Nurses and Midwives Industrial Action: Statements

Minister for Health (Deputy Simon Harris): I very much welcome the opportunity to discuss this matter. The industrial action taken by the Irish Nurses and Midwives Organisation, INMO, and the Psychiatric Nurses Association, PNA, is clearly creating significant challenges and disruption for the health service and more importantly, has created a worrying time for patients and their families. I acknowledge this is not an action nurses and midwives take lightly and that the situation must be resolved. The Government remains steadfast in wishing to resolve the matter.

There is no monopoly on political support for nurses. I am privileged, as Minister for Health, to meet incredible nurses and midwives on a daily basis. I also meet patients on a daily basis who remind me of the excellent work nurses do across this country. This is not a debate about who cares more for nurses. This is a debate about how one resolves an industrial relations dispute in the context of a public service stability agreement, which I believe most if not all parties in this House profess to support. It must be remembered by everyone in the House that the Government, and the unions, including those involved in the dispute, signed up to a three-year public service pay agreement. Honouring agreements does matter.

The public service pay agreement expressly prohibits cost claim pay increases during the lifetime of the agreement. That is what was signed up to, so it is within that space that a solution must be found. Deputies have already heard in this House how the public service pay agreement takes significant steps towards pay restoration. That agreement commits to seeing significant increases in pay by 2020, and nurses and midwives can expect to see their share of the increases beginning this year. Reductions for pay levels up to €50,000, which include a large proportion of the nursing and midwifery profession, will be fully unwound by the end of this year. That represents a wage increase of between 2% and 2.5%, on average, across the sector, with new entrants and lower-paid professionals benefitting the most from the changes. The Government is united in its support to unwind pay reduction measures introduced under financial emergency measures in the public interest, FEMPI, legislation. The agreement was sought
We are eager to come to a fair and satisfactory solution for all parties involved that preserves the integrity of all elements of the agreement. That puts us in a difficult position in terms of how we reach a solution which respects the public service stability agreement and the other unions who represent other hard-working public servants who are not engaged in industrial action. There is an onus on those in this House who say that we should just support the claim being made by the nursing unions to answer the question to their constituents who work in other areas of the public service as to whether they believe they too should be treated equally in that regard.

However, just because something is difficult – this is clearly a difficult situation - does not mean that we give up. Far from it. There have been repeated attempts to resolve this dispute, none of which have borne fruit yet, but I stress the word “yet”. I believe there are solutions to be found but it will require innovation and imagination on both sides. On Monday, my colleague, the Minister for Finance and for Public Expenditure and Reform, and I issued a statement on the current nursing dispute. The statement made it clear that the Government continues to be willing to engage in talks on the range of workplace-related issues to try to resolve the dispute. The statement called for immediate engagement in the context of the current dispute with relevant unions. Unfortunately, I regret that engagement has not taken place. The Workplace Relations Commission remains available to facilitate all the parties in that regard.

Issues of recruitment and retention in the health service, which unions have claimed are at the heart of the dispute, must be taken seriously. We fully accept that the numbers of highly-qualified nursing, midwifery and medical professionals leaving the country is an issue that requires to be addressed. That is why the Government engaged the Public Service Pay Commission to look at roles in the public sector where recruitment and retention had been identified as issues. If we did not take those issues seriously, we would not have set up a specific module of the Public Service Pay Commission to examine those issues in the health service. The commission itself features members with a wealth of experience working in trade union organisations including SIPTU, IMPACT and the Irish Congress of Trade Unions, ICTU. Nursing and midwifery were among the first of the professions investigated by the independent commission. The commission’s findings were clear and they were published and accepted in full by the Government. The conclusion after in-depth assessment was the recruitment and retention issues were a cause of concern but that pay could not be found to be the one determining factor. It is a complex issue with many aspects and one that requires a range of solutions. That does not discount the equally clear actions recommended in the report that I, as Minister for Health, the HSE, and the Government are considering to improve staff retention and recruitment within the nursing and midwifery profession.

In addition to the benefits nurses and midwives can expect to receive from the unwinding of pay restrictions under the pay agreement, and the correction of salary scale issues for post-2011 new entrants, the Government has agreed to the commission’s recommendations of a 20% increase in local and qualification allowances for nurses, as well as accelerated promotion for staff nurses to the senior staff nurse level. Despite the unions’ recent rejection of the findings, the Government is hopeful that through further dialogue and clarification, these recommendations can be accepted and can be put into action this year for the benefit of nurses and midwives.

The industrial action taken by the unions is having a significant impact on hospitals and healthcare facilities. The decision to escalate the industrial action to include disability services
was unwarranted. The industrial action taken by the unions is impacting in a real way. By the end of today’s work stoppage more than 37,000 outpatient appointments will have been cancelled since the strike action commenced and it is expected that more than 6,000 inpatient and day-case appointments will have been cancelled. Those are not just numbers. Behind each case lies worry and concern for patients and their families.

Looking ahead to next week, a further three days of industrial action is planned, with more cancellations needed. In addition, the cumulative effect of the three days of industrial action will add to the stress on an already strained system. Members should be under no illusion that this is a dangerous situation and that patients would be put at risk. While the disruption is creating a worrying time for many people, contingency plans have been activated by the HSE to ensure urgent life-saving care is maintained throughout this industrial action. I recognise that the unions are co-operating in terms of contingency planning in these regards. These plans are being modified and refined daily to ensure this essential coverage is delivered during this dispute.

I understand the strength of the unions’ concerns and fully recognise that to have a first-class health service requires staff who have first-class support. It is regrettable the unions feel that pay reforms are not coming into action quickly enough but the proposed industrial action and ongoing industrial action are not the answer.

We are fully committed to coming to a satisfactory solution for all parties involved in accordance with the terms of the public service pay and stability agreement. I hear many people say that the solution can be found within the agreement. There is a duty on people to outline how exactly they would bring that solution about. Any solution to this dispute must be affordable and fair; affordable to the taxpayer but fair to all other hard-working public servants, including nurses in other unions who are working today and who have faithfully observed the parameters of the public service pay and stability agreement.

The stakes in this dispute are high. I mentioned recently that this situation is like a tightrope, and it is. The Government must maintain a responsible and prudent handling of our public finances, including public service pay, because without it, all future pay agreements may not only be at risk but may become unaffordable. To agree to the demands of the unions as they currently stand would tilt that handling of the public finances into an unsustainable spiral. This would damage our economy, our health service and ultimately public servants, including nurses, who we wish to support.

It is essential that industrial action comes to a halt as soon as possible. Our Government is sincere in its offer to want to talk and engage with nursing unions to reach a resolution to this dispute. I am confident this can be accomplished through further dialogue and engagement. I really hope after today’s stoppage comes to an end that there is a real intensity of engagement as we work together to try to avoid further disruption.

I am sure many of us have had the opportunity to see nurses on the picket line. People have beeped their horns in support. What struck me as I passed were the chants I heard, proclaiming the need for safe staffing. While the key staff essential for running the services in the building behind them are outside on the picket line, there has to be a better way to do our business. I believe that the better way lies in the industrial relations machinery of the State, the Workplace Relations Commission, the Labour Court and not on the picket line. The solution will not be found here on the floor of the Dáil. The solution will be found using our industrial relations mechanism. We want to use that mechanism. We want to come to a solution. We want to
find an innovative solution but we also want to honour an agreement that most parties in this House claim they fully support, which is the public service pay and stability agreement, and the commitment we gave to all our public servants, including nurses and midwives, under that agreement.

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

**Deputy Stephen S. Donnelly:** I will be sharing time with Deputies Browne, Brassil, Butler and Cowen.

**An Leas-Cheann Comhairle:** The Deputies have a sharing arrangement. They have a total of ten minutes so they should keep an eye on the clock.

**Deputy Stephen S. Donnelly:** Patients in Ireland now wait longer to see doctors and to get treatment than patients in any other European country. Waiting times for CervicalCheck have jumped from two weeks to six months. Mental health services are in crisis and chronically underfunded. We have about half the number of consultants we need. The costs of the national children’s hospital have exploded threatening other healthcare projects for years to come.

In this context, our healthcare professionals are at their wits’ end. Hundreds of GPs took to the streets outside Leinster House yesterday to protest the asset stripping of general practice. Consultant posts lie vacant around the country. Ambulance drivers are taking strike action. Psychiatric nurses are taking strike action. The focus of this morning’s session, namely, the nurses and midwives, have just commenced their third day of national strike action, only the second such action in 100 years of INMO history. They have been calling for meaningful engagement for five years. They want to discuss conditions, staffing levels, patient safety, cost saving opportunities, career progression and – one of the core issues of this strike – the inequitable situation where a newly-minted, honours degree educated nurse walks in the front door of a hospital on their first day of work with an allied health professional and the nurse earns €6,000 to €7,000 less.

