side of the debate that was against the referendum. I understand, however, that the people have spoken and they have spoken emphatically.

I will contribute to this amendment, and later I will refer to some of the other amendments in the group. I want to put on record that as a party there is a divergence of views between myself and colleagues. That is not to say we will come to the House and speak on every amendment or that we will prolong the debate unnecessarily. That is not going to happen.

I recognise the result of the referendum and emphasise that it is not a result I would have wished for or supported. I recognise the democratic voice of the people that has resulted in this legislation. I am aware from the arithmetic of the House that the Bill will be passed quite comfortably. The challenge for Deputies such as me is to make sure, insofar as possible, that

the Bill addresses the concerns raised with us, that it is scrutinised and that it is as good as it can be. There are some 60 amendments before us on Report Stage. We will be supporting the amendments that offer greater protections to the unborn child and to the mother. We will not be supporting amendments that try to expand the services or try to go beyond what was originally envisaged. I wish to comment on this amendment specifically in respect of the money and provision of services. I was very taken with the contribution of Deputy Tóibín, where he talked specifically about how people who had voted against the referendum do not want to be complicit or to have their taxes seen as part of the provision of abortion services. He made a very good point. I have been listening to the debate with an open mind and I have considered this point. However, the majority of people did vote for this measure. More importantly, if we do not provide an equal service to all people, what does that mean? Either people will avail of the services in terms of the legislation we pass as funded by the State or, if they cannot afford it, they will find alternative services. My concern is that the welfare of the unborn child and of the mother will not be enhanced or advanced by passing this amendment. I also have a concern that in respect of the legislation we are trying to refine and improve, the 72-hour reflection period, would not be availed of by somebody who might go for a termination in another process rather than through the State system. Having reflected on it and having been taken with Deputy Tóibín's contribution, I will not be supporting the amendment. While I will contribute to debate one or two of the other provisions in respect of enhancing the protection for the unborn child, I will not in any way be delaying or frustrating this Bill despite that fact that I have not been supporting it.

Deputy Stephen S. Donnelly: I would like to speak directly to amendment No. 4. It provides that “No public moneys shall be provided by the Oireachtas to pay for the carrying out of a termination of pregnancy other than a termination of pregnancy in accordance with *section 10* or *11* in a case where there is a risk to the life of a pregnant woman.” Let us consider that for a moment. Section 10 is a definitions section and section 11 concerns the risk to the life or serious risk to the health of the mother. The amendment rules out serious risk to health. It provides that public funding cannot be used for a healthcare service except expressly under one section of the Bill, where the woman's life is at risk. The amendment does allow explicitly for public money to be used for termination of pregnancy. What it states is that public money cannot be used where there is a serious risk to health under section 10. It also provides that public money cannot be used under section 12, which covers a risk to the life of the mother or serious threat to the health of the mother in an emergency. It provides that public money can be used if there is a non-urgent risk to the life of the mother but cannot be used if there is an urgent risk to the life of the mother. That is what the amendment states when it provides that public money can only be used in accordance with sections 10 and 11. That is what we are being asked to vote for here.

The amendment also provides that public money cannot be used under section 13, which is in the case of a fatal foetal abnormality. Let us think about that for a second. The amendment does not lay down a principle that public money cannot be used. It says public money can be used but only in the case of a non-urgent risk to the life of the mother. In a case of urgent risk to the life of the mother, it cannot be used. In the case of fatal foetal abnormality it cannot be used, because that is provided for under section 13.

Let us think this through for a second. A pregnant woman and potentially her partner receive devastating news that they are dealing with a fatal foetal abnormality. This amendment proposes that in that case, they must pay for all the medical support themselves. We are talking about repeated trips to a GP, as well as about potentially very expensive medicines, all manner

of rehab, hospital visits, visits to consultants and obstetricians, medical procedures in operating theatres and who knows how much aftercare support. We could be talking about tens of thousands of euro. The cost of supporting a woman or parents who are dealing with a fatal foetal abnormality could be tens of thousands of euro. This amendment provides that a woman and possibly her partner who receive this devastating news and who choose to stay in their own country, as opposed to going to the UK, which will provide and pay for the service, will be faced with a bill from the hospital that could be €10,000 or €15,000. What do hospitals do when people do not pay? They refer those debts on to debt collectors. The actual implication of voting for this amendment could be that people who want to be parents and are dealing with the catastrophic news of a fatal foetal abnormality could end up with debt collectors coming after them for bills of in excess of €10,000 or €15,000 if they choose to stay in their own country. That is what this amendment actually proposes to enshrine in the law in Ireland. It is offensive and technically defunct and it should be opposed.

Deputy Eamon Scanlon: I will make a few comments. I did not intend to speak on this particular amendment but I want to say that each and every Deputy is elected by the people of their constituencies to come in here to represent them. Deputy Nolan, like me or any Member of this House, is entitled to put down an amendment to this Bill and to speak on it.

Deputy Mattie McGrath: Hear, hear.

Deputy Eamon Scanlon: Like everybody else, Deputy Nolan is quite entitled to speak on her amendment. I do not agree with the amendment but she is well entitled to do that and within her rights. I know she described in graphic detail how abortions are done. I do not think Deputy Nolan misled the House. I think she believes what she said to be correct and sometimes the truth does hurt. That is the situation and like everybody else, I respect everyone else's opinion. While there are some whose opinions are totally different from mine, I respect their right to express their opinions in this House, as I would like to think that I have the right to express my opinion. That is very important in this debate. I will not take my allotted seven minutes because we do not want this to go on any longer than it has to. I just wanted to make that point. I respect everybody else's opinion and I would like them to respect mine.

Deputy Peter Fitzpatrick: I will start by giving some facts and figures and then I will explain the reason I am doing so. On 27 October 1967, abortion was passed in the UK. On 27 April 1968, abortion came into effect in the UK. From 1968 to 2014, a total of 8,745,508 abortions were performed. According to the World Health Organization, between 40 million and 50 million abortions are estimated to be taking place every year, which is 125 abortions every day. The reason I am giving these figures is that I am very concerned at what is going to happen in Northern Ireland. In 2017, the UK Government announced that it was going to publicly pay for abortions in Northern Ireland. Since that has been introduced, there has been between 40% and 60% of an increase in abortions in Northern Ireland. I am concerned that the Minister for Health, Deputy Harris, is trying to find a way to pay for residents in Northern Ireland to have abortions in Ireland. I fear what is going to happen in this country.

As one of my colleagues said earlier, in the wake of the referendum it has been shown that 59% of the people of Ireland are opposed to the taxpayer funding this. The Bill as it stands provides for the full cost to be carried by the taxpayers. We are forcing our taxpayers to pay for the abortions. I fear for this country. Ireland used to be one of the safest countries in the world to have a child. Now all of a sudden my big fear is that what happened in Northern Ireland will happen in the Republic of Ireland. We are opening a floodgate to have abortion on demand in

Ireland.

Deputy Jonathan O'Brien: While I do not agree with the amendment, I understand the meaning behind it. Certain people in this Chamber and outside are so fundamentally opposed to abortion in any circumstance that they do not want to be complicit in it in any way at all, and that includes contributing their taxes to it.

Deputy Donnelly has pointed out the flaw in the amendment. If there is an immediate risk to the life or health of the woman, she would fall outside the scope of this amendment. However, outside that it is rubbish to suggest that if we pass this amendment and everyone has to pay for abortions we will have extra money in the morning for our health service to fund extra hip replacements, extra cataract operations, etc. The World Health Organization - not me or some doctor - has stated that 7 million women worldwide are admitted to hospitals as a result of unsafe abortions every year. The World Health Organization states that cost is a barrier to safe abortions. If we start to charge women, the World Health Organization states that it will lead to an increase in unsafe abortions.

The World Health Organization put a cost on the 7 million women admitted to hospital as a result of unsafe abortions. It costs \$600 million a year to treat women who have had unsafe abortions. The best way for us to have safe legal abortions is to make them free. All the evidence supports that. Charging for it results in increasing the number of unsafe abortions, which has an impact on the health system.

Deputy Éamon Ó Cuív: My view on the taking of human life is well known. Whether that is a human life in the first nine months of its existence or afterwards, I have always been consistent on the protection of human life and I intend to go on that way. As I pointed out on Second Stage, people will find that statistically the most dangerous place for a human being will be in the womb. That is a certainty if the Bill is passed, which it will be.

We are discussing amendment No. 4. I have heard two arguments, one for it and one against it. The one against it is why should those who have a fundamental objection to the taking of life of the unborn have to fund it through their taxes. The counterargument runs that if the amendment is passed, abortions would still take place, but there will effectively be a means test on it between those who are well off and those who are less well off. We are being put in a totally invidious position which is why I voted as I did on Second Stage. Once we get this far, we are getting into impossible conundrums. I never like that those who can pay can get access while those who cannot pay cannot get access. Even if the amendment were passed, would it actually change anything in terms of abortion? The reality is that it would not and furthermore it would put a financial strain on those who could least afford it to avail of what will inevitably be a service that is legal.

I raised this previously when we were talking about public money. I find it surprising that for years our maternity services, which were focused on two patients all along, were crying out for money to provide a safer, better service. They were told all the time that we could not afford it because of hard times, but suddenly we can find a large pot of money for abortion. In his reply I ask the Minister to outline the requests that have been made over the past three or four years by the health service for extra money to be allocated to maternity services to ensure that scans and other services would be available uniformly across the country. What money was sought for 2019 and what money has been given? There is something strange in not focusing on the protection of the mother and the child by having comprehensive good-quality maternity

services in non-crowded maternity facilities throughout the country.

On the cost issue Deputy Donnelly mentioned, can the Minister confirm to me that no matter how long people spend in a hospital, it cannot cost them more than €800 in the public system in any one year? Certainly the rules I have read indicate that. It is important that we confirm that point. It frightens people. In my office I see many people who have lost their medical card or their GP-visit card. They have a fear of getting bills of thousands of euro if they end up in hospital. These are cases where an appeal will not work. I often have to print out the rules showing that that particular American scenario does not happen in our health service. A patient can get a heart transplant, cancer treatment and anything else in one year in a public hospital, as long as he or she can get in past the trolleys, and it costs €800 in total. I ask the Minister to confirm that on the record because it is a point that needs affirming.

I will support many other amendments to the Bill. I will not support this particular one because it divides those with resources and those without resources. It does not deal with the fundamental issue I have with the Bill. However, I will be supporting other amendments.

On the argument about faulty wording of amendments, most amendments put down by Opposition parties are technically faulty. The position normally is that if a Minister accepts one's amendment in principle, he or she will say they cannot accept the amendment because the wording is faulty but will come back on Report Stage with an amendment that does the job. In terms of the fine combing of these amendments, what is actually happening is that, in principle, the majority of the Dáil will push these two amendments, not because of a minor wording difficulty, and good luck to them. I am the first to recognise democratically that the overwhelming majority of the Dáil would support this Bill. However, it is important that people who have a differing view would accept the principle of some amendments tabled here that we believe should have been taken on board.

Deputy Seamus Healy: I want to express my opposition in particular to amendment No. 4, which is really an attempt to turn back the clock. It is a device to attempt to frustrate and deny the democratic will of the people as expressed in the recent referendum. There is no doubt that would be the effect of this amendment if it were accepted. There is no doubt also that its practical effect would be that terminations would be allowed for the wealthy but denied to those who are less well off. The amendment is undemocratic and wrong, and I hope it will be defeated.

Deputy Catherine Connolly: I had not intended to speak but having listened to some of the debate, I believe we have no choice. We have a duty to speak out when the same narrative is given over and over again. The last speaker captured it. This is a serious attempt to undermine and go backwards.

While I have the greatest respect for the very hard-working Deputy who tabled this amendment, I cannot agree with it. It is an ill-thought out amendment. It seeks to conquer and divide. It divides rich from poor and, most of all, it misses what this Bill is about, which is to provide care in respect of mothers. I disagree with the statement from my colleague from the west, with whom I agree on many issues, that the most unsafe place to be is in the womb. That is a shocking statement. As a female politician and a mother of two, I find it unacceptable that such a statement would be made.

Having read all the literature and all the cases that ended up in every court in the land and abroad for the past two and a half years, it was quite clear that the life of the woman was in dan-

ger, something this country ignored. We continue to ignore it on a daily basis as we allow our women to end up in situations that are unsafe and dangerous to their health and their life. I have no hesitation in saying I will not be supporting this amendment. It is ill-thought out and goes to the kernel of the amendments undermining the will of the people and seeking, once again, to punish women, failing to recognise that women are independent and need to be empowered.

If anything, the changes I want to see is that the amendments seeking to frame the provision in a caring manner are passed. They seek to protect women but, most of all, to empower them. That is how we will have a much healthier society.

Deputy Simon Harris: I thank the Deputies for contributing to the debate. Let us be very clear so that there is no mystery here. What we are trying to do with this Bill is make abortion care in Ireland free, safe and legal. There is a direct correlation between the words “free” and “safe”. If we want people to be able to access termination of pregnancy with medical support, we need to make it a universal service as many Deputies, including Deputy Butler and others who came at this debate during the referendum from a very different perspective to mine, honestly admitted. Otherwise, we will divide women in this country. We will provide certain women with access to medically-supervised termination and have a situation where women who cannot afford that continue to access unsafe and illegal abortion without any medical support. That is what we are trying to do here.

Deputy Chambers rightly said that pregnant women in this country do get free healthcare. Are we really suggesting that different women should get different types of free healthcare depending on the choice they make? Will we not respect the fact that pregnant women get to make that choice? We do not just provide free GP care if someone makes a choice that certain people in this House approve of but that we provide that free healthcare for all pregnant women.

I find it frustrating when I hear the argument that only when we live in some sort of perfect world and have addressed all the other ills and challenges that we face societally can we look after women in crisis. In other words, come back to us when nobody in Ireland is waiting for a cataract operation or a replacement hip operation. Why do women in crisis have to come last? They have come last in this country for far too long. The women of Ireland and those who love the women of Ireland spoke out very clearly in wanting that to no longer be the case. That is what this Bill is trying to do.

Like Deputy Bríd Smith, the irony is not lost on me, the women of Ireland or the partners of the women of Ireland that those who agitate about the reason people have to travel to Northern Ireland, and nobody wants anyone to have to travel to Northern Ireland, are still happy for every woman in a crisis pregnancy to leave our shores and go abroad for abortion care. Nine women did that today, and three women took the abortion pill today.

Deputy Ó Cuív is right. Inpatient charges are capped at €800 a year. I wanted to clarify that point as well.

Even though we have debated it for a very long period of time, I do not believe this amendment achieves what it is endeavouring to achieve. I pointed that out on Committee Stage in advance of Report Stage because the Deputy is trying to amend section 4, which is just a standard provision in the legislation. If she wanted to achieve what she wants to achieve, she should be amending a different part of the Bill because this provision does not relate to funding for the expanded service for the termination of pregnancy. As such, the amendment is inappropriate

and would not achieve the aim Deputy Nolan is trying to achieve.

Last July, the Government approved the provision of termination of pregnancy services in this country on the basis of universal access for persons who are ordinarily resident in the State. That is the basis on which we are planning to introduce the services in 2019. That is the basis on which this legislation is before the Oireachtas, and I see no reason whatsoever to change it.

Deputy Carol Nolan: I find it sad and frustrating that one Deputy in particular came into this Chamber, made wild accusations and damaged my reputation by saying this was coming from a businessman. I can assure everybody in this House that it absolutely did not. I have a conscientious objection to this Bill, as does my colleague beside me. We were forced out of the party that Deputy represents. How dare that Deputy come in here and try to destroy me and my character and make accusations like that.

Deputy Mattie McGrath: Hear, hear.

Deputy Jonathan O'Brien: Nobody forced the Deputy to do anything.

Deputy Mattie McGrath: Bullies.

Deputy Carol Nolan: I will continue because I believe that respect should be shown here.

Deputy Jonathan O'Brien: The Deputy should have respect for me too because nobody forced the Deputy to do anything.

Acting Chairman (Deputy Frank O'Rourke): Sorry, Deputy-----

Deputy Carol Nolan: I uphold fully the principles of equality.

Deputy Jonathan O'Brien: So do I.

Deputy Carol Nolan: There are those of us who are taxpayers who have stated that we are very strongly opposed to abortion. Hundreds of thousands of those are women. We all know that 723,000 people voted "No" in the referendum. There are people with objections to this legislation who voted "Yes". As a representative, I am merely trying to convey people's concerns and I am being obstructed in this Chamber from doing my work as a representative. That is a disgrace.

Regarding this amendment, it is clear that there was confusion. That was due to a technical error that I wanted to have corrected. I want to be clear that the amendment refers to sections 11 or 12, not sections 10 or 11. I take on board Deputy Donnelly's point and thank him.

I want to make some brief points in a respectful manner. We are told that the cost of abortions will be a very small percentage of public spending.

9 o'clock

Acting Chairman (Deputy Frank O'Rourke): I am sorry to interrupt the Deputy but her time has elapsed.

Deputy Carol Nolan: I will finish now. If the victims were anyone other than unborn children, no such point would ever be raised. It is not much of a point when 100% of the cost of abortions will be paid by taxpayers. Two of us have left our party because of serious conscien-

tious objection, while a Deputy formerly of Fine Gael did the same, which shows the lack of respect and regard for us pro-life Deputies in this Chamber.

Debate adjourned.

Microgeneration Support Scheme Bill 2017: Second Stage [Private Members]

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

I welcome the opportunity to introduce the Bill, which I introduced to the House just over a year ago. It will reduce energy costs for householders and businesses, contribute to the State’s requirements to reduce greenhouse gas emissions and grow renewable energy, as well as reducing the level of imported fossil fuels.

The Bill aims to grow small-scale renewable energy, which has a big part to play in our energy future. Microgeneration allows for self-consumption to reduce energy bills, and the Bill allows for excess electricity to be exported back into the grid, which will add to the State’s sources of renewable energy and, importantly, give extra income to households, businesses and farmers to pay for the costs of installation for microgeneration. The State is far behind on its climate change obligations and we continue to play catch-up with our European neighbours.

The world must triple its efforts or face catastrophic climate change, according to a United Nations report on greenhouse gas emissions which was published today and which we all heard loud and clear. The report also found we are extremely unlikely to keep the rise in global temperatures to below 2° Celsius or possibly even 3° Celsius, and warned of catastrophic risks ahead. The report is yet another warning that highlights the global situation, as well as the failure of our State to deal with the issue. In June, the Climate Action Network put Ireland second last in the European Union for combatting climate change. Drastic and wholesale action is required. The State is a laggard in regard to climate change, as even the Taoiseach admitted.

Irish householders produces 60% more greenhouse gas emissions than the EU average because of our considerable reliance on oil for heating and fossil fuels, which are key factors. We need to give householders alternatives through renewable energy.

As a State and as taxpayers, we face hundreds of millions of euro worth of fines in 2020 and beyond because we have not reduced our greenhouse gas emissions or grown our renewable energy portfolio sufficiently because of the inaction of the Government and its predecessors. We must take seriously the vital requirement to broaden the sources of renewable energy on this island. We will need to do this if we are to combat climate change and create security of energy supply. We import almost €5 billion worth of fossil fuels but this is not environmentally or economically sustainable.

Electricity will be a vital energy source because it will be used more for home heating through heat pumps for transport as the number of electric vehicles on the road grows. We need to expand because we know that electric vehicles will be the only show in town in 2030.

Irish households and businesses have the fourth highest electricity prices in the EU. We also pay a carbon tax and a public service obligation levy, which supports large-scale renewable energy. Nonetheless, energy prices continue to rise and the major electricity suppliers increased their prices in July and August. It is time to allow ordinary people to reduce their

household bills and to involve citizens, households and businesses in growing our renewable energy sources.

Members of the Oireachtas Joint Committee on Climate Action visited the Tipperary Energy Agency and Cloughjordan today. We saw the eco-village and visited projects such as the swimming pool in Nenagh town, a rural school outside Nenagh and a household in Nenagh. We saw at first hand microgeneration and energy conservation at work. We heard how a school halved its energy bills. If the school could feed its excess electricity back to the grid at times when it is not being used it would benefit the school financially, as well as the State by reducing our greenhouse gas emissions and producing more electricity from a renewable source.

We do not propose anything earth-shattering. We must remember that a pilot scheme once existed where a tariff was offered by Electric Ireland for microgeneration, and a scheme also existed in the North of Ireland. Schemes exist across the EU. In Germany, for example, payments have been made for decades, and 31% of renewable energy capacity is owned by individuals, with farmers owning 10%.

The lack of a feed-in tariff is a further sign of the lack of imagination from the Government and previous Governments in regard to renewable energy. To date, our renewable energy has been almost completely based on large-scale onshore wind but it is not a good model and we know the reason is we did not involve communities. If we are realistically to combat climate change and create security of energy supply on this island, it will be from a range of sources of energy, such as solar photovoltaic, PV, hydro, biogas, small-scale wind and many others.

The Government must realise the significant potential in microgeneration. A pilot scheme supporting solar PV has been established, which we admit is a start but crucially, it does not include a feed-in tariff. There is also a push from Europe for microgeneration under the clean energy package. This will establish a regulatory framework for household self-consumption under Article 20.

We must recognise that the electricity grid of the near future will be different from what we have now, and the Government must see this change and be prepared. The future will be very different, with households generating their own electricity to supply their homes and charge the batteries for their cars. We will cut down on the 10% of electricity lost in transmission and we will directly involve people and communities in the production of energy.

The Government's White Paper in 2015 stated that we will be "exploring the scope to provide market support for micro generation". It also stated "The energy system will change from one that is almost exclusively Government and utility led, to one where citizens and communities will increasingly be participants in energy efficiency and in renewable energy generation and distribution."

The Citizens' Assembly also recommended that we have a feed-in tariff for microgeneration. This Sinn Féin Bill has the support of Friends of the Earth, Stop Climate Chaos, An Taisce and Trócaire. It is also being considered by farming organisations and many others. We saw the future at first hand today in Nenagh and Cloughjordan in Tipperary and we saw how the future will be across the country. We must move it into the mainstream, however, and do across the whole country what those towns are doing.