The Government’s response to date is that it will meet the INMO so long as the issue at the centre of this strike is not discussed but, worse, the Government did not even have the courtesy to tell the INMO of its offer directly, rather it issued that offer via press release. If anything, that action, that lack of respect, has further galvanised the tens of thousands of men and women on picket lines this morning. The Government maintains there is no blank cheque. They are not looking for a blank cheque; they are looking for real, respectful, open engagement. The Government maintains it cannot engage on the issue of pay because of the public sector pay agreement but that agreement allows for these issues to be dealt where recruitment and retention has been identified as a problem. The number of mental health nurses is falling. The number of community nurses is falling. Many hospitals across Ireland are struggling to hire staff nurses and have particular issues in specialties such as intensive care and emergency medicine. That provides the space for an urgent review for nurses and midwives within the parameters of the public sector pay agreement. The general secretary of ICTU has stated she believes the INMO issues can be addressed within the parameters of the public sector pay agreement.

We all know that these issues will be resolved sooner or later. The question is: how much pain is the Government willing to inflict on patients, on their families and on healthcare professionals? Not a single nurse or midwife wants to be strike today. They are on the picket lines because they have not been listened to because they are not being respected.
The Government has a few critical days to get on top of this situation and avert strike action next week. Our hope is that it will start taking its responsibility seriously.

**Deputy James Browne:** Today nurses and midwives are again on strike. The Psychiatric Nurses Association is escalating its campaign, involving 6,000 psychiatric nurses and more than 37,500 whole-time equivalent nurses and midwives. They do not want to be on strike. Nurses want to be caring for their patients, for the sick. What is this nurses’ dispute about? It is about a very reasonable unhappiness about their work conditions. They have been warning the Government since 2013 about their work conditions and its impact on the risks to patients’ safety. They have many valid concerns, including overcrowding in our hospitals, which are running at 95% to 120% capacity. They have concerns around understaffing. They are seriously overstretched. They are suffering from a phenomenal level of assaults; 70% of all assaults are on nurses. Psychiatric nurses suffer a great number of assaults and that number has been increasing year on year. There are serious issues around recruitment and retention. There are issues around the cost of living and, of course, around pay. They are asking a very fair question about pay, namely, why nurses are starting off on €6,000 to €7,000 less than equivalently qualified, allied health professionals.

Nursing became an honours degree 17 years ago. It is timely that the way they are paid, assessed, rewarded and supported is now reassessed. This matter will be resolved, but when will the Government engage on a meaningful basis with the nurses in this country, the INMO nurses and psychiatric nurses?

**Deputy Mary Butler:** Unfortunately, for the first time since 1999, the country’s nurses and midwives have gone on strike across the health service and in the absence of any meaningful engagement with the Government, industrial action is to be further escalated. Today is the third full day of an INMO strike. No nurse or midwife, whether they go into psychiatric nursing or other areas of nursing, ever trained to stand outside a hospital while there were patients inside it. The Government should engage in good faith with the INMO and try to end the dispute once and for all.

The health service is under fierce pressure. It is absolutely creaking, even on a normal day with a full contingent of staff. How many more patients’ appointments have to be cancelled before both parties get back into the Workplace Relations Commission and the Labour Court?

**Deputy John Brassil:** Support for the nurses, midwives and psychiatric nurses is widespread but at this stage they are not looking for support; they want a resolution. The only solution is to enter into meaningful talks. We have suggested Kieran Mulvey as a mediator but somebody of that stature is needed because without meaningful negotiations, we are going nowhere.

The pay issue is one element. Stress, workplace conditions, staffing numbers, part-time versus full-time contracts, particularly for psychiatric nurses, continuing education, an accommodation allowance and so forth are all issues that have to be dealt with in this dispute. The Government is claiming that the cost is €300 million. The INMO and the PNA say it is nowhere near that figure and that resolution can be found under existing structures. I call on Ministers to stop pitching nurses against the rest of the public service. I call on them to solve this issue for the nurses and to start as soon as this debate concludes today.

**Deputy Barry Cowen:** The Minister said that he is eager to come to a fair and satisfactory
solution for all parties that preserves the integrity of all elements of the Public Service Stability Agreement, PSSA. The general secretary of the Irish Congress of Trade Unions, ICTU, has said that there is potential within the existing agreement that protects its integrity but also allows for a resolution to this issue. The effort made by the Government the other evening leaves a lot to be desired, but it can correct that mistake by offering to enter into talks with no preconditions and it can allow independent arbitration on the issues referred to in clauses three and four. At the time the agreement was put in place, it was believed by nurses that those issues would be resolved, notwithstanding the Public Service Pay Commission’s recommendations. The Minister was quick to say that the Government implemented in full the aforementioned recommendations, but he was very slow to admit that the chairperson of the commission alluded, in the report’s foreword, to the fact that the commission did not have the correct analytics and statistics available to it which would allow it to make a recommendation it could stand over in terms of being the most informed one possible. That must be acknowledged but the Minister was not too quick about saying that.

The Minister spoke earlier in the week about the significant overruns on the children’s hospital project, but we did not get a definition of “significant” from him. What some nurses believe is significant is the rent they are paying or the cost of a washing machine that has to be replaced. What is significant to some nurses and others in this country is the price of fuel in the event of a prolonged winter. What is significant to them is €300 or €400. I do not know what significant means to Fine Gael or to this Government, but it is time to get into a room and speak about it to arrive at a resolution. Patients and the public are suffering, with 25,000 patients affected per day of strike. Those whom I have met on the picket lines have said that when they signed up to the PSSA, there were clauses within it which they believed would address their concerns. The Government took credit for them at the time but it cannot run away from them now.

Deputy Louise O’Reilly: As the Minister knows, I am a former trade union official and am also the daughter of a trade union official. I have been a trade unionist all of my life and was very proud to stand on the picket line with nurses and midwives this morning at Beaumont Hospital. They gave me a number of messages, one of which is a badge for the Minister which reads “Save Staff”. I do not imagine that the Minister is opposed to that and that is why they are on the picket lines today. The Minister will have seen pictures of nurses and midwives in Abu Dhabi, Australia and all over the world who are asking the Minister to give them a reason to come home. They are appealing directly to the Minister and asking him to give them a reason to come home by paying them decently. They are asking him to stop educating nurses and midwives to work in health services elsewhere and to stop spending a fortune to supplement existing staff by paying for agency staff every single day of the week. The agency bill is continuing to rise. Indeed, that was one of the first issues I raised with the Minister for Health when I came into the Dáil, and I have continually raised it since then because it is a waste of money to keep escalating the agency pay bill.

The Minister asked what can be done and he put it to those of us on this side of the House to outline what we would do. I have Ms Phil Ní Sheaghdha’s phone number in my phone and I will give it to the Minister when this debate is over. The Minister can pick up the phone, ring her and have a conversation with her on what can be done. He can also stop issuing press releases that are doing nothing other than getting the backs up of the men and women on the picket line. The word used by the Minister’s boss was “discourteous”. He said it was discourteous to issue a press release of that nature and not to talk to the people involved directly.
Minister is dead right when he says that this will not be solved in here. Any dispute in which I was involved when I was working in the union was never going to be resolved in this Chamber and we all know that. There is very sophisticated industrial relations machinery available, but there is no point in everyone sitting around a table, looking at each other when the will is not there to resolve the dispute.

The Minister can send a signal now. He can send a signal to the third-party machinery and to the nurses, some of whom are here today and many of whom are listening or watching on the picket lines. They want to hear what the Minister has to say, but what has he said to them? He has said that he is terribly concerned about short staffing and patient safety, but every day of the week, nurses and midwives are cancelling procedures. They are experts in that now. They pick up the phone and tell people that there are not enough beds or enough staff and that their procedures are being cancelled. Every one of us knows these people because they come to our clinics or are in our families. We know that procedures are being cancelled every single day of the week. The Minister’s concern for patient safety in the context of a strike rings very hollow to the men and women on the picket line at the moment. They are on strike for safe staffing levels. The Minister must give them a reason to stay or to come home from abroad. That is all they want.

This dispute can be resolved within the confines of the PSSA. The Minister should not take my word for it but should talk to the nurses directly. They will tell him how it can be done. They are out on strike for the sake of patients. They are on strike because the health service needs more staff. Many of those contributing to this debate today will say that nurses and midwives are only marvellous and are lovely and will ask what we would do without them. They are workers who are on strike for decent wages. They believe their dispute can be resolved within the context of the PSSA. The Minister must listen to them. He should not take my word for it but should talk to them directly. He must stop issuing offensive press releases and pretending that he is offering talks while saying that the Government will talk about everything except pay. That is an absolute insult. Pay has to be central to this. The Government did not oppose the Sinn Féin motion that was passed in this House last April, the very last line of which argued that pay must be central to the resolution of issues around recruitment and retention. We have a recruitment and retention crisis which can be added to the list of the other crises and scandals. The Government has an opportunity now to do the right thing. This dispute will not be resolved in here. Fine words from all of us will not resolve this industrial dispute. What will resolve it is direct, face-to-face negotiations, but the political will on the part of the Government to resolve this dispute must be there. These are workers and this is an industrial dispute. Nurses and midwives do not want a pat on the back. They want to be paid decent wages and they want the Minister to talk to them as professionals.

Deputy Dessie Ellis: Ar dtús, ba mhaith liom tacaíocht a thabhairt do na haltraí ar fud na tíre agus i mo cheantar féin. Seasaim leo.