I cannot see why a Government which is committed to climate change, as the Government says it is and as I hope it is, and which is committed to addressing our energy security supply

and to citizen involvement in renewable energy, would oppose the Bill. I ask for a coalition tonight to support the Bill and push forward with it. We need to involve citizens, reduce our greenhouse gas emissions and reduce bills for households, businesses and farmers.

Deputy Pearse Doherty: Táim buíoch as an deis cúpla focail a rá ar an mBille seo agus caithfidh mé moladh mór a thabhairt don Teachta Stanley fá choinne an mBille seo a thabhairt os comhair an Tí anocht. Tréaslaím leis an méid atá déanta aige agus na focail atá ráite aige anseo inniu.

As we heard from Deputy Stanley, the significance of the Bill cannot be overstated. If enacted, it has the potential to reduce the energy bills for countless households across the State. It is timely and important, and it will provide for direct payments to householders in return for excess electricity produced on site, which will be redirected to the national grid via the main supply. Individual householders stand to benefit as well as the climate. It is a win-win scenario for both where not only will this initiative incentivise property owners to embrace the plethora of renewable energy options available today, but microgeneration and the return of excess power to the wider grid will have several positive outcomes. I hope, therefore, the House will agree and support the Bill and allow it to pass to Committee Stage.

The practice will have the effect of broadening the State's renewable energy portfolio, thus further reducing our dependency on fossil fuels for electricity generation. Similarly, and this point should not be overlooked, the expansion of microgeneration and the export of surplus electricity to the network will ensure future needs are met and the State has a reliable supply in coming years. Time and again, research shows that on-site microgeneration can dramatically balance the supply and demand for electric power because by producing more power during periods of high demand and less during periods of low demand, the hybridised grid allows for microgeneration systems and large power plants to operate with greater energy efficiency and cost effectiveness than could be otherwise achieved.

I regret that the State is failing to meet its climate change obligations and the position is unlikely to change without serious action. This Bill can form part of that. Irish households produce 60% more emissions than the European Union average. This initiative will help to grow an alternative energy source, having the effect of lowering our carbon footprint and reducing costs for electricity consumers and householders whose disposable income is already tightly squeezed at the end of the week.

I am pleased that the objectives set out in Deputy Stanley's Bill have received the backing of organisations such as Friends of the Earth, Stop Climate Chaos, An Taisce and Trócaire, to name but a few. I am delighted, therefore, to add my support and that of the Sinn Féin party to this important legislation. I call on the Government, all other parties and Independent Deputies to support the Bill. Let us make a positive contribution to households, climate and energy policy, while reducing costs for people who are struggling with energy prices that are among the highest in Europe.

Deputy Maurice Quinlivan: I commend my colleague Deputy Brian Stanley on introducing this Bill on microgeneration. This is very welcome legislation, which would allow excess energy produced by small scale domestic microgenerators, such as photovoltaic panels or small wind turbines, to be fed into the national grid and provides that householders would be paid for it, which is currently not the case. This type of system would be of great benefit to many of my constituents in Limerick who have asked me why this is not already provided for. The change

would incentivise people to install renewable energy sources, as they could use them for their own use. It would be considerably cheaper for them in the long run and would allow people to use the excess electricity they generate as a source of income. It would be excellent for society and the environment. I am at a loss to understand how anyone would not support the Bill.

It is important for Opposition parties to bring forward legislation aimed at contributing to the fight against climate change because, unfortunately, the Government has no interest in the issue. Ireland has already agreed to reduce greenhouse gas emissions by 20% below 2005 levels. Last week, I was genuinely shocked to read that Ireland is set to miss its 2020 emission targets by 95%. Many people, especially younger citizens, are outraged by our lack of action in this area. While I was aware that we were off target, it is shocking that we will miss them by such a margin. Fine Gael can add climate change to the policy areas of health, housing, child-care, broadband and insurance costs in which it is utterly failing our people. For the life of me, I cannot understand the thinking behind Government policy in this area. Instead of investing heavily in renewables to decrease our reliance on fossil fuels and reduce our emissions, we are stockpiling money in case the banks need another bailout and hurtling towards 2020 when we will miss our target by a country mile and have to pay millions in fines to Europe every year, leaving even less money to invest in renewables. This is utter madness.

I commend again my colleague Deputy Stanley on bringing forward this important Bill. I hope progressive parties in the Dáil, which want to chart a different and more ambitious course in our fight against climate change, will lend their support to it.

Deputy David Cullinane: I commend my colleague, Deputy Stanley, on proposing this Bill which I hope the Government will support. It is about making the transition from fossil fuel to renewable energy which must take place as a matter of urgency. The legislation proposes to allow small-scale household production of electricity through solar or wind energy. It provides that excess electricity produced by microgenerators, whether households or farms, may be fed into the grid and for households to be paid for it, which is currently not provided for.

This State is lagging far behind other countries on this issue. Why are we not harnessing and utilising solar power from rooftops and small-scale wind and other sources? The Bill aims to grow the renewable energy sector and add more renewable energy sources, thus enabling citizens to play their part in expanding the sector. It is essential that households and communities are part of our switch to renewable energy. They should not be used as a source of tax or a levy to support the switch from fossil fuels. They must be allowed to become active participants. The Government's solution to everything, whether in health, housing, infrastructure or climate change, is to throw a tax break at the issue and hope for the best. This shows the complete lack of vision or ambition on the Government benches that the problems of the world can be sorted through the tax code rather than investment. Its approach is not working in respect of the housing crisis and it will not work in the renewable sector.

We must broaden the types of renewable energy we have, while also broadening ownership to allow for the involvement of citizens. In Germany, 31.5% of renewable energy capacity is owned by private persons, of whom 10.5% are farmers. The costs of renewable sources such as solar have declined dramatically in recent years, making it more feasible for a greater number of people to produce their own energy. If we are to take climate change and job creation seriously, increase security of supply and allow ordinary householders to play their part, we must urgently use all available resources. It is essential that the potential of home-generated electricity provided for in this legislation is advanced. I appeal to the Government and all parties in the House

to support the Bill. The Taoiseach and others on the Government benches often accuse Sinn Féin of not bringing forward solutions. Last week, we brought forward a solution on a planning matter that impacts on people in rural Ireland and in this Bill we are proposing a solution in the area of renewable energy that incentivises people to become involved in its production. It is up to the Government to take these proposals on board and act on them.

We are trying to provide an environmental and economic solution to global warming. The effects of climate change will most likely result in warmer summers and wetter winters, something that we saw today and will see again tomorrow. Studies by Met Éireann show that increases in world temperatures will mean more flooding in coastal areas and rivers, as people living in Dublin, Arklow, Wexford, Waterford, Cork, Limerick and Galway will testify. We need to create a climate of change to halt global warming and this Bill, in a small way, will play its part in doing that. It is a highly practical Bill that proposes a necessary approach to a problem that affects us all. I commend its author and also commend the Government on supporting it.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I will speak first because, under Standing Orders, the Minister may only speak once on Private Members' business. I commend Deputy Stanley on introducing the Bill and thank Deputy Cullinane for thanking the Government for not opposing it. The Government subscribes to the principles outlined in Deputy Stanley's contribution and we will not oppose them in legislation. I welcome the opportunity that this debate gives to highlight the important role the citizen should play in Ireland's energy transition and community and citizen participation in renewable energy projects.

The Government is supportive in principle of the ambition reflected in the Bill and the route to market it provides for citizens and communities to generate their own renewable energy and receive a fair and efficient price for doing so. The Bill is very much in line with one of the Department of Communications, Climate Action and Environment's flagship projects, the renewable electricity support scheme, RESS, which places community's at the centre of its design. It is also a key provision of the EU's clean energy package and, in particular, the recast renewable energy directive, which entitles renewable self-consumers, or microgenerators, to receive remuneration for excess electricity exported to the grid.

The Government is not opposing the Bill but it will be necessary for the Government to develop its own legislative proposals to fully transpose the terms of the EU directive. A number of policy measures are already under way or planned and signalled to the market that will ultimately provide for an appropriate microgeneration scheme domestically. The Government is supportive in principle of the ambition contained within this Bill as it aligns with energy policy as set out in the energy White Paper 2015, the new renewable energy directive and the clean energy package. The energy White Paper recognised the important role that the citizen should play in Ireland's energy transition. Moreover, community and citizen participation in renewable electricity projects was identified as a key policy objective to be delivered via the new renewable electricity support scheme.

The Government will need to assess the best way to implement any remuneration for excess electricity exported to the grid. There are different methods of approaching this and we will need to consult with industry and other relevant stakeholders along the way. The 2015 energy White Paper committed that Government would explore the scope to provide market support for microgeneration. The Department duly assessed microgeneration of various technologies as part of the economic assessment to underpin the new renewable energy support scheme de-

sign, and the evidence generated indicates that the relative cost of microgeneration is very high.

The Department continued to explore ways to support microgeneration and, last year, in conjunction with the Sustainable Energy Authority of Ireland, SEAI, hosted a microgeneration stakeholder workshop which attracted over 100 attendees. The workshop identified a number of structural, technical and financial challenges that need to be overcome before a support scheme for micro-renewable energy could be implemented. This aligns with experience from other EU member states which have introduced schemes and have either had to reform them or close them down completely due to costs getting out of control. The workshop identified a series of “quick wins” for microgeneration which could be achieved in advance of the implementation of the recast renewable energy directive and, in particular, Article 21, which deals with renewable self-consumers or microgenerators. The workshop also heard calls for the establishment of an umbrella group for the microgeneration sector and, subsequently, the Micro Renewable Energy Federation was formed, which was a welcome development.

Microgeneration is generally operated at the electricity system distribution level, and consumers who invest in such generation usually do not participate directly in the wholesale electricity market. Consequently, some of the primary support mechanisms that require renewable electricity generators to directly participate in the wholesale market may not be suitable for microgeneration. In most EU member states, no specific schemes to support microgeneration and self-consumption exist. In fact, in a number of member states, distribution system operators do not even measure the volume of self-generated electricity. Nevertheless, even in these countries, consumers may find they can save money by generating their own electricity from small-scale renewable electricity installations, for example, rooftop solar photovoltaic, PV, installations, rather than buying it from the grid. Examples of this type of activity are happening across Ireland today without subsidy or payment.

Following on from this, in summer 2018 a pilot scheme supporting microgeneration was launched and the Department, along with SEAI, which administers the scheme, has been working closely with the Micro Renewable Energy Federation to develop an industry code of practice which will ensure a sustainable microgeneration industry for years to come. The design of the pilot scheme was informed by a behavioural and attitudes study undertaken by SEAI into the likely demand for and uptake of microgeneration among the public. The pilot scheme will run up to the end of 2020. It will be subject to a review early in 2019 which will examine scope for broadening it out to other technologies and other user groups. The evidence gathered during the pilot scheme will also assist in the implementation of Article 21 of the recast renewable energy directive, which sets out the rights, entitlements and obligations of the renewable electricity self-consumer.

The scheme focuses on the deployment of domestic solar PV, whereby applicants can receive a rebate for installing solar PV panels and-or a battery energy storage system in their home. The main principle of the scheme is that the solar PV system installed should provide electricity for self-consumption within the home. The scheme opened in July 2018, when applicants could register their interest with SEAI to install solar PV and battery storage systems. The payments portal opened in October 2018. By mid-November, over 3,000 people had expressed interest and approximately 100 rebate claims have been requested. SEAI expects to begin making payments under this scheme early next month. A code of practice for microgeneration is also being developed and, in conjunction with the industry umbrella group, the Micro Renewable Energy Federation, the building blocks for a sustainable microgeneration sector are being put in place in advance of the implementation of the clean energy package.

Looking forward to future remuneration for microgeneration as part of implementation of the clean energy package requirements, a number of options will need to be considered, costed and subjected to regulatory impact assessment. Based on the analysis carried out by the Department to date, these are likely to include a requirement for suppliers to pay microgenerators the wholesale market price for electricity exported to the grid. Based on international experience in this area, it is of utmost importance that the distributional costs of such a scheme are assessed, particularly relating to network charges and any costs paid through the public service obligation. Allocation of costs through consumers' electricity bills can have significant socio-economic impacts, and this is particularly so at a time when energy prices are on the rise, with recent price increases announced by retail suppliers.

If the policy is not assessed and designed properly, there is a real risk that providing incentives for those investing in microgeneration will lead to increased costs for households who cannot afford such investments. International experience is instructive in this regard and suggests that reform of network tariffs needs to be delivered as part of a package of measures to make microgeneration work for the citizen and community, while also ensuring that ordinary consumers are not disadvantaged as a result. In this regard, and as part of the implementation of the microgeneration requirements of the clean energy package, the Department will work with SEAI, the Commission for Regulation of Utilities and suppliers to build on the work done by the Deputy in bringing forward this Bill.

Some elements of the proposed Bill will require careful scrutiny and likely amendment. It does not provide information on potential costs to the Exchequer or electricity consumers from the proposed introduction of a tariff for microgeneration. Moreover, the Bill does not include any evidence to indicate what level the proposed tariff should be set at or the overall cost to consumers and the economy of a 5% requirement on suppliers for electricity from microgeneration by 2025. This Bill will, therefore, ultimately require financial and regulatory impact assessment. For these reasons, the Government recommends that the Bill would undergo detailed scrutiny by the Oireachtas to discover the full cost of the proposals in advance and allow Government determine whether a money message is required. The Minister intends to revert to Government in due course as this legislation proceeds through the Oireachtas. In recognising the ambitions behind the drafting of the Bill, the Government will not oppose its current progress and is likely to develop further legislative proposals in this area.

Deputy James Lawless: I wish to share time with Deputies Aindrias Moynihan, Ó Cuív and Eugene Murphy.

Acting Chairman (Deputy Frank O'Rourke): Is that agreed? Agreed.

Deputy James Lawless: I congratulate Deputy Stanley on introducing the Bill, which Fianna Fáil supports. I thank the Minister of State, Deputy Phelan, for his remarks. It is the first time I have debated with the Minister, Deputy Bruton, since he took up his new role and I take the opportunity to wish him well. I highlight that we had a social media Bill before the relevant committee this afternoon and there is a broadband Bill in the system as well. I look forward to debating with the Minister and to constructive engagement during his time in the role.

As I said, Fianna Fáil will be supporting the Bill. It is a critical and common-sense Bill that has many evident benefits. I have met many companies in the sector and I have met representatives of the Irish Solar Energy Association who have articulated the many obvious benefits of solar energy. It is inspiring to see smaller companies in particular entering that space. The in-

dustry in Ireland has the potential to deliver up to 5 GW of capacity between 2019 and 2030. To put this in context, this is the kind of energy the entire west coast could produce using offshore renewable wind in the same period, so there is a great opportunity in this regard. However, while these companies and others in the same space are ready and waiting to lead the charge in driving up the production of green energy in Ireland, they need our help. In the main, the issues raised are not barriers which they themselves have created. They are barriers which have come about as a result of the failure of the legislative system to accommodate technological developments. The renewable electricity support scheme, RESS, was a start, but we need to go further. We need to act to facilitate microgeneration through the opening of the grid; the introduction of feed-in tariffs and support for community organisations, as well as households to take part. It seems to be perfectly reasonable and good public policy that a parish hall could avail of these benefits in the same way as a private household. Grid connection rules should be altered to make it easier for microenergy and community energy projects to gain access to the grid. It should also include reforms to make it easier for large-scale consumers such as hotels and airports to generate their own electricity. Part of energy security is energy supply. We know that transmission is a huge factor. There is no substitute for a robust, integrated, well managed grid. EirGrid manages it well but the Celtic interconnector and the Ireland-UK interconnector will come under pressure post Brexit.

Self-production is not a quick fix, but it would certainly be of assistance. It begins at home. We need to increase the availability of space in the literal, real estate sense, with the greater use of solar energy on rooftops. The planning process, particularly in situations where a panel may not be visible from the ground, needs to be reviewed. There is a significant opportunity to increase the number of businesses and community facilities which can host panels. Consideration is needed at a high level of the barriers and solutions required in the use of private wires. How do we manage the planning framework and the practicalities in running a cable across another person's land? A systematic review is needed of State-generated costs in the deployment of solar energy. With only 12 years to act, the State should not be acting as a barrier to entry.

We must learn the lessons from onshore wind projects when engaging with communities. There are huge benefits in the use of all kinds of renewable energy resources, including onshore wind, but that sector, in particular, highlighted the wrong way to do it, with a lack of engagement and, at times, truculent and adversarial engagement with local communities in the case of many onshore wind energy project developers. That is certainly not the road to go down.

The bottom line is that renewable energy resources development cannot happen without community support. This needs to be reflected in the approach of developers, wind and solar energy project developers, with a stronger emphasis on community benefit, engagement and consultation. Up until now, investment in a local amenity has been the mainstay of community benefit schemes. Fianna Fáil believes this system should be changed such that all individual households in the area surrounding an energy development would benefit from its construction. These issues must be addressed as we are failing to meet our targets. Worse than that, we are failing to facilitate those who would help us to meet them. When I put a question to the Taoiseach last year on the Order of Business about what provision the Government was making for fines that would inevitably accrue from failing to meet our targets at European level, he somewhat glibly replied that he would not make provision in this year's Finance Bill because it was a matter to be dealt with in the following year's Finance Bill. More substantive engagement is required.

The world is 1° Celsius warmer than pre-industrial levels. Levels of CO₂ are almost 50%

higher than before the Industrial Revolution. Levels of methane are now 2.5 times higher than in pre-industrial times. The last time the Earth had a similar level of CO₂ was 3.5 million years ago, when the temperature was 2° Celsius to 3° Celsius warmer and sea level was 10 m to 20 m higher than it is now. In the past year we have seen 100-year weather extremes. What was once a one in 100 years flood has become a once in a decade flood or once in a year flood, as my colleague Deputy Eugene Murphy knows well. In October last year there was Storm Ophelia; we had Storm Emma in March when we also had snow drifts the likes of which had not been seen in generations. We also had the wettest spring and the hottest period in the summer in 100 years. For any climate change deniers, the proof has been in the elements during the past 12 months alone.

The Intergovernmental Panel on Climate Change has published the most chilling warning yet. Political leaders must act now if we are to reduce greenhouse gas emissions to 45% of 2010 levels within 12 years. It will be a difficult target to reach, particularly given that we are already behind. Even if we do reach it, we will only limit global warming to 1.5° Celsius above pre-industrial levels. We have reached the point of no return and are now dangling our toes over the side of the abyss. Despite this, it has taken a Bill brought forward by an Opposition deputy to prompt the Government to act. I note that the Minister for Communications, Climate Action and Environment, Deputy Bruton, has said he is committed to ensuring Ireland will be a leader on climate change. I wish him well in that regard. He may wish to start by addressing the backlog of inaction in his Department.

The proposal put forward by Deputy Stanley is not controversial. It is a good common-sense proposal. A total of 99% of the members of the Citizens' Assembly supported the introduction of legislation to support microgeneration. Electric Ireland ended its feed-in tariff regime for new customers in 2014. In the four years since, no significant legislative action has been taken to address this obvious issue. I was startled when, shortly after being elected in 2016, a constituent approached me to tell me about his house on the Kildare-Wicklow border on which he had installed solar panels at great expense. He was very keen and enthusiastic about them, but, figuratively speaking, the rug had been pulled from under him when the tariff scheme ended abruptly in 2014. I was shocked because I could not see any significant solid reason from a public policy point of view why it should have been ended, rather than enhancing a scheme of that nature.

The Government should consider this as an opportunity to address the issue and speed up the development of microgeneration. We have a couple of technical concerns with the Bill which we will save for Committee Stage. Deputy Bríd Smith introduced a Bill on the expiry of fossil fuels. It is related to this Bill because we know that we are in a climate emergency, but there are some advocates within and outside the House who believe such measures as keeping the ground Bill, as it is referred to colloquially, should not be advanced. While there may be some legitimate concerns within the industry, I suggest aggressive adversarial approaches would be counter-productive. That Bill seeks to prohibit the granting of future licences. However, the typical lifetime of a well, from discovery to close-down, is approximately 50 years. If a licence was to be granted tomorrow, the last barrel of oil would be taken from the ground in 2068. Even if the Bill was to be passed, that would not exactly be an immediate shutdown. The industry should take note and some appropriate actions.

I look forward to engaging on the Bill when it proceeds to Committee Stage.

Deputy Aindrias Moynihan: Climate change is perhaps the biggest issue facing us and

we must recognise the huge moral obligation we all have to take immediate action to minimise future warming and adapt to climatic changes that have already been set in motion by historic levels of emissions of greenhouse gases. Fianna Fáil will support the Microgeneration Support Scheme Bill 2017. Energy production should not be just for the big elite and the big windfarm and the big power generators. It has an important role to play in ensuring active community participation in meeting our climate change targets. There is a strong will among the public, as we saw when 99% of the members of the Citizens' Assembly supported the introduction of legislation to support microgeneration.

A Fianna Fáil-Green Party Government introduced the first scheme to support microgeneration in 2008. To some extent, it set things in motion, but it is disappointing that the structures needed to promote energy citizenship further have seen so little progress since. I acknowledge the pilot scheme introduced in early July. It is a helpful step and it will be important to review it at the end of the year.

There are a number of technical issues with the Bill which we can tease out on Committee Stage. I am assuming it will progress to that Stage. The scale of microgeneration is currently undefined. Community projects have also not been defined to the level required. The Bill defines community projects in terms of the number of households only. Fianna Fáil favours an approach which would see opportunities to have a much more ambitious definition of community. We could develop microgeneration across organisations such as community centres, schools and sports clubs if a broader approach was taken. If successful, it could be used to reduce overheads for community organisations and potentially even generate revenue.