Nursing is a vocation. It takes a special person to work in the medical profession. Unless a person has walked in their shoes, he or she can never truly understand or appreciate the dedication, hard work and humanity of those who work in the nursing profession. Like me, I am sure most Deputies in this Chamber have reason to be grateful for the quality, strength, professionalism and compassion of our nurses. However, nurses and midwives in our hospitals do not feel valued or respected. They feel that they are being taken advantage of because they are caring for people. They feel that as long as they keep doing what they are doing without complaining, the more that will be asked of them. They should never be made to feel this way. They deserve
consideration, respect and recognition for the job they do. It is a job that many of us could never do and they deserve proper remuneration for their incredible hard work and tireless dedication to their patients and to their profession.

It is so sad and shameful that each year we lose great talent to other countries. Across the world, hospitals in Australia, the USA, Europe and elsewhere are gaining at Ireland’s expense. How could anyone blame graduate nurses for leaving our shores for foreign lands where they will receive proper wages for the work they do? Why should they struggle financially? Why should they work just to survive? Our nurses and midwives deserve better. They deserve a living wage, not a struggling one. It is the least we can do for those we will turn to in our hour of need. This is their time of need. Let us not turn our backs on them. We and the Minister owe it to them.

Deputy Gerry Adams: Tá mé sona sásta seans a bheith agam caint faoin ábhar tábhachtach seo. Ba mhaith liom mo chuid tacaíochta a thabhairt do na haltraí.

Last week, I joined the nurses on the picket line at Our Lady of Lourdes Hospital along with an Teachta Munster and other local representatives. Later today, I will be outside Louth County Hospital with them in Dundalk. The nurses and midwives on the picket line do not want to be on strike. It is clear, however, from the overwhelming public support they are receiving that the people, including patients who are being affected by the strike, do not blame the nurses. They understand that the nurses have been badly treated by successive Governments. They know, as everybody knows, that our health services are in crisis and they accept that this industrial action is about providing a health service fit for purpose and capable of treating patients effectively and efficiently. They also accept that, without significant changes in pay, the core problems of recruitment and retention of staff, capacity and patient safety will not be addressed. In these circumstances, the nursing shortage and the crisis in the health service will only get worse.

The Minister must know that up to 80% of those who are leaving the profession of nursing and midwifery are resigning. They are not retiring; there are resigning. There are leaving the health service. Fine Gael has almost had eight years to address the recruitment and retention crisis and it has failed. The Minister for Health and the Minister for Public Expenditure and Reform are presiding over the scandal of over-expenditure at the new children’s hospital. The Taoiseach argues this is value for money. At the same time, he rejects the demands from the nurses. The Government has no problem with landlords, bankers and vulture funds making huge profits but it is denying nurses the modest and legitimate increase they demand.

Last year, Sinn Féin introduced a Private Members’ motion on the pay and recruitment of nurses and midwives. It was passed unanimously but the recommendations were ignored. The unions have proposed sensible, responsible solutions that, if adopted by the Government and HSE, would end the industrial action and improve conditions for staff and patients and therefore improve the health services. They have been ignored. It is up to the Minister for Public Expenditure and Reform, the Minister for Health and the Taoiseach to engage with the INMO and PNA and find resolutions based on workable solutions.

As for Fianna Fáil, come on lads, get real. An Teachta Martin’s confidence and supply policy makes the party’s protestations over Fine Gael’s incompetence and arrogance, even if genuine, ring hollow. Fianna Fáil must know that Fine Gael is in government only because Fianna Fáil supports it in its policies. If Fianna Fáil really supports the nurses, it should stop supporting this bad Government.
We have all been very dignified so far. I would like to continue in that fashion. I call Deputy Alan Kelly, who has ten minutes.

It has been a difficult week for the Minister for Health, Deputy Simon Harris. I do not say that in jest. I hope he is going to take very seriously the concerns raised yesterday by the paramedics and doctors because, along with the nurses, they comprise the bedrock of our health service. I am glad the Minister for Public Expenditure and Reform, Deputy Paschal Donohoe, is sitting beside the Minister for Health because they need to sit down and have a chat about the children’s hospital also, considering that it took them and their officials so long to sit down and have a chat on day one, which is amazing.

I am glad we got to debate this issue. It is very strange there are those who did not want to debate it. When we talk about this issue, it is important that we deal with some facts, one being that, in 2018, due to under-staffing and under-capacity, nearly 110,000 were forced to wait on trolleys and 7,000 procedures were cancelled. Only one in every four nursing vacancies was filled. There are almost 1,700 fewer nurses than there were a decade ago.

An issue that really bugs me is the amount of money spent on agency nurses. There will always be a role for agency nurses because gaps arise but they have now become the norm. I am sure the Minister for Public Expenditure and Reform will accept this is not an efficient way of spending money. More money is spent because of the policy that has now become the norm. It is continuous. The scale shows why this issue has to be dealt with. The costs of hiring agency staff and recruiting staff are so high that they are even adding to the problem. When I hear it is going to cost X million euro to sort this out, I believe from the prudence perspective that the Department of Health and the Department of Public Expenditure and Reform should consider this issue before circulating figures. They should examine the recruitment costs, the issues related to agency staff, the issues related to comparable pay, the efficiencies that would be brought about if there were enough nurses in the first place and how stays in hospitals would be shortened because of a more efficient service. The savings would be used to meet the requirements for which the nurses are rightly arguing.

My party and I will be fully supporting the nurses and have done so. We will be fully supporting them on Saturday on their day of protest. They do not take this action lightly. Members of my family are nurses. There are very few Members in the Dáil who do not have somebody in their extended family involved in the profession. Nursing is a vocation. We saw last night that nurses were staying on late to finish off their work. They always work longer hours and always stay longer to hand over because it is a vocation.

The nurses will continue to have public support because of the manner in which they conduct themselves, the way in which they act in their profession and the exemplary work they do. Nursing is probably the profession that the public will stand behind most. If the Minister believes he is going to wear down the nursing unions and public, he is completely and utterly wrong. It is about time the Minister sat down with the nurses and engaged with them in a truthful manner. Other Members have made reference to the manner in which he has communicated with the unions to date. It is insulting. Even the Taoiseach has had to apologise to this House for the manner in which the nurses have been communicated with, by press release. It is not the way to do business and it must not continue.

Instead of an elongated strike, which we all know has consequences across the health service, and instead of sitting down with the nurses in the near future, there should be an effort to
compromise. Ultimately, strikes come to an end and there will be compromise. Since there has to be compromise of some form, why not sit down in a real fashion, get rid of all the preconditions and do everyone, including all of us, those in the Visitors Gallery, the watching public and all the nurses listening a favour and engage in proper negotiations? Why not? What is to be lost? From a Government perspective, it is going to have to happen anyway. It might as well happen now. We are facing three days of strikes next week. There is no reason the negotiations cannot happen now. I just do not understand it.

Let us consider some of the reasons the nurses feel the need to go on strike. A figure that really hits me is that when nurses are leaving the profession, 60% do not do so because they are retiring; they are actually resigning. They are leaving the profession to work in a private capacity or to do something else. Does this not explain absolutely why there is such a genuine issue? If one talks to nurses - this is something I see all the time in my daily work - pay is the real issue and a central component of the dispute. In order to resolve it and deal with the issues of recruitment and retention, patient safety must ultimately be recognised as a real issue.

I represent County Tipperary. We have two of the most overcrowded hospitals in the country either side of where I live: South Tipperary General Hospital, as the Minister very well knows-----

**Deputy Simon Harris:** I do.

**Deputy Alan Kelly:** -----and University Hospital Limerick. He is giving funding to both to speed up the building of modular units, as I confirmed yesterday.

**Deputy Simon Harris:** I am.

**Deputy Alan Kelly:** That shows the real issues. The staff are working in environments in which they simply do not have enough space or nurses. There are real issues in recruitment. A range of vacancies in Limerick have not been filled. Two weeks ago with other Oireachtas Members from County Tipperary I met management of the HSE and South Tipperary General Hospital where one of the modular units is to be built. They told us straight up that it would not be opened within the timelines it should be opened. There will be a nice new building, but the fact is that it cannot be opened because of the time it will take to recruit nurses. It will take so long because it is not an attractive enough proposition and they will have to work extra hard to be able to do it. It is in our interests to ensure the issue is dealt with quickly because the Government’s capital programme is obviously now quite upset owing to the massive overspend on the children’s hospital. There are, however, quite a lot of good programmes, strategies and projects into the future, whether it be the national maternity strategy, of which I am hugely supportive, future mental health programmes or future developments across a range of other services in the acute and non-acute sectors. The issue, though, is that, frankly, they are all a waste of time and will all go to pot, unless there are the staff in the first place to be able to implement them.

There is workforce planning I hope in the public sector and the private sector to a great extent. What workforce planning is taking place in the context of the future of the health service? What workforce planning will be accurate and capable of implementing all of the strategies and ensuring we will have the volume of human resources to carry out the strategies? What workforce planning can be a vision to deal with the issue if the Government will not sit down and talk to the nurses and discuss their issues? What does this say to them about their future? What does it say to those who are taking four-year nursing degree programmes? What does
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it say to all of the Irish nurses in Australia and all of the other countries around the world who want to come? It says there is no plan and no vision. The nurses will see that the Government has all of these fancy plans but no plan to ensure they will have decent careers.

It is time to wake up and deal with this issue. There is no requirement for the Government to set down preconditions. It should treat the nurses and the public with respect. I am not sure if Fine Gael and the Government know how to do industrial relations, but I ask them to learn quickly because I can absolutely guarantee them that the public will stay on the side of the nurses in this dispute for as long as it takes. I urge the Government to sit down and talk to them now. It is in its interest to do so.

Deputy Bríd Smith: I am sharing time with Deputy Boyd Barrett and Solidarity Members.

An Leas-Cheann Comhairle: The Deputies have ten minutes in total.

Deputy Bríd Smith: I will address the two Ministers who are present. I want to put in context the reason we are here and welcome all of the wonderful men and women who work in nursing services - in psychiatric, general nursing and midwifery - to the Visitors Gallery. We need to put this issue in the context of the economy. We are living in the fastest growing economy in Europe. Personal wealth in this country has increased by €300 billion in the past five years - no other country in Europe can make such a boast - yet our nurses and midwives are paid less, treated worse and understaffed compared with those in any other European economy. This puts the issue in the context of priorities. One of the key reasons the Government is holding out stubbornly against the will of the people, the general population, and the obvious moral case the workers have is that it does not want other workers to learn the lesson that they, too, can share in this wealth. The wealth created on the backs of and because of the sacrifices made by workers is moving in one direction. It is going to the wealthy; it is not being shared among wider society. That is the agenda of the Government and it wants to maintain it.

I will put another spin on the dispute which is contrary to that constantly put on it by the Government, including the Minister’s latest that he had an opportunity to pass a picket this morning. I have never crossed a picket in my life, nor have many other Deputies and Senators. We stop and show a little solidarity. The Minister said he heard the chant about safe staffing and thought to himself how one could have safe staffing if nurses were turning their backs on the building in which they should be working.

Deputy Simon Harris: I did not say that.

Deputy Bríd Smith: The buildings in which they work are not safely staffed. The ratio of nurses to patients is appalling. The safe ratio is 1:4. The real ratio in Ireland is something like 1:8 or 1:11. That is why the nurses are taking the action they are taking. They cannot guarantee patient safety and are sick and tired of apologising to patients and their families. The safe ratio must be attained and the nurses’ unions have given the Government a way to do so, which is to prove that where there is a safe ratio of nurses to staff, there is 50% less mortality, less risk of cross-contamination in wards, a reduction in the length of stay in hospital and people get home sooner, as a result of which the longer term care they need afterwards is also reduced. The nurses’ unions can scientifically reckon for the Minister that €600 million a year would be saved by increasing the ratio to safe levels. There is the Government’s get-out clause and the reason it should pay nurses properly.

Saturday will be a really important day for the general population which is behind the nurs-
Deputy Richard Boyd Barrett: The Ministers should stop the propaganda and the dishonest spin and tell the truth about the nurses. That is the message I received from the nurses outside today and those on the picket lines every day. They are sick of hearing the Ministers say they are on salaries of €57,000 and that there is no retention or recruitment problem. It is nonsense. There are unsafe levels of staffing in hospitals. A psychiatric nurse who is married to a midwife was at our public meeting last night. He is at the top of the scale and earning €47,000. He had worked through the night and then gone home, having been up for 36 hours, because his wife had to go to work, while he minded the children and took them to school. He must take his annual holidays to mind the kids, such are his hours, including overtime, and those of his wife and they have nothing. The Government should, therefore, stop the spin and admit the truth. We have a problem. The country is haemorrhaging young nurses because they do not want to work in unsafe hospitals or take responsibility for doing so and they are being paid an absolute pittance. That is the reality. Therefore, the Government should admit the truth and talk to them. Phil Ni Sheaghdha and Peter Hughes are in the Visitors Gallery. Why do the Ministers not toddle up after this debate and talk to them and actually listen to the reasons they are on strike? If they will not listen, I hope on Saturday the public will come out in their tens of thousands to fight, not just for the nurses but also for the future of the public health service in order to make the Ministers listen. Eventually they will have to do so.

Deputy Paul Murphy: Two placards held by young nurses on the picket line in Tallaght on Tuesday morning summed up a very important aspect of this dispute. One read, “I am not striking for the good of my health; I am striking for the good of yours.” Another was a message to the Ministers: “Pay your nurses as if your life depends on it.” These messages highlight that it is patient safety that has suffered first and foremost as a result of the chronic underfunding of the health service under successive Governments. A key part of resolving the dispute is paying staff properly and fairly in order to recruit and retain nurses.

I thought the Minister’s move on Monday night, in offering negotiations to the media, not the INMO, was breathtaking in its cynicism, not only because of whom the message was directed at but also because of it what was. Crucially, the message was not about discussing the central issue of pay but instead was transparently about trying to shame the nurses for seeking pay rises and pay parity. It is the Government which should be utterly ashamed of its behaviour in this dispute and nurses should be unashamed in seeking pay parity. Broadly, working-class people - ordinary people - support the demand for pay parity from nurses because other workers are also experiencing the massive cost of living rises, in particular the cost of accommodation, and also want to have a raise. They rightly see that a victory for nurses is a victory for all workers. The power of that support and solidarity was brought home to me on the picket line on James’s Street when firefighters came along with soup to support the nurses and were met with hugs and applause from them. That solidarity and support makes them very strong and means they can achieve a victory in this strike.

The final point is in response to the question on where the money will come from. How about the €250 million spent in nine months last year on agency nurses driving a process of privatisation? How about the €270 million paid to Anglo junior bondholders, supposedly burnt, before Christmas? How about the €80 billion held by the richest 300 people? There is plenty of money available. The question is whether it is used to enrich the super-rich even further, to entrench inequality, to build a two-tier privatised health service, or to pay a decent wage and
build a national health service that we need.

**Deputy Mick Barry:** Fine Gael Ministers are losing the battle against the nurses in the court of public opinion. It is a battle I believe they cannot win. Senators Colm Burke and Buttimer expressed concern at their parliamentary party meeting last night that Fine Gael could be hit hard in May over this issue. Their nervousness is entirely justified.

Our message to the public is to stick firm with the nurses and remember who is really responsible for disruption in the health service. Our message to the Dáil is that next Wednesday afternoon, Solidarity-People Before Profit will bring a motion before the House demanding that the Government pays the nurses. We have head the fine words today. Let us see the actions and have parties that have spoken for the nurses vote for that motion next Wednesday.

Our message to the nurses is to keep their nerve, keep up the pressure and remember that striking workers never won anything in negotiation that was not first won on the picket lines. They should step up the pressure on the picket lines, and they can win.

Our message to the trade union movement is that the nurses must not be left to stand and fight alone. The entire trade union movement should use the next 48 hours to mobilise the maximum number of people possible to rally with the nurses in Dublin this Saturday. Moreover, other public sector unions should now open up a second front against Government pay policy. This means balloting for industrial action to reverse completely the cuts in pay imposed in the austerity years, including the question of two-tier pay for new entrants. The workers united will never be defeated. Victory to the nurses. Victory to the midwives.

**Deputy Joan Collins:** I welcome all the nurses in the Gallery. I want to counteract the nonsense the Government is putting out that staffing levels are okay and that there is no issue with recruitment and retention. The INMO has shown that there are 103 fewer staff nurses employed today than were employed in December 2007 and that there are 1,650 fewer nurses and midwives today than there were in 2007. The INMO has informed us that hospitals are unable to recruit midwifery staff to match the recommended level of staff midwives to birth ratio.

The PNA has said that, according to figures it has got, there is a 40% vacancy rate in psychiatric nursing. At the same time, the INMO has figures to the effect that the HSE is paying out €1.4 million a week in agency nursing costs. In terms of psychiatric nursing, in 2013, €14.3 million was spent on agency nursing. That had increased to €53 million in 2017. That is the scandal we are facing as a public in respect of the way our health service is being run.

The irony is unbelievable regarding the use of agency staff. The HSE is paying agency nurses 20% more than the nurses they work beside in our hospitals. So much for equal pay for work of equal value in that regard.

Those figures came from a response to a parliamentary question tabled last year. The HSE, in response, stated that this expenditure should be considered in the overall context, including increasing demand for services - absolutely - the impact of earlier constraints on recruitment in the public service - absolutely - and ongoing challenges in regard to recruitment and retention of clinical staff.

The HSE is admitting there is a problem with recruitment and retention but why is the Minister not admitting it is a major problem and has to be dealt with? Nurses are leaving their jobs and the country to go to Australia or Canada, private hospitals and agencies. That is the reality.
The Government says the nurses have to be responsible and that it cannot afford to pay €300 million out of a €17 billion health budget or on the back of all the other issues on which money can be wasted. It should think about this. It can afford to pay the €450 million or €700 million, with contractors breaking tenders, in respect of the children’s hospital. As reported in the news the other day, it can afford to allow the Department of Justice and Equality pay €1,000 per week on taxis. The Department of Foreign Affairs and Trade can afford to pay €1,000 per day on taxis. Is that a responsible Government?