Ireland is at its best at community level. With a payment for microgeneration, communities could develop their own local power plants, from the roof of the local school, community hall and farm shed and become active participants in the energy transformation we so desperately need. Further measures are also required to facilitate microgeneration. They include a systematic review of State-generated costs in the deployment of renewable energy projects, including planning permission, consideration of issues surrounding the use of private wires and further reforms to make it easier for large-scale consumers such as hotels and airports to generate their own electricity. Ta dushlán mór romhainn maidir le hathrú aeráide agus caithfidh dul i ngleic leis seo gan mhoill. Tá sé soiléir ó na tuairiscí is déanaí nach bhfuil ann ach b'fhéidir thart ar dhosaen bliain le tosú sula mbeidh sé ró-dhéanach. Tá sé soiléir go bhfuil an tacaíocht ann mar tá sé feicthe againn ón dTionól Saoránach agus an slí gur leagadar amach an tacaíocht mhór láidre de 99% díobh. Leag Fianna Fáil agus an Comhaontas Glas scéim síos cheana féin agus ba mhór an trua í nár tógadh uirthi sin ach aithním go mbeidh an scéim phiólóta ann anois i mbliana, ach tá dúshlán romhainn agus caithfear dul i ngleic leis go tapa.

Deputy Éamon Ó Cuív: I compliment Sinn Féin on tabling the Bill. I agree completely that microgeneration has a significant role to play, not only in reducing individuals' costs, but in providing electricity to the grid. I had the idea a number of years ago of seeing to what extent I could become self-sustaining in energy terms in my own house. We put in solar panels which have worked extremely well in providing hot water. One group that has benefitted greatly from that technology is the group of people who keep students in the Gaeltacht in the summer as they need lots of hot water then. Of course, one gets a great deal more sunlight in the summer than in winter and it proves to be a very efficient way to reduce one's heating bills.

I have also been anxious to take further steps to reduce the electricity usage in my home, not only by improving its insulation but by generating power. We have spoken a great deal

here about photovoltaic generation, or solar panels, but I had the idea of getting a domestic wind turbine as I am on a hill with plenty of space around me and no neighbours to complain. However, the one inhibitor of this plan was that I could not sell the surplus production to the grid. Everyone gives out about poor rural people and all of the fossil fuels we burn in our motor vehicles. My next plan was to charge a car at night from the winds passing over the area in which I live thereby reducing my personal fossil fuel usage.

I believe that if a lot of people each do a little, it will have a major impact. I am very disappointed, therefore, with a lot of what I heard from the Minister tonight. We are eight or nine years along from the point at which the ESB started to pay a small amount for microgeneration, but all we have been given tonight is a list of barriers, rules and regulations, including EU rules, as to why we can never get beyond dreaming and take action. In previous generations, there was a much greater capacity to get things done, learn from mistakes and keep going forward. Nowadays, it seems to take about 20 years of going around a thing before we make it happen. It is only when there is a crisis that we realise the thing could have been done all along.

I want the Minister and the Department to put behind them these eight years of nothing that the Government has had and give a firm commitment to introduce microgeneration on a basis that is attractive to ordinary people. A lot of people do not want to make money or even massive savings. They want to make a contribution and if they break even or make a small saving, they are more than happy to make the investment. This suits everybody, be they urban or rural. However, as a lot of rural houses are built with south-facing aspects and are surrounded by a great deal more space, rural dwellers have many more microgeneration options. This is something that could greatly reduce the rural footprint.

Deputy Eugene Murphy: In 2008, the Fianna Fáil-Green Party Government introduced the first scheme to support microgeneration, but virtually nothing has happened in the ten years since. A golden opportunity has been lost in those ten years considering what we now face in the 2020 targets which will unquestionably cause serious difficulties for Ireland, particularly financially. I have no doubt that if microgeneration had been expanded and worked on over the decade, there would have been very significant input from the Irish public. I see correspondence coming in via email from across my constituency which demonstrates the massive level of interest in renewable energy and climate change. It is not just coming from what one might call a few radical students, it is coming from every section of the community, including farmers. There is grave concern among people as to where we have been for so many years and at the opportunity we have lost.

I commend Deputy Stanley and Sinn Féin on bringing forward the Bill which Fianna Fáil will support. In the few minutes I have, I intend to reflect on renewable energy, particularly from wind. Deputies Fitzmaurice, Naughten and I attended only last night a meeting related to a bit of controversy on wind turbines. Everyone in that hall had an interest in renewable energy but they all want to know where the guidelines on wind energy are. The lack of response on that issue and the constant delay in bringing legislation forward to put the guidelines on a proper footing is damaging renewable area as a sector.

Ireland's 2020 renewable energy targets include increasing the share of final energy consumption from renewable energy sources to 16% as set out in the renewable energy directive. The target is broken into three key sectors with individual 2020 targets for each. As such, Ireland has committed to meet this national target through 40% renewable electricity, 12% renewable heat and 10% renewable transport. The overall renewable energy target and the renewable

transport target are both binding at EU level. Ireland is likely to fall very far short of the binding target. People like Paul Deane of UCC reckon we will have huge fines to pay, perhaps of the order of €300 million. The Government estimates the level of fines at €100 million. Another expert, Mr. Joseph Curtin, says we could face bills and penalties of between €600 million and €700 million. If we had developed this from 2008, we would not be facing what we are in 2020. That is a highly regrettable matter.

I am glad to support the Bill. It is a good step forward. I hope the Government will move with the Opposition parties to make this a top priority and ensure it happens as soon as possible.

An Ceann Comhairle: Deputy Fitzmaurice is substituting for the Labour Party Deputies.

Deputy Michael Fitzmaurice: I welcome the opportunity to speak on the Bill and thank Deputy Alan Kelly for accommodating me. I commend Deputy Stanley on bringing forward the Bill, which I intend to support. There is a great deal that could be achieved nationally through small-scale microgeneration. If the Minister went to Germany, he would see that many farms generate their own electricity. There is a facility there whereby those farmers can sell their electricity to the grid. While some small turbines are made in Athenry and there is a pig farm in Kildare which is generating electricity, the big problem in Ireland involves the stumbling blocks that are put in front of microgeneration. There seems to be an attitude in this country that bigger is better. Big investors will get everything thrown at them but the small ordinary person does not get any incentive or does not even get a chance to get in on the game.

If we look at the likes of Germany, in all of the farms, regardless of whether there are cattle in a shed, they are able to take the gas out of it and use it for generation. I was across the Border near Banbridge and I looked at a digester that was using all grass and it was working very successfully. Farmers were doing that in their local area.

An argument is put up by the electricity companies to say they cannot judge what people will bring in or produce. To be honest, it often cannot be judged what wind generation is bringing in. It is not that there will be a major amount of generation happening when people will be using it themselves in the first instance. I do not buy the argument of talking about what we have signed up to for 2020, but the reality is that we lost 240,000 young people from this country and thankfully we have over 2 million people back working again, so we probably signed up to stuff because we did not know where we would be in ten or 15 years' time. A lot of information is going around about what people will and will not be paying but this should not be about that. This should be about giving incentives to people, especially in rural areas, who could help generate electricity and also help to give them money. Solar panels have helped to give houses hot water in parts of the country where they were put up. As Deputy Ó Cuív pointed out, that helps in places such as the Gaeltacht where there are students. In general they have been pretty good but not enough of them can go on a roof to provide for a house's electricity.

There will be unanimous support for this around the House. We need to make sure that we do not always talk about the problems and the reasons we cannot do something. We need to look at how we can do something. This Bill needs to be supported. I attended a meeting last night with communities who are seriously worried about these monstrous turbines, the guidelines and the setback distances around them because people do not want big monstrous structures around them.

In looking at the microgeneration that is happening around the country with people who are

probably before their time in going out and investing in it themselves, they are trying to move things forward but unfortunately, they are not getting the supports at Government level that would be given if they were foreign investors or something similar.

I urge the Minister to support this Bill and let it proceed to Committee Stage. I acknowledge that different electrical crowds came before the committee and they seem to be putting a little block in place but anything can be surpassed with pressure and with governmental pressure especially, that can be resolved. People right around this country can contribute an awful lot. I support the Bill and once again I commend Deputy Stanley.

Deputy Bríd Smith: People Before Profit fully supports this proposed microgeneration Bill and I commend Deputy Stanley on bringing it forward.

It seems to me that the Minister would be fully supporting this Bill, as would any Government that understood and really got what climate change actually means. The dangers of catastrophic climate change are a priority issue that is facing us and while the Minister would say that, what he does does not prove it because it means we must urgently look at how we consume and produce energy and take all of the steps needed for a massive switch to renewables, while reducing our consumption. Democratising the energy grid is a vital step in this process, which would allow us to actively engage households and communities in making the switch to renewables on the scale and in the timeframe that is needed.

Recent reports, particularly the one from the Intergovernmental Panel on Climate Change, IPCC, have utterly changed the narrative on this issue. The IPCC stated “Limiting global warming to 1.5°C would require rapid, far-reaching and unprecedented changes in all aspects of society.” The Minister’s attitude to this Bill is none of the above. Those changes will mean leaving 80% of proven reserves of fossil fuels in the ground and cutting our emissions by 10% annually until we get down to negative emissions. Does the Minister accept that this is necessary?

The changes the IPCC talks about are proposed to avoid extremely dangerous, as opposed to dangerous, climate change, that is, the difference between a global temperature increase of 1.5° Celsius or of 2° Celsius. We should be clear that both of those overheating measurements mean a death sentence that will hang over large parts of humanity and of the world’s biodiversity.

The difference is whether we want to condemn large parts of humanity and the earth’s life to a climate and planet which is not conducive to habitable life. A lack of action means we are effectively saying we cannot reduce CO2 emissions, so we accept that the future is one of extreme and deadly heatwaves, longer drought periods, failing crop harvests and rising sea levels.

One would think that given this possibility and given what scientists say to us, that all of our resources, all of our ingenuity and all of our creativity would be marshalled into doing what is required; that is, reducing and eliminating our use of fossil fuels. One would think that any Government which understood that and which understood what is at stake would be moving heaven and earth to get us off oil, coal and gas in all areas and utilising all available renewable energy. In fact, the Government has displayed breathtaking ignorance and disregard for these realities.

As was previously mentioned, the Government is opposing my Bill to ban exploration for fossil fuels to prevent their use and I understand the Government is now stalling on Deputy Stanley’s Bill. Just as it stalled on Deputy Joan Collins’ Bill on the water referendum, it has

kicked to touch on anything progressive that is coming from the Opposition such as Sinn Féin's Bill on banded hours, a Bill on protecting defined benefit pensions, our Bill on sex education or the Bill on medicinal cannabis. The opposing of my Bill to ban exploration for fossil fuels that we cannot use shows breathtaking ignorance.

The Government continues to pursue an agricultural policy that is unsustainable and will massively increase our national emissions and it continues to pursue policies in public transport and housing and development that ignore the reality of the scientific facts of climate change. What we get is spin and the speech that the Minister just gave is absolute spin and he is very good at it.

One of the key challenges we face is mobilising popular support for the measures that must be taken to avoid catastrophic climate change. Some people feel despair at the fact that there can be widespread opposition to large scale wind farms around the country. They call it NIMBYism but I understand that opposition and I argue that it is not just NIMBYism. There are legitimate reasons and if we want to win people to forms of renewable energy, then we must seek the involvement of the communities and local people in any project.

Telling people that they must accept massive wind farms put up by faceless multinationals, interested only in profit, is really not good enough and telling them also that we must have a carbon tax, is really not good enough. We will lose the battle against fossil fuel corporations and vested interests if all we have to offer is a vision of the future with carbon taxes for ordinary people and large windmill farms making profits for major international private companies.

It is worth remembering that carbon tax comes from the same ideological source as carbon trading, offsets and the clean development mechanism, which are market mechanisms that have all failed to reduce carbon emissions. Relying on similar ideas from the same neoliberal school will also fail.

We need much more radical action. One step is to seek to democratise the energy grid as is proposed in this Bill. The aim of this Bill is similar to one of the measures I proposed in 2016 when I proposed an amendment to the Energy Bill 2016 that sought to give access to the national grid for small-scale producers of renewable energy, but which was opposed by the Government.

10 o'clock

I was told at the time by the then Minister, Deputy Naughten, that it was been considered and that it was complicated but that some measure would be taken. Two years later we have got the report of the Intergovernmental Panel on Climate Change, IPPC, but no action has been taken by the Government.

The fight against climate change needs more than carbon taxes or large windfarms as a solution. Support for microgeneration of renewable projects at local and community level is one way to get people involved and to effectively democratise the energy system. It is a first small simple step we could take to signal that we are serious about climate change.

We must first reduce the demand for energy and for fossil fuels. Households and local communities that can provide for their own energy demands via renewable sources could make a huge impact on the steps we need to take. Going further and allowing those people to supply electricity back to the grid would also make a huge difference in the years ahead in reducing

the demand for energy.

I hear many of the objections and it strikes me as amazing that, given what is at stake, there are question marks over this Bill that reference what the market will or will not take when it comes to making a proposal such as this one. We have heard that the Government may use the requirement of a money message against the progress of Deputy Stanley's Bill. It is as if tackling climate change was an optional extra or possibly just one extra policy decision the Government may or may not make.

This Bill needs to be supported. If the Minister's recent rhetoric on climate change, which we heard, and if the recent press releases about all of government approaches and large climate action funds mean anything, he will support this Bill. However, I suspect that the spin and promises are just an attempt to mask the gross and negligent failure of the Government's policy and the failure of the Minister responsible for this area, who has been known in the House as the Minister for climate inaction. In doing so, the reality of the Government would be exposed and clearly, as a country, in order to tackle climate change in any serious way we would have to get rid of this Government in the first instance.

Deputy Joan Collins: This Bill is a no brainer. I certainly will support it and I thank Deputy Stanley for bringing it forward. It will enable households, small businesses and farmers to receive payments for electricity generation from renewable energy sources. This Private Member's Bill would force energy providers, notably the ESB, to buy electricity produced by microgenerators, including small communities, clubs and schools. It appears there is all-party support for this Bill but we must question the Government's approach to some of these very progressive Bills that have been introduced in that, while it supports them, it has many questions about them. I would like the Minister to say he supports the Bill, that he will bring it through Committee Stage working with Deputy Stanley and that he will do everything in his power to have it brought into law as quickly as possible.

This Bill would oblige suppliers to provide a feed-in tariff to those who supply the electricity grid. Such a tariff is a mechanism where there is a minimum price established for the electricity produced and sold to a supplier. It is usually to incentivise renewable energy production from wind or solar power. Energy providers such as the ESB would have to establish a scheme to allow people sell their excess electricity. There was a scheme in place which was closed in 2014. We are nearly four years behind having in place for use a progressive renewable energy scheme. There also would be an obligation on suppliers to provide at least 5% of their electricity from microgeneration. The scheme would reduce Ireland's reliance on fossil fuels, something which this country quickly need to do to meet EU targets, to avoid hefty fines and to make a positive input into dealing with climate change. Such schemes are the norm in other countries, particularly in northern Europe. Approximately half of renewable energy in Germany comes from microgeneration schemes.

We received many e-mails on this issue, which shows the great interest people have in this issue. I thank everyone who sent an email supporting this Bill. It was pointed out in one email that 99% of the members of the Citizens' Assembly, in terms of climate change, recommended that the State should enable, through legislation, the selling back to the grid of electricity from microgeneration by citizens through energy from solar panels or wind turbines on people's homes or land at a price which is at least equivalent to the wholesale price. The White Paper on energy states that citizens and communities should play a central role yet, in practice, citizens cannot participate in a system of energy generation at any scale. The point was made in this

email that it is not fair that small scale generators must fill their excess power to the grid and get nothing for it. It points out that we need a system that supports renewable energy at all levels, not just for the big guys. It further states that Ireland is at its best at community level. It also states that with a payment for microgeneration, Irish communities could develop their own local power plants from the roof of the local school, community hall or farm shed and become active participants in the energy transformation so desperately needed. There is a real need for this Government, as the IPCC report states, to put action on their words and make a difference in respect of climate change. The point was made earlier about being afraid to tackle big business. A recent report indicated that only 100 companies are the source of more than 70% of emissions. They include companies such as ExxonMobil, Shell, BHP Billiton and Gazprom, which are all linked to that 71% of industrial greenhouse gas emissions. Big companies need to be tackled because they are the source of the problem. People can do something in small ways at ground level not to impact their carbon footprint in our world but these are the companies that generate most of the problems. They have to be challenged, but I do not believe this Government is prepared to do that.

Deputy Mattie McGrath: I, too, support the Bill and I am happy to make some brief comments on it. I share the view that enhancing community participation as a means to offset the effects of climate change is an admirable idea that is worth pursuing and supporting. My colleague beside me might have a different idea but that is fine. We are free thinkers in this group and we can do what we want. We have no Whips, thank God. Projects such as those geared towards microregeneration also have a distinct advantage in terms of embedding climate change solutions at local level. That is very important. I am aware that Electric Ireland is extending its microgeneration pilot scheme export payment rate of 9 cent per kWh to existing domestic customers until 31 December 2018. That is to be welcomed. I would like to see the scheme extended beyond that point to allow for greater levels of involvement. Currently, the scheme is too small and is not known outside those with a specific interest. There is not enough awareness of it. I do not know where the fault lies for that.

I note also that while ESB Networks will still accept new applications to connect microgenerators to the existing network, it no longer offers its microgeneration support package of free installation of an import-export meter. That is an area that also must be addressed as a means of encouraging greater participation. In July this year, the former Minister for Communications, Climate Action and Environment, Deputy Denis Naughten, launched a new microgeneration scheme to support domestic customers who install solar PV panels on their homes. That pilot scheme will also support the installation of solar PV panels for the generation of self-consumption of renewable electricity. As I understand it, the systems will be grant aided and additional grants will be available to those who install battery storage to capture electricity generated and used at a later date. That is very important. In light of that and the recommendations of the Citizens' Assembly, I am happy to give the Bill very favourable consideration. We will have to make it easier for more people to access the grid, as currently access to it for different types of electricity generation is nearly impossible. A colleague who sits on this side of the House drives a hybrid car but he says there is no charging point in this complex. I do not know if that is the case and I put that question to the Minister.

An Ceann Comhairle: We can discuss it afterwards.

Deputy Mattie McGrath: Maith an fear. I know the Ceann Comhairle does not have an electric car but I knew he would never fail to boil the kettle if he had to. We must lead by example. We are encouraging people to have electric cars and we do not have a charging point

in this building. We have the cart before the horse and it is time that the Minister grasped the nettle and did something, rather than just spin about Leo. Maybe if we took Leo in some day, he might do a spin job too.

Deputy Michael Collins: I welcome the opportunity to speak on this Bill. It provides for the growth of electricity production for microgenerators through a supplier obligation to provide a tariff for electricity exported to the grid. In layman's terms, that will mean that this Bill will allow for householders to produce renewable energy from solar panels or wind turbines on their own homes or land. Energy providers will be obliged to buy the electricity produced by residential homes and small businesses under the proposed initiatives. The incentives for renewable energy production will mean that suppliers will have to provide a feeding tariff to microgenerators who supply to the electricity grid. A feeding tariff is where a minimum price is established for electricity produced and sold to a supplier. Under the new rules, energy providers such as the ESB would have to establish a scheme that would allow people to sell the company their excess electricity.

In the Citizens' Assembly on climate change, 99% of members recommended that the State should enable the selling back into the grid of electricity from microgeneration by private citizens at a price which is at least equivalent to the wholesale price. I support the recommendations. We need to look at ways of tackling climate change and of making energy more affordable for people. Many of my constituents have contacted me to state that the energy White Paper says citizens and communities should play a central role, yet in practice, my constituents feel they cannot participate in the system of energy generation at any scale. It is not fair that at the moment, a small-scale generator must put his or her excess power on the grid and get nothing for it. We need a system that supports renewable energy at all levels. With a payment for microgeneration, Irish communities could develop their own local power plants right from the roof of the local school to a community hall or farm shed and become active participants in the energy transformation that we so desperately need. I welcome this Bill as this scheme would reduce Ireland's reliance on fossil fuels. The country needs to do this to meet EU-imposed targets and avoid hefty fines. It is an opportunity for more job creation through the installation of these microgenerators.

Deputy Danny Healy-Rae: I am glad to have the opportunity to speak on this important Bill. It is not for the reasons that other people have because I do not believe in climate change. The climate changes but not for the reasons that people say. The climate has changed over the centuries, and always has, including when there were few mechanical vehicles or use of oil to cause it. However, I realise that we need competition and other sources of energy. This year, electricity has increased in price by 13% and gas by between 9% and 12%. The cost of fuel for vehicles has increased. Any other source of energy would be welcomed.

This is a very good idea and I support the idea of microgeneration. Going back 90 years, in Shandrum in Kilgarvan, the Sweeney family made their own electricity and rigged up their house with a hydro scheme. They built their own little hydro dam to produce their own electricity for many years. If a family attempted to do that today, the fisheries authorities would pursue them, threaten to and maybe succeed in jailing them.

Deputy Mattie McGrath: They would.

Deputy Danny Healy-Rae: In the 1920s and 1930s, the town of Kenmare had its own electricity, generated by a turbine in the Sheen River. We could do many things. I remind Depu-

ties that there were salmon in the rivers at the time and there are not now. There is no doubt that there were salmon in the rivers at that time. We could certainly do more to produce more energy, similar to the people who came before us. If they were able to do that 90 or 100 years ago, why could we not do it successfully today? This is a laudable idea. I thought the Minister of State, Deputy Phelan, could have been more supportive and have had more gusto. There are too many people looking at ideas and seeing what is faulty in them. There is too much apprehension about going forward. People have to take a leap and bring these things to fruition.

I must mention this genius of a man in the Kilgarvan side of Mangerton, Gerry Kinane, who made his own turbine. He put it together and has been generating his own electricity for the last 25 years. It can be done but people need a bit of help and maybe a grant system to aid them, with support and advice to get it going. We need competition and more energy because we have more people and more usage of energy. It is a laudable Bill. I ask the Minister to support it.