What is really offensive is that Deputies on the Government side of the House who are telling nurses and midwives to be responsible pocketed €7,800 in the past two years as a result of the reversal of the financial emergency measures in the public interest pay cuts from January 2017. I did not take it because of what is happening here today and to support teachers and others in respect of equality of pay. I gifted back the money. These are the same people who are telling nurses to get off the picket line and not turn their backs on their patients in the hospitals.

I heard reports on the radio this morning that patients are at risk. Patients are at risk every single day of the year. These nurses are out on the picket line because they will not stand over continuing that risk to patient safety.

There is a way for the Minister to resolve this dispute. There is a section in the public sector pay agreement which provides for a review of recruitment and retention. Why will the Minister not look at public sector pay, offer a substantial down payment to start the talks and then go into negotiations on reviewing it?

Irish nurses across the world are in solidarity with this action. They are asking the Government to give them a reason to come home. I ask the Minister to give them a reason to come home and come out on Saturday at 12.30 p.m. to support nurses, midwives, psychiatric nurses and GPs who are saying that the system is in crisis, that it is crippling, and that it has to be dealt with. Will the Minister respond to that request and, following these statements, talk to Phil Ní Sheaghdha, Peter Hughes and those who can make the difference? If he does not do that, patient safety will be on his head.

Deputy Mick Wallace: The Ministers have a big problem and I am sure it is not easy to fix. They are caught between a rock and a hard place. In terms of the reason for that, there has been a rise in inequality in most of the developed world in recent years and the problem has grown. They will not solve the nurses’ recruitment and retention issue. Unless they pay them better, it will remain a problem. It will not go away. They will most likely continue to strike until they get what they see is a fair wage.

The Government says it cannot break the public sector pay agreement, and that is understandable, but it will have to break it. Does that mean that more claims and strikes will follow by other people who believe they should be paid more? It is a huge problem but, truth be told, other sectors too are probably struggling to make ends meet.

I do not expect the Ministers to solve the problem overnight, but it is a fact that in the 1980s a person could buy a house in this town for three times his or her wages. People would need nine times their wage to buy one now.

II o’clock

That is a big problem, as is the cost of rent. Nurses and other people are struggling to make
ends meet. Contrast is a significant issue. We all look at what others have and what is happening in other areas. That can be very annoying. The Minister, Deputy Donohoe, knows that I have been raising the issue of the loss of money in NAMA for many years. I genuinely believe that had things been done differently, up to €20 billion could have been saved. I have probably looked under the covers in regard to NAMA more than most. It is a significant problem and the nurses see that.

The situation regarding the children’s hospital is nuts. I do not know why BAM was considered for the project. BAM delayed the development of Grangegorman by over two years at great cost to the State because it did not get the job. It was contracted to carry out a job in Cork port and after it was given the tender it sought an extra €11 million, claiming it had made a mistake in the tender. It went to court to dispute the matter. Why was it put on a tender list? The price for the hospital is too high. I have looked at it from a construction point of view and approximately 30% of the overall cost is fluff. It is a joke. BAM is conning the State. It is a scam. How does one deal with it? Who analysed the increased costs? Did someone go through it line by line to assess from where all the extra costs came? I would love to see and analyse a full breakdown of all the extra costs. PwC, which has done plenty of work for BAM through the years, is not the right entity to analyse it. Is anybody from the construction sector looking at it? That is where the extra costs arise. We seem to almost turn a blind eye to these crazy prices that come in. Tenderers seem to think that if a project is for the State, the costs will not be analysed and they will get away with things. I will tell the House a very quick story.

**Deputy Barry Cowen:** It is about Johnny McGory.

**Deputy Mick Wallace:** A couple of years ago in Dublin, four builders were asked to price a job. The tenders had to be submitted by 5 p.m. on a Friday. A week beforehand, one of the builders rang the other three and proposed a meeting. They were aware of the identities of the other tenderers. At the meeting, a deal was proposed whereby they would meet five hours before the tenders were due to be submitted and open the tenders, with the second-lowest tender getting the job and the lowest tenderer revising its price. It drove the price of the job up by approximately €2.5 million. It was a relatively big job for a private entity. The company carried out an investigation to find out why the cost was so high. It found out what had occurred and threw the four builders out. I would throw BAM out. Yesterday, Professor Jimmy Sheehan spoke at the briefing organised by Deputy Mattie McGrath in the audiovisual room. He made a lot of sense. Connolly hospital should be reconsidered as a location for the hospital. As a builder, I know that if the Government persists with the development of the children’s hospital on the site of St. James’s Hospital-----

**An Leas-Cheann Comhairle:** Deputy, please.

**Deputy Mick Wallace:** -----the extras that will accumulate are multiples of those which would accumulate if the hospital was developed at Connolly. The site at St. James’s is a nightmare to build on.

**An Leas-Cheann Comhairle:** Members will deprive others of the opportunity to ask questions if they do not stick to the allocated time.

The Rural Independent Group has six speakers. The first two speakers, Deputies Fitzpatrick and Nolan, have a minute each and the four Rural Independent Group Members have two minutes each. They must stick to that rigidly because if there is slippage, the last person will
Deputy Peter Fitzpatrick: The HSE has confirmed that 50,000 patients have been affected by the two-day strike action so far this week. All outpatient, inpatient and day surgery appointments for today have been cancelled. Other planned admissions including respite care and rehabilitation to community nursing units, including for people with intellectual disabilities, have been cancelled. Vulnerable people are losing out. The Government must engage with the nurses. All I hear from the Government is that it is disappointed that further strike action by the INMO is going ahead but the strike will be sorted out. The INMO stated that it is disappointed that the Government will not discuss nurses’ pay. The Ministers, Deputies Donohoe and Harris, need to realise these are serious problems. They say the Government has no money but the INMO says that nurses need more pay. I ask them to please engage. They should meet the INMO today because the vulnerable people in Ireland who have been waiting a long time for services are not receiving them.

Deputy Carol Nolan: I thank Deputy Mattie McGrath for sharing time. The Minister, Deputy Harris, must engage with the INMO in a constructive and meaningful manner. The ongoing issues of pay inequality, staffing levels and poor working conditions have been in existence for some time. We can no longer afford to lose our newly qualified nurses to other countries where they get respect. I met nurses on the picket line outside the Midland Regional Hospital, Tullamore last week. They are frustrated and fed up with their working conditions. They are pulled from one section of the hospital to another because of understaffing. That is unfair on front-line workers and their health, as well as on patients. The Minister, Deputy Harris, needs to take action. It is appalling that the Taoiseach worked in the health service and saw how bad things were, yet he presides over this crisis. These nurses are working in a health service which, like the Government, is not fit for purpose.

Deputy Michael Harty: I address my comments to the Minister, Deputy Harris, and the Minister, Deputy Donohoe. I have tried to constructively engage with them on health reform. This issue crystallises into health reform. It arises from issues of recruitment, retention and pay. It is also about health reform and recruiting and retaining nurses to deliver a proper level of care to our patients. The health service is about delivering care to patients. Unless nurses are properly paid and their frustrations and dissatisfaction with their working conditions recognised, we will not have nurses to work in our health system. The strike indicates a failure to anticipate that and deal with nurses’ frustrations. It should not have come to a strike situation. There has not been meaningful engagement. The Minister attends the annual general meetings of nurses, GPs and consultants and makes promises but he never follows up on them. He has committed to developing many reforms in our health service but none of them have been implemented or followed through. An Oireachtas committee spent a year developing Sláintecare and discussing health reform, how important it is to deliver primary and hospital care service and how to spend our money more efficiently. It is about value for money. Unless we reform our health service, the Government will spend a fortune on the health service in years to come. One must anticipate, plan and reform. This has crystallised into a strike which should never have happened.

Deputy Mattie McGrath: We value our nurses. They are the angels of mercy. They work very hard in conditions so unbearable that they are fleeing the system and country. Many have become ill. However, the Government does not respect them, this House or the electorate. If it did, the Minister for Health, Deputy Harris, would have left his position long ago.

I refer to the appalling vista of the children’s hospital which is being built in the wrong place,
with no co-located maternity hospital and without a helipad. It is a black hole. The Minister, Deputy Harris should see what is at the bottom of the hole. I am told that the concrete base of the hospital is floating. There are issues with drains and open sewers which must be relocated. It is a mess and the Government is digging itself a bigger hole. The Minister has arrogantly attacked the nurses by threatening to dock their pay if they go on strike. However, no pay was docked from anyone involved with the children’s hospital. Consultants were paid €80 million to design a mess. The project went out to tender with BAM without a bill of quantities. It is an unmitigated mess. The Minister is incapable of running the HSE. He would not be able to run a sweet shop such as the one that existed in front of Leinster House in the days before the Minister came to the House. If they had any manners or respect, he, the Minister, Deputy Donohoe and the Minister of State, Deputy D’Arcy, would get a guided tour of the hole that is the site for the children’s hospital. With a bit of luck, someone would ensure they stayed in the hole. We would have an election and get rid of them. People such as nurses and other healthcare professionals could then get a modicum of respect. I am an employer. One must respect one’s staff. The Minister, Deputy Harris, does not respect his staff. He does not respect this House and the Members here. He does not respect the electorate. He does not respect the nurses. He has no respect for anyone only himself, looking in the mirror. How does he sleep in bed at night with the way he treats people in this country and the shameless way he allows this gigantic overrun? He can smile away if he likes. He will go down in history as the worst, most incompetent and useless Minister for Health that ever sat in this Chamber. It is despicable. If he had any modicum of respect, he would be gone long ago, and to hell with his cabal of a Cabinet as well. He has a Dublin trio with him - the Taoiseach and the Ministers Murphy and Donohoe. They care nothing about Ireland.

**Deputy Danny Healy-Rae:** What this is about, as well as pay, is staffing levels. All our young nurses are going abroad and, at the same time, we cannot attract nurses to open the other beds in Kenmare Community Hospital. I saw the determination in the nurses’ faces last Tuesday in Killarney and Tralee, where I was with them in the pouring rain. The Government promised them that when the country was turned around, it would restore their pay.

Just a week ago, the Minister, Deputy Donohoe, sat there and said he was going to put billions into a rainy day fund. If he has the money to put into a rainy day fund to save the banks or bail out the banks at a future date, he must pay the nurses first and he must pay the people as he promised he would do - he must pay them first. He must get talking around the table with these nurses’ organisations with no preconditions, please.

As I said, we need to protect nurses’ safety and patient safety, which is at risk due to not having enough nurses and enough protection in our hospitals for them. It was sad to see the state of one girl who will never again be able to work after what happened her in one of our hospitals. I appeal to the Government to get around the table without any preconditions.

We have highly trained young nurses going abroad. Why is that happening? It is clear they are not getting the right opportunities and that they are being treated better abroad. The Government must address this issue or it may bring it down.

**Deputy Michael Healy-Rae:** I very warmly welcome the nurses and midwives who are in the Visitors Gallery and thank them for taking the time to be here, representing every other nurse and midwife in our country.

It is so important that this issue gets sorted now. The Government is mismanaging it. If we look at what it is paying agency nurses and agency staff, it does not make sense. There is total
disregard when it comes to politics. How inexperienced and silly a thing could the Government have done last week to send out a press release from both senior Ministers, the Minister for Health and the Minister for Finance, telling nurses they will sit down with them all right, but one of the conditions is that what they are talking about - pay - will not be on the table at all, that they will discuss other work conditions and everything else, but they will not discuss what the nurses want to discuss? That is what they are protesting about - getting a thing called fair play.

I can only talk with sure knowledge of County Kerry. I walked with the nurses from accident and emergency the last time they protested, when they explained in great detail to me the worry they have about their safety because of lack of numbers. They are really under pressure. I have been inside accident and emergency units in Limerick, Kerry and Cork during the middle of the night. I have seen at weekends how busy and how pressurised it can be. These are the people we rely on in emergency situations, whether dealing with older people, children or middle aged people. They are the people who, when their eyes are closing are damn glad to see a nurse looking down at them when their eyes open again. All I am saying is, for God’s sake, wake up to this problem. It is not going to go away. Every Member here has a uniformity of purpose, and that is to demand this from the Ministers for Health and Finance.

It is true what my brother said about a bloody rainy day fund. It is pouring down on top of the Government now. Take the money out, if they have it for a rainy day fund, and give it to the nurses.

Deputy Róisín Shortall: I wish to share time with Deputy Healy.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Deputy Róisín Shortall: The arguments in regard to this dispute have been well rehearsed here and in other places. There are undoubted serious shortages within nursing and, of course, there is then a vicious cycle because, when there are shortages, it means those who are left to carry the can within our health service are carrying a heavier burden, and stress levels increase as a result. We also know that, in many cases, we are at a point where services are unsafe as a result of staff shortages.

That scenario is having a very serious impact on the operation of our health services as they stand. We have been talking for a long time about the need for reform of our health services and to switch to putting the focus on primary care to ensure that nurses’ roles are expanded and that they play a key role in regard to, for example, chronic illness management, child health programmes, the maternity programme and all of those different reform plans, such as Sláinte-are. All of those plans are predicated on a situation where we have an ample supply of nurses who are well resourced and well motivated. However, we are not going to have that unless the Government responds to the current crisis.

Nurses are going abroad. They are voting with their feet. They are going to places where they are valued and respected, and where they can live a life that is affordable. They are living in countries and cities around the world where there is an affordable cost of living, unlike this country. They are also going to places where there is a very clear policy context and they are not working in a system where, every time there is a new Minister, there is a new policy and everything is thrown up in the air. That is what people working in the health service have experienced over recent years in this country.

The evidence in regard to the shortage of nurses is stark. For every four vacancies, there is
only one application. The HSE is spending €2 million a week on agency nurses and we also know the HSE is travelling the world, paying very high recruitment charges, to try to attract Irish nurses back to Ireland but also nurses from developing countries. We know that is the case and the figures from the HSE prove it. We also know the HSE made that very clear when it stated: “The overall picture of the nursing and midwifery workforce is one of a constant challenge to effectively recruit and retain to meet ever increasing service demands.” I hope the Minister for Finance has heard that statement, which the HSE made to the Public Service Pay Commission. Unfortunately, it did not get to the Public Service Pay Commission because the Minister’s Department, the Department of Public Expenditure and Reform, insisted on that statement being excised from the HSE’s submission. I would like him to explain that.

There are also, of course, genuine issues of fairness when it comes to pay parity. Nurses are required to have the same academic qualifications as allied health professionals yet, at every point in the scale, they lag behind by about €7,000, which is inexcusable.

There is strong public support for nurses. The public simply cannot understand why the Government will not engage in a positive and constructive manner in this dispute. The question to both Ministers is what are they going to do about this. We cannot afford a situation where the industrial action escalates even further. This is taking its toll on patients, undoubtedly. What we need now is leadership from Government in terms of taking an initiative in order to free up the logjam that exists; what we need is constructive engagement. What the Ministers are doing is adding fuel to the fire. They have been entirely unhelpful in their response to this. Their actions have been provocative and they have fuelled the fire. What we want from them is action. We know that, under clause 4 of the pay agreement, there is provision for engagement in regard to areas where there are serious problems with recruitment and retention. They should stop the megaphone diplomacy. From Patricia King down, everybody has said it is possible to resolve this dispute within the context of the existing agreement. What we want now is leadership from Government. It should take action over this weekend to ensure we avoid what is likely to happen next week in terms of a crisis in our health service for everybody concerned.

Deputy Seamus Healy: I have been a trade union activist all of my working life. I was a member of the Irish Transport and General Workers Union, the Federation of Rural Workers, the Amalgamated Transport and General Workers Union and the Irish Local Government Officials Union, now called Fórsa. I have represented that union at national level and been president of the Clonmel Trades and Labour Council. I have been on the picket line with nurses at South Tipperary General Hospital and Nenagh General Hospital in the past two weeks. I fully support their claims and believe the industrial action they are taking is fully justified. It is about fair pay and conditions of employment, but it is also about safe staffing levels, the safety of patients and the provision of a quality health service.

The Government spin against the nurses is shameful. Everybody in this House, including the Minister, knows that the health service is in a shambles. They know that patient safety is at risk every day. Cancellations occur every day of the year. A colleague of mine had his cardiac bypass surgery cancelled on two occasions. Having worked 21 years at South Tipperary General Hospital, I know the pressure nurses and staff are under. The hospital works at 125% capacity, when normal capacity should be in the region of 85%. It has one of the highest trolley counts in the country. Mental health services are understaffed and under-resourced. The acute inpatient service is non-existent, having been closed by Fine Gael and the Labour Party in the last Government. The pay agreement cited by the Government does not represent a pay increase. It is a pay restoration agreement which does not even fully restore pay to the previous
levels. I believe public representatives should support the nurses. One thing we can do is call on all of our supporters to be at the Garden of Remembrance next Saturday at 12.30 p.m. to support the demonstration called by the nurses.

I believe nurses are fighting a battle to establish and restore a civilised society in Ireland. They are fighting to ensure all Irish people will have adequate and effective healthcare. More than that, they are fighting for priority to be given to caring human values over the greed of the super-rich. It is the greed of the super-rich and the feeding of that greed which are the driving principles of the Government, not just its Fine Gael component. The Taoiseach told us that the Government would have to borrow money to meet the claims of the nurses. That statement is shamefully and demonstrably untrue. Anybody who doubts it might read the 2019 report of Social Justice Ireland which was published recently. The Government states meeting the nurses’ claims would cost €300 million per year. The unions dispute this and point out that many of the resources required could be found by reducing the dependence on agency nursing. Even if the Government’s claim was correct, the amount of money is minuscule compared to the untaxed, massive and growing wealth of the Irish super rich. The Minister and the Government need to make the super rich pay their fair share of taxation. There is massive wealth in the country and a disproportionate share is owned by the super rich. According to the Central Statistics Office, there are 25,700 individuals who earn between €200,000 and €2 million per year. In the last budget not only were no additional taxes placed on them but the Minister for Finance gave them tax relief, as he had done in the previous two budgets. The money is available to resolve the dispute. The Government simply has to address the very wealthy people who have billions of euro above the peak boom levels in 2007 and 2008. The Minister should resolve the dispute by acceding to the requests of the nurses. The Government should resign and allow the people to make a decision on what will happen in the future.