Deputy Catherine Martin: Táim sásta tacaíocht a thabhairt don mBille seo. From the GAA to Tidy Towns to meals on wheels, Ireland's strength lies in our community spirit and activism. The Green Party has always believed that Ireland can be a leader on renewable energy by allowing communities themselves to benefit from the transition to a low-carbon economy, not just large private companies. We have long championed a payment for community micro-generation and introduced a pilot payment scheme in 2009 which the next Government regrettably removed in 2014. We welcome this Bill as it is in line with recommendations made in our submission to the public consultation on the new renewable electricity support scheme and our own Community Energy (Co-ownership) Bill 2017. Our Bill lays out guidelines for a community co-operative investment model to accompany the mandatory offer of shares to local people. The Green Party's community co-ownership model is based on a successful Danish scheme which has resulted in greater community engagement in the transition to a renewable economy in Denmark. Since 2009, the Danish renewable energy act requires all new wind projects to be at least 20% owned by local people. We have also introduced on First Stage in the Dáil the Just Transition (Worker and Community Environmental Rights) Bill to oversee the implementation of the EU's new governance of the energy union package and Ireland's national energy and climate plan, ensuring that climate action is taken in a manner that is just and fair to workers, local communities and farmers.

Renewable energy is the only way forward for our climate, planet and future. It is essential that as we move towards a greener economy, the transition is fair and community-led. This Bill will enable households, small businesses and farmers to receive payments from electricity generated from renewable energy sources. The Bill has the support of Friends of the Earth, Stop Climate Chaos, An Taisce and Trócaire. We need to ensure that any payment is provided in a fair and just manner. The Green Party will therefore make amendments on Committee Stage to ensure that the Bill does not encourage the wealthiest to go off grid while leaving the poorest reliant on ever-increasing energy prices produced by fossil fuel-heavy utilities.

Ireland is at its best at the community level. With the payment for microgeneration, Irish communities could develop their own local power plants, from the roof of the local school, community hall or farm shed, and become active participants in the energy transformation we so desperately need. Energy should be viewed as a public good and a service to society, not a mere commodity. Ireland has the fourth highest electricity prices in the EU and, during the summer, the electricity suppliers again raised their prices. Irish citizens are treated as economic resources to extract from, but we should be democratic owners and participants in the great renewable energy transition. We must also recognise that reducing our energy use is where the

largest amount of success can be had on climate action, providing high-quality jobs and reducing energy poverty.

The Government needs to take real climate action to protect citizens from unnecessary deaths from cold and bad housing; to transfer State bodies such as Bord na Móna from exploiting peat to long-term, high-quality jobs in providing high-quality, warm and nearly zero energy homes; to launch a long-term plan to retrofit housing across the State, taking leadership and creating a positive market in the process; and to empower local communities to be integral parts of a just transition to a new green economy. Tonight's Bill is a good step in the right direction and the Green Party is happy to give it our support.

Deputy Seamus Healy: I welcome the Bill and confirm my support for it. I thank Deputy Stanley for bringing it forward. I note the Government is not opposing the Bill, which is not the same as supporting it. I certainly hope this is not a device to bury it because this is good legislation that makes a small but significant step in the right direction.

The background to the Bill is the question of climate change and climate action and the Citizens' Assembly report on climate change which recommends that the Government take a central role in this area. One of the reasons for highlighting this is the current situation regarding carbon emissions targets. While our target is to achieve a reduction of 3% per year, emissions are actually increasing by 5% per year.

With regard to the Bill, renewable energy from microgeneration is a significant player in Germany where 50% of renewable energy generated is from microgeneration. As I said, the Citizens' Assembly made a recommendation on this matter in its report. A total of 99% of its members recommended that the State enable, through legislation, the selling back into the grid of electricity from microgeneration by private citizens, for example, energy from solar panels or wind turbines on people's homes or land, at a price that is at least equivalent to the wholesale price. I welcome this important Bill which takes a small but significant step in the right direction.

Deputy Caoimhghín Ó Caoláin: I wholeheartedly support the contents of the Bill. I commend my colleague, Deputy Stanley, on bringing it forward and I appeal for support from all Deputies to ensure its successful passage. Ireland is experiencing an acute cost of living crisis. In recent years, on an almost weekly basis, we have been discussing acute increases in prices in the Chamber. Whether for rent, insurance or utilities, we are well aware the only way prices have been going is up. At the same time, we have been stuck in a prolonged period of wages freeze following harsh cuts in the years from 2008 to 2012. Bearing this reality in mind, I cannot see any downsides whatever arising from what the Bill is trying to achieve. It is good for the environment and for people's financial circumstances. Moreover, it empowers people to make a responsible personal decision to contribute to tackling the very real issue that is climate change today.

If we are serious about reducing our reliance on fossil fuels and embracing environmentally friendlier energy sources, we need to support progressive green measures, of which this is certainly one. There was much talk in the House last week about a carbon tax and the support levels of various parties for such. A carbon tax is punitive unless it can change behaviour and unless there is an alternative. Microgeneration is the alternative. People can be encouraged from a financial and responsibility point of view.

There is also a community aspect to this proposal. Throughout the country, schools, community centres and sports clubs survive through members' fundraising efforts. This measure has the capacity to provide a stable income stream for these community-based entities and should be promoted to them in the most favourable terms. I enthusiastically endorse Deputy Stanley's Bill and what it seeks to achieve and I welcome the Government's acceptance of it. What is needed now is a speedy passage towards its full implementation.

Deputy Pat Buckley: I commend my colleague, Deputy Stanley, on tabling the Bill. Many Bills have passed through the House over the years. Deputy Stanley's Bill offers thought-out solutions and a great opportunity for households to become involved in microgeneration. It addresses ecological issues and climate change and makes people more aware of what we need and what we have to do.

There are always choices and the Bill offers an alternative to the corporate companies that have had a free run for years. It would provide an opportunity for sports clubs, community centres, community groups and possibly even voluntary housing estates to become partially self-sustainable or reduce their costs, which is an excellent idea. It is unusual to speak on a microgeneration scheme Bill. Next Monday, I will be in Midleton to attend a climate change forum, at which I have no doubt this legislation will be discussed in detail.

Previous speakers covered most of the issues. This is a wonderful solution and an opportunity to raise the issue of climate change. We have seen many Bills that, unfortunately, have gathered dust on a shelf. This is what I am worried about. We want the Bill to go through but we want action on it. I ask everybody in the House to support it.

Deputy John Brady: I welcome the opportunity to speak on the Bill. I commend my colleague, Deputy Stanley, on not just talking about the challenges we face when it comes to our over-reliance on fossil fuels and the need for renewable alternatives but on bringing forward concrete, workable solutions.

This Government and previous Governments have failed to grapple with the scourge of fuel poverty. In 2007, a policy paper examining fuel poverty published by the Institute of Public Health in Ireland argued that levels of fuel poverty here were unacceptably high. More than a decade later, they remain unacceptably high and, without doubt, much higher than they were in 2007. Despite this, there has been no Government action to tackle fuel poverty during that period.

The failure of Governments has left us in the position that 400,000 households are experiencing fuel poverty. Lone parents are unable to afford to turn on their heating and older people wear their coats indoors and go to bed early just to stay warm. We have all been contacted by people who sit in public libraries and other public buildings to avail of their heating systems and try to stay warm. This is the reality of fuel poverty and ending it needs to be a Government priority.

The Bill offers a solution in part to these households and some of the most vulnerable citizens struggling to pay their fuel bills. Instead of continuing the vicious circle of rising fuel costs, leading to increased pressure on households to manage their bills and debt and disconnections, we can step up and assist these households to help themselves and find a long-term solution to supplying their own energy supply. At the same time, it will put money back in their pockets when additional energy is sold to the grid. It would also go some way towards helping us meet

our target to cut carbon emissions by 2020. It is unbelievable that we will miss our 2020 target by a staggering 95% and that this will result in annual fines to the State of up to €600 million. Those fines should be put into not only investing in renewable energy but also tackling the serious issue of fuel poverty in the State. This Bill will achieve all of that. It will play a crucial role in ending fuel poverty, something the Government has consistently failed to do.

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): I thank the Deputies who participated in the debate. I particularly thank Deputy Stanley for bringing this Bill forward. As the Minister of State, Deputy Phelan, said, the Government will not oppose the Bill. Indeed, we need a legal framework for microgeneration and we must promote its expansion. It is undoubtedly an important opportunity for people to participate in reducing their reliance on bought-in energy, and it promotes a culture of reliance on renewable energy, which is very important.

The EU has imposed an obligation on Ireland to achieve 32% use of renewables across the entire energy system by 2020. We will achieve a 40% target in respect of power but we will not achieve the target in other areas such as transport. We will fall short in those areas so we must improve in them. As many Deputies have indicated, we are facing a crisis in that we are way off target in respect of the carbon commitments we have made. Quite apart from the fact that we have made legally binding commitments, the approach we take is a huge responsibility for the country and community. We have had to focus urgently on the expansion of renewable energy, and the renewable energy support scheme is the vehicle for that. We have an ambition to go from 40% renewable to 55% renewable by 2030. That will represent a substantial expansion in our renewable capacity.

In the context of examining that target, microgeneration was seriously examined by the Department to see if it could make a contribution and whether it could be part of the scheme. However, it did not have the capacity to deliver quickly on a large scale to meet the target we have in mind. It is more expensive and would be much slower to achieve. Instead of seeking to make it part of the broad renewable support scheme, where it would be competing with large wind and solar farms, the Department has introduced a special scheme for microgeneration. It represents significant subsidies for microgeneration. A solar PV gets €700 per kilowatt it puts in. Solar plus battery is larger scale and can draw down more subsidy. A battery energy system gets €1,000 per kilowatt. Significant support is being provided for microgeneration. In addition, there is significant interest based on the figures we have seen to date. Approximately 5,000 applicants per annum will come into the scheme and it will run until 2020. We will review the scheme early next year to examine the possibility of expanding it to other technologies or to other groups of people. As a number of Deputies said, that would be worthwhile. The scheme could be very successful and make a significant contribution to getting people to engage on this.

Microgeneration is a good micro business because in some cases it can be 100% effective where there is a battery for storage. It can pay for itself in approximately eight years. Even without support it has a good payback period. It also offers the opportunity to sell back into the grid. Under EU commitments we must deliver a legal framework under which microgenerators can sell back to the grid. I fully support that objective. It was adopted by the Citizens' Assembly and by Deputy Stanley in his Bill. The issue is the best mechanism to deliver it. Different models have been used in different markets. Some use what is called a net market price whereby when a person needs electricity, he or she buys it, and when that person has a surplus, he or she sells it and pays on the net flow. That is one way of doing it in a number of countries. Others do it by way of having a market price, as the Citizens' Assembly suggests. A price is set

as the wholesale price. We must tease out which is the best option to choose.

One of my misgivings with the Bill is that Deputy Stanley has not looked at what the costs will be and on whom they will fall. With any legislation we must consider what would technically be called a regulatory impact assessment: who is being asked to carry the obligation, what it will cost and if it is the least costly way of achieving it. We must work through that by consultation with those who will be involved and by looking at the pilot scheme to see what lessons can be learned from it and what lessons can be learned from other countries. The Deputy has referred to other countries we should look at in considering how we should roll this out.