An Leas-Cheann Comhairle: In conformity with the order of the House made on Tuesday, each party or group has five minutes in total to pose questions. Within those five minutes, either Minister will answer. I will stick rigidly to the time limit of five minutes.

Deputy Stephen S. Donnelly: I will ask a few questions. Deputies Rabbitte, McGuinness and Breathnach will then ask questions. We will ask all of the questions at the same time and then perhaps receive responses.

Does the Minister accept that there is genuine pay inequality between new entrant nurses and new entrant allied health professionals? Does he accept that the issues surrounding the strike and this pay inequality can be accommodated within the public service stability agreement? Does he accept that there is a recruitment and retention issue? Does he stand by previous statements he made in this House, in which he described recruitment and retention in nursing as a crisis? Does he accept that there are numerous cost savings which could be identified and secured in the context of better and safer staffing ratios, as identified in the pilot projects last year?

Deputy Anne Rabbitte: I am sure this question has been asked numerous times. What plans do the Minister and the Government have to enter into negotiations to resolve the current crisis and prevent next week’s strikes?

Deputy Declan Breathnach: It is clear to me that there has been major erosion of key workers, including nurses and speech therapists, across the health sector. Is there not a need to incentivise them by way of the payment of additional attractive increments to key staff who will
sign up to stay for five to 20 years outside any pay agreement?

**Deputy John McGuinness:** Will the Ministers, Deputies Harris and Donohoe, the HSE and the Department accept that they have failed to keep on top of the issues that have been plaguing nurses for the past few years? We have this strike because of that failure. Will they intervene directly with the unions to set out a course to bring the strike to an end? Will they stop the provocative rhetoric in their description of the nurses and what they are doing?

**An Leas-Cheann Comhairle:** Deputy Cowen has 30 seconds.

**Deputy John McGuinness:** They go in from the strike line to help deal with emergencies.

**An Leas-Cheann Comhairle:** The Minister will only have two minutes to reply.

**Deputy Barry Cowen:** Section 3.1.2 of the Public Service Stability Agreement 2018-2020 states:

The Commission will advise the relevant Parties on the outcome of its assessment, which will then be the subject of discussion between the relevant parties. It is accepted by the Parties that the output from this exercise will not give rise to any cross-sectoral relativity claims.

That sums up the opening that we believe is available. I expect the Minister to take it, run with it and allow discussions to commence.

**Deputy Paschal Donohoe:** I am reminded of what Deputy Donnelly said about this matter in July 2018. In case his colleagues in the parliamentary party need to be reminded-----

**Deputy Stephen S. Donnelly:** Is this how the Minister will use his time? Will he not answer the questions asked?

**Deputy Paschal Donohoe:** -----he stated:

I also took a look at nursing salaries around the world. In 2013, nurses in this country were the third highest paid. We were still in the top five countries in 2016.

**Deputy Barry Cowen:** Does that reflect on any of the contributions made?

**Deputy Mattie McGrath:** It is a smokescreen.

**Deputy Paschal Donohoe:** I want to ensure, as I am responding to the questions put to me-----

**Deputy Stephen S. Donnelly:** When we are in government, we will answer the questions asked.

**Deputy Paschal Donohoe:** -----that everybody is clear on the track record of the differing views in Fianna Fáil on this issue. When it tabled the Private Members’ motion on it a number of weeks ago, all it talked about was a commission.

**Deputy Stephen S. Donnelly:** This is a statement. The Government had ten minutes in which to make a statement.

**Deputy Paschal Donohoe:** I do not hear much of a reference to a commission this morning.
Deputy Barry Cowen: The Minister rubbished an existing commission and what was contained within it.

Deputy Stephen S. Donnelly: The Minister was not listening.

Deputy Paschal Donohoe: To deal with the different issues and questions put to me by the Deputies-----

Deputy Mattie McGrath: More arrogance from an arrogant Government.

Deputy Paschal Donohoe: -----we have acknowledged that there are specific issues in recruitment and retention which need to be dealt with.

Deputy Barry Cowen: That is the Minister’s interpretation and no one else’s.

Deputy Paschal Donohoe: They have been acknowledged within the Public Service Pay Commission. That is why we made specific proposals that we are willing to honour.

Deputy Rabbitte asked if we were willing to enter into discussions and negotiations. We are, but we have to be conscious that we have an agreement in place for 291,000 other public servants whom I will address in my concluding comments. In respect of Deputy McGuinness’s comments, through our participation in the Public Service Pay Commission process and through putting a collective wage agreement in place, we have looked to respond to issues that are being raised by nurses and their representative associations as we have looked to respond to issues and points raised by other groups. In respect of Deputy Cowen’s comments, there is a clause there but that is the context for the Public Service Pay Commission report that we said we will honour. Did I miss a question from Deputy Breathnach?

An Leas-Cheann Comhairle: The Minister will not have time. He will have to find another way of answering.

Deputy Paschal Donohoe: Deputy Breathnach asked me whether we are willing to put different measurements in place. We have looked to respond to that with the new entrant agreement we have put in place that we still hope to be in a position to honour and implement.

Deputy Louise O’Reilly: I urge the Government to give up this attitude because it is not going to get anyone anywhere and it is not going to resolve the dispute. Does it accept that without pay on the negotiating table, this dispute cannot be resolved? Will the Ministers commit to making a telephone call because it is very easy to come in here and talk about patient safety? By the way, the Government’s record on patient safety speaks for itself given waiting lists and every other issue, and the people in the Public Gallery know that. Will the Ministers give a commitment to pick up the phone to have a meaningful dialogue with Peter Hughes and Phil Ni Sheaghdha to ensure that this matter can be resolved because nothing is more certain than the fact that this will be resolved? No dispute goes on forever. Will the Ministers commit to picking up the telephone and talking to them? There is no sense in us coming in here and talking about this clause and that clause. I can go through that Public Service Stability Agreement with the Ministers and tell them where it can be resolved but the Ministers should talk to the people in the dispute instead of talking at them. Will the Ministers apologise for issuing that disrespectful press release that was patronising in tone and very disrespectful to the men and women who are on the picket line, not because they want to be but because the Ministers forced them to?
Deputy Simon Harris: I believe it is possible to find a resolution to this dispute if all parties to it work innovatively within the confines of the Public Service Stability Agreement. We have consistently spoken about it, as have the general secretaries of ICTU and the INMO. Everyone has said it. There is a duty on us to show how it can happen. We want to engage within those confines. Will I pick up the phone and ring the general secretary of the INMO? The general secretary of the INMO talks to me regularly but the way to resolve industrial relations disputes is through the State’s machinery, which the Deputy has outlined.

(Interruptions).

Deputy Simon Harris: I am answering the Deputy’s question. She is using my time now.

Deputy Louise O’Reilly: There is no sense in going to the Labour Court or anywhere else unless the signal comes from Government to say that pay-----

Deputy Simon Harris: If the Deputy is looking for a signal from Government, perhaps she should allow me to speak. The signal from Government is clear. We want to find a resolution and believe it is possible to do so within the Public Service Stability Agreement. Other parties to the dispute have said that. We will only do it through intense engagement, which I hope can start imminently and that everybody can put their shoulder to the wheel. I hope we use the industrial relations mechanism that is available to us.

Regarding the statement issued the other day, it was never intended that people would find out through the media. The Workplace Relations Commission, WRC, is usually the body that issues invitations to talks. The purpose of the statement was to outline that the Government did want to put forward proposals to address a number of issues that were being validly highlighted by nurses and midwives on the picket line.

Deputy Louise O’Reilly: The purpose of that statement is not lost on people. It was more pathetic spin from the Government. It had the opposite effect to the one intended by the Government. The Government should be under no illusions. These men and women have the support of the public and most people here. Will the Ministers apologise for issuing that press statement? Do they accept that it was more than discourteous, that it was disrespectful? Will they commit to sending a signal to the Labour Court that if the parties get around the table, there will be money to resolve this dispute?

Deputy Paschal Donohoe: It was never the intention of either the Minister for Health or me to be disrespectful to any public service worker. What we were doing was done in light of the fact that questions were being asked about whether we would engage with the WRC. We were indicating our willingness to do so. As the Minister for Health said, nobody in this House has a monopoly when it comes to respecting the fact that nursing is not only a vocation but a highly skilled profession, but it is only appropriate that all who comment on and participate in this issue know that at that point, we were, and still are, willing to engage in the WRC.

Deputy Gino Kenny: I take issue with the Minister for Public Expenditure and Reform’s statement on the Public Service Pay Commission. What he said goes to the heart of this dispute. He said that the commission found that pay was not found to be one of the determining factors. Does he believe this anymore because pay, retention and respect for nursing staff are at the heart of this dispute? We could have a three-day dispute in our hospitals next week that will cause untold damage to the Government and the people who use the health service. This is about pay. The Government needs to recognise that if it does not pay the nurses, that decision will come
back to haunt it, so it cannot afford not to pay the nurses. Does the Minister still believe what the Public Service Pay Commission said? Is this not about pay?