Some misgivings must be also be expressed about the fact that the Deputy has chosen to provide for a minimum supply of 5% for some electricity suppliers but not others. That 5% appears quite high and the Deputy is making it a legal obligation to have that much microgeneration within a very short time. As to whether that is a realistic or deliverable target, while I am just a month in this job, from what I have learned it does not appear that microgeneration can hit such a target. We will deliver 15% extra renewables by 2030 through a significant scheme which will require some level of support. I doubt that microgeneration could deliver the target the Deputy outlines, so it would potentially be a very big obligation if it became law and was enforceable. It would be a difficult and high-cost way of achieving what we all seek. There are questions in that regard which have to be teased out.

One aspect of what the Deputy is proposing that I like, and other speakers have spoken about this, is the importance of getting community commitment and partnership in the efforts to develop renewable energy. We will not succeed in confronting the climate challenge if we cannot get community commitment. Some of these things will be very unpopular. We have spoken in the House about the need for a trajectory for carbon price. Carbon is what economists call a negative externality. We are doing damage to our environment and we are not paying for it. That is why a carbon price will have to be considered as part of this. It cannot all be Government schemes for subsidising people. There will also be difficult decisions. As Deputy Brid Smith said, we will have to change our lifestyles. It is a big change and will not be easy to do, so it is important to have a sense of community partnership.

One success has been the community initiative for energy efficiency. It is a very successful scheme supported by the Sustainable Energy Authority of Ireland, SEAI. It has achieved a lot of community involvement and has delivered improvements. The Deputy has not only spoken about it but he visited a scheme today. I saw him on the television visiting Tipperary where improvements in schools and in individual homes have been part of a very good scheme. The renewable energy support scheme will have a community support framework built into it, so the larger-scale projects we need to deliver the targets we have committed to will be a part of that. We also must ensure, and this is the underlying principle of the Bill, that microgeneration can be a part of that framework and can have a legal basis on which to enter the framework. We will have to transpose a more detailed EU directive into Irish law, so by no means am I seeking to put off, delay or scupper legislation in this area. We are committed to delivering legislation in this area, but I need to ensure that whatever legislation we bring in is the most cost-effective in terms of community engagement, that it is effective in meeting our obligations, and that it is effective in meeting the challenge of climate change.

I thank the Deputies for their interest. I have taken on this post and it is not something I had a great deal of familiarity with up to one month ago. I see there is a huge challenge for all of us in the House. It is not going to be a question of just picking the nice things we want to do.

There are also difficult aspects in this area. I look forward to the support of the House and especially of the committee, which is sitting until the end of January, in this challenge. I look forward to working with the House to try to come up with proposals that we can all get in behind.

Deputy Martin Kenny: I welcome that the Government will not oppose the Bill and will support it. I compliment Deputy Stanley on bringing the Bill forward. I am very conscious of the issues around microgeneration. For many years beside me in County Leitrim, Jimmy Dowds and Miriam Sheerin of offgrid.ie run a company called Eirbyte on the mountain at Aughnasheelin. They run courses for people teaching them how to build their own home wind turbines. They also sell solar panels and batteries and so on. I have known them for 20 years and they are magnificent people doing magnificent work around all of that. They have often said to me that there is a day and night of difference when they go to other countries in Europe and see how this sector is embraced there compared with how it is embraced in Ireland. There is a sense in other countries of this is what we have to do, but in Ireland there are all kinds of obstacles, especially when it comes to the issue of the State being prepared to pay for people providing power into the grid.

I take the point the Minister makes, but this is not about microgeneration not being able to provide everything. We know that. It is also about recognising that we have to change the culture. Paying for microgeneration is part of changing that culture. There is an issue too in respect of major generation, which is the massive wind turbines and the huge solar farms. There is an opportunity for something in the middle. I think of all the farmers' large cattle sheds, the roofs of which could easily provide a very large base for solar panels. It should be one of the options for any new sheds that are being built. Some incentive - a carrot or a stick or whatever way it needs to be done - could be provided to ensure the roofs of the sheds are facing south and are available for solar panels to be installed.

One of the big issues is about infrastructure, which is where we run into a problem. I am aware that many people have looked to put fairly sizeable amounts of solar panels onto a roof, and they then discover that they cannot actually feed it into the grid even if the grid was paying for it. The infrastructure is not in place. We need to look at all of that and see how it is done. It is my experience and I am sure it is also the Minister's experience that the vast majority of people are up for this and want to play their part. They want to do these things and put in solar panels. They want to provide electricity, for example, from the river that flows down at the back of their house if there could be some way of having a small hydro unit put in that they could use. They want to do it but they need the assistance of the State. I do not believe it is a huge cost because it is an investment that will pay back in the long run.

I will outline a simple example, which other Deputies referred to earlier, with regard to electric cars. I know many people in rural areas who would buy and use an electric car. While the range may be a problem for some people, the main reason the range is a problem is because there are so few charging points, and perhaps when a person arrives at the charging point, another car is there. This clogs up in people's minds. They think that if they buy an electric car they will not be able to get anywhere in it. This is because the infrastructure is not in place. It is not because people do not want to do it. This puts the issue back into the Government's court again to make sure it provides that infrastructure.

Reference was made to a money message. I fear when I hear that in any of these debates. It happens all the time when the Government brings up the argument that legislation will be a cost to the Exchequer, rather than it being an investment the Exchequer will have to make to get a

return. That is how this Bill has to be seen. It is not just a financial return. The Minister spoke about the carbon sequestration and what we need to do about it, so this could be a return in that regard also. We have an obligation to ourselves and to future generations to sort out this mess. We need to be up for it and make sure that we do whatever is required to provide for the future. That is what we are doing. It is providing for the future.

This Bill is excellent. It provides a framework to start with. The Minister spoke about the issues he has with the Bill, but those issues can all be dealt with and teased out on Committee Stage, and they can be added to or taken from. We can do whatever needs to be done to ensure we can provide for the future. The future clearly is for people to be facilitated in doing what they want to do, for the good of climate change and for the good of the future.

I commend all the Deputies who supported the Bill. I particularly commend Deputy Stanley and Cathal in his office who has worked so hard to bring the Bill forward and to ensure we can bring it into effect. Let us hope it can come into effect speedily because time is not on our side when it comes to climate change.

Deputy Brian Stanley: I thank everyone in the House for their support tonight. I am aware that the Government has said it will not oppose the Bill, and I welcome that, but I also do not want the Minister to bury the Bill.

Climate change is here and we have huge obligations to meet. We know we are not going to come within an ass's roar of it. At best we will reduce greenhouse gas emissions by 1% by 2020, instead of the minimum of 20% that we signed up to. We are facing huge financial fines and there is a moral pressure on us. There are small islands in parts of the Philippines that are being washed away. Part of the Inishowen Peninsula was nearly washed away last year.

The term "domestic" was used in the debate but there is no legal definition for that power output with regard to microgeneration. There is a definition used by the ESB but it differs substantially from the definition used in Northern Ireland. This can be used here. We can adopt it to use for farms, buildings, schools and small businesses.

Bmw Solar in Laois tells me that it has 40 small companies that want to put up solar panels but they cannot because of existing roadblocks around planning, feed-in tariffs and access to the grid.

This Bill would assist rural development. Without a doubt it would put funding into rural towns and villages. I welcome the delegation in the Public Gallery tonight from the Irish Cattle and Sheep Farmers Association, who have shown a particular interest in this. I welcome that they have come to the House tonight to sit through this debate. They see this as an income stream for farmers so they need not rely on single products. They look to see what else can add value. They have taken this sensible approach and I commend them on it. We want farmers and small businesses involved, alongside households.

The legislation needs to be strong. We take the points that were made about the market share of the suppliers who must provide tariffs for microgeneration. There is an unpublished report from the Sustainable Energy Authority of Ireland that says the potential in microgeneration could produce one fifth of Ireland's electricity. That report was not published but it is there in black and white.

I will now address some of the points made by the Minister of State, Deputy Phelan in his

speech. I welcome that the Government will not oppose the Bill, but I do not want him to bury the Bill by stealth using a money message. The Minister of State also said that the Bill does not provide information on potential costs to the Exchequer. We have to design the scheme. The Minister, Deputy Bruton, knows, because he has been around this House for longer than I have, that in reality one cannot design a scheme in detail in a Bill. Sinn Féin is not for throwing money at projects that are going to fail or are doomed. We want to come up with solutions here. That is what we are trying to do. The Minister of State said that the Bill does not include any evidence or indicate the level of proposed tariff. Again, the legislation is not the sensible place to set out the level of tariff. That needs to be worked out separately. I do not believe that detail should be in the primary legislation. The Minister of State, Deputy Phelan said that for those reasons “the Government recommends that the Bill would undergo detailed scrutiny by the Oireachtas to discover the full cost of the proposals”. That is a very elastic way to deal with it and it could be stretched as long as one wanted. I ask the Minister, Deputy Bruton, as the new Minister in the job, and I ask it sincerely, are we going to use taxpayers’ money to pay huge fines for not meeting our international obligations? Are we going to use taxpayers’ money to buy tax credits? Are we going to continue to use the public service obligation levy on fossil fuels? Alternatively, will we use it in a sensible way to put money into projects, for example, in my constituency of Laois-Offaly where Bord na Móna is being run down? It is changing. Many householders will need to generate an income by other means, as will a lot of small businesses. We should grasp and use this opportunity and see it as a challenge to turn things in a different direction. I refer to section 4 of the Bill which will give the Minister huge powers, for example, to draft regulations that may be revised and contain a minimum contractual price which a supplier must offer to microgenerators. The Minister can set the minimum length of the contractual term of the tariff and amend the reference to applicable microgeneration equipment to allow for the use of new technology in the generation of electricity.

We are trying to take on board what the Minister said in a constructive way, but I want him to let the Bill proceed to Committee Stage. There are too many roadblocks in the way of micro-generation. We should look at the position in Germany. The Germans do not throw money to the four winds; neither do many other northern and southern European countries. The system is too restrictive here in seeking planning permission for placing solar panels on domestic houses. Grid connections are difficult to make and there is no feed-in tariff. I refer to the model of the Tipperary Energy Agency. We need to look at what it is doing and involve the other 34 local authorities. We must move from being a laggard to a leader when it comes to tackling climate change and the use of renewable energy resources. We have shown the way with the plastic bag levy and recycling. The Minister and I remember being told 25 years ago that the public would not embrace recycling. It has done so and now we are one of the leaders in Europe. This is not a challenge for next year or the year after; it is a task for now.

An Ceann Comhairle: We are way over time.

Deputy Brian Stanley: We want the Bill to proceed to Committee Stage as soon as possible. I thank the Minister.

An Ceann Comhairle: For a while I thought the Deputy was from Cork.

Question put and agreed to.

27 November 2018

Microgeneration Support Scheme Bill 2017: Referral to Select Committee [Private Members]

Deputy Brian Stanley: I move:

That the Bill be referred to the Select Committee on Communications, Climate Action and Environment, pursuant to Standing Orders 84A(3)(a) and 149(1).

Question put and agreed to.

The Dáil adjourned at 10.45 p.m. until 10.30 a.m. on Wednesday, 28 November 2018.