**Deputy Richard Boyd Barrett:** It is very simple. Does the Minister for Health accept that we have unsafe staffing levels in our hospitals? We should have a ratio of 1:4 but it is more like 1:8 or 1:11. Does the Minister accept that we are short hundreds of nurses when it comes to safe staffing levels in psychiatric and mental health services?

**Deputy Bríd Smith:** In my introduction, I outlined the possibility provided by the nurses’ union that up to €600 million per year could be saved if the Minister for Public Expenditure and Reform implemented the safe ratio that has been outlined by the INMO. Will the Minister comment on that and give us an indication as to whether that is possible? The Minister says he will not talk about pay but he has shifted because in the weeks leading up to the dispute, he would only send the HSE to the WRC to talk to the unions. He is now saying that he will talk to them. When we shout outside on the picket lines, we say “open your purses and pay the nurses.” The Minister has the purse, which is full. He can find money for military spending, to bail out bankers, pay off bond holders and do many other things, including the Government’s bid to win a seat at the UN Security Council on which €500,000 has been spent. I ask him to open the purse and think creatively about how he can pay the nurses and make the savings when he employs the staff who are required.

**Deputy Paschal Donohoe:** I will deal with the questions from Deputies Gino Kenny and Bríd Smith while the Minister for Health will deal with the question from Deputy Boyd Barrett. With regard to the question from Deputy Gino Kenny, I still accept and stand by the analysis and recommendations offered by the Public Service Pay Commission. It is independent in composition. Recommendations came from the commission that acknowledged that targeted changes could be made, particularly with regard to allowances that at that point were unlikely to trigger any competing claims from elsewhere in our public service, so I still accept, stand by and believe in that piece of work. I accept the analysis that was offered.

In respect of Deputy Bríd Smith’s point about our willingness to engage, especially from the middle to the latter phase, my Department has been present in the engagements along with representatives of the Minister for Health. If we do find a way, which the Minister for Health and I are committed to doing, of moving beyond where we are at the moment, that will continue to be the case.

**Deputy Simon Harris:** Regarding the question from Deputies Boyd Barrett and Bríd Smith about safe staffing levels, I am pleased that we ended the embargo on recruitment and are recruiting more nurses and midwives but I accept and do not dispute that we have a way to go. The Deputies are right. We have agreed a task force on safe staffing and skill mix, which the unions have accepted, which is the framework and Government policy and which has a scientific and evidence base behind how many nurses and other skills are needed on each ward. We have rolled that out to a number of wards and hospitals. There is room to do more in this regard. The Minister for Public Expenditure and Reform and I have been very clear in our utterances in recent days. These are the sorts of discussions we want to be having with nursing unions through intensive engagement using the industrial relations mechanisms.

**Deputy Thomas Pringle:** I have a question to ask, as does Deputy Wallace. The Minister, Deputy Harris, said in his speech that he fully accepted the number of highly-qualified nursing, midwifery and medical professionals leaving the country is an issue that should be thoroughly
investigated. Why is it that it only should be thoroughly investigated now? This has been going on for years. The Government and previous Governments have known about it yet it still has not been investigated. I want to know why, because I think that is wrong.

I note what was said in terms of the contributions and responses around the negotiations. Why has it not happened? Why has the Minister not opened up the negotiations at this stage?

**Deputy Mick Wallace:** The Minister, Deputy Harris, referred to the Public Service Pay Commission position. Is it not true that the Minister for Finance, Deputy Donohoe, met the commission on 26 October and instructed it to the effect that this was not and could not be a pay review? Will the Ministers accept at this stage that this problem will not be sorted without paying the nurses more money?

**Deputy Simon Harris:** The Minister, Deputy Donohoe, will respond to the question on the pay commission and his engagement and on the issue of the negotiations.

On Deputy Pringle’s question regarding the comment in my opening statement about the need to do more to keep our student nurses, on becoming graduate nurses, in this country, we have taken a number of steps, which have been acknowledged by the nursing unions. We established the Public Service Pay Commission specifically to examine what could be done on recruitment and retention. We specifically asked an independent body with union representation from ICTU, IMPACT and SIPTU former personnel to examine that issue. We have also tried a number of other initiatives, including offering all graduating student nurses full-time contracts. Clearly, there is more to do. Let there be no misunderstanding, we want to have that conversation to resolve the dispute.

**Deputy Thomas Pringle:** The Minister said himself that not enough has been done.

**Deputy Paschal Donohoe:** I will deal with the questions put to me by Deputies Pringle and Wallace. On Deputy Pringle’s point regarding engagement to date, there has been engagement to date. The Workplace Relations Commission and the Labour Court have been involved. It is obvious that engagement did not yield outcomes that were satisfactory to those who represent nurses as otherwise we would not be in this situation. Engagement has taken place. Preceding that, there was the process of the Public Service Pay Commission which went on for the best part of a year in terms of analysis of the issue and recommendations. The commission went through a formidable analysis, which was far from easy, to make the recommendations it made.

On Deputy Wallace’s questions, the Deputy is correct that I did meet the Public Service Pay Commission. My understanding is that all other participants and stakeholders in this process also met and made submissions to the commission.

**Deputy Bríd Smith:** That does not make the Minister right.

**Deputy Paschal Donohoe:** It is appropriate that the pay commission engages with stakeholders. As I said, I met the commission. Did I issue a direction to it regarding what to do? Absolutely not, because it is independent.

**Deputy Bríd Smith:** Maybe the Minister should do so.

**Deputy Paschal Donohoe:** I have experience of institutions that are independent of me issuing recommendations that then cause significant consequences that I have to deal with as well. On Deputy Wallace’s point on pay, one of the challenges we face is that the Public Service
Pay Commission did issue recommendations in regard to pay for which, in my appraisal at the
time, the rest of the union movement would have understood the need. We could have imple-
mented them in such a way that would have allowed us to avoid the vista of knock-on claims
elsewhere. In fairness to Deputy Wallace, he is the only speaker in this debate who acknowled-
ged what that risk is, what would be the challenges for the Government in respect of how we
manage pay in this country and what that could mean for everything else.

**An Leas-Cheann Comhairle:** I am obliged to inform the House at this stage that I have to
afford the Minister, Deputy Harris, five minutes for a closing statement. I call Deputy Mattie
McGrath.

**Deputy Mattie McGrath:** Do the Minister, Deputy Harris, his colleague, the Minister for
Finance, Deputy Donohoe, and An Taoiseach respect and value our nurses? It is a simple ques-
tion.

**An Leas-Cheann Comhairle:** Okay, thank you Deputy.

**Deputy Mattie McGrath:** Tá ceist eile agam más é do thoil é. The Ministers, na hAirí,
have spent €1 million on a PR firm to cover up the debacle - the black hole - that is the chil-
dren’s hospital. They spent €80 million on consultants to design that mess. Where is the ac-
countability? Will they hold anyone in the HSE or the Department to account? The chairman
of the board has resigned but is anyone going to be held-----

**An Leas-Cheann Comhairle:** Hold on, this is about the nurses’ dispute.

**Deputy Mattie McGrath:** It is about money. They have money for this. If one goes to the
shop, one cannot buy-----

**An Leas-Cheann Comhairle:** I call Deputy Danny Healy-Rae.

**Deputy Mattie McGrath:** No, excuse me-----

**An Leas-Cheann Comhairle:** This is about the nurses’ dispute.

**Deputy Mattie McGrath:** If one goes to the shop with no money in one’s pocket, one will
get no groceries. They do not have money to pay the nurses but they have money for everything
else.

**An Leas-Cheann Comhairle:** The Deputy is here long enough to know he must ask a rel-
levant question.

**Deputy Mattie McGrath:** That is relevant, it is not about money. How more relevant can I
be? What is wrong with the Leas-Cheann Comhairle?

**An Leas-Cheann Comhairle:** It is not relevant to this debate.

**Deputy Mattie McGrath:** It is totally relevant. They do not have money for the nurses or
ordinary services, the elderly and so on but they have money to throw it at consultants, design
people and design teams. I am asking the Minister if he will get into proper, meaningful nego-
tiations with-----

**An Leas-Cheann Comhairle:** The Deputy’s one minute is up. I call Deputy Danny Healy-
Rae.
Deputy Mattie McGrath: I am not finished. Excuse me, we are sharing time.

An Leas-Cheann Comhairle: Hold on a minute.

Deputy Mattie McGrath: We are sharing time. I have two and a half minutes.

An Leas-Cheann Comhairle: Deputies, I think I have been fair to everybody in the House this day.

Deputy Mattie McGrath: Not to me. We are sharing time.

An Leas-Cheann Comhairle: If I have not been fair to you, you can deal with it and I will deal with it------

Deputy Mattie McGrath: No, we are sharing time.

An Leas-Cheann Comhairle: You are trying to abuse the position-----

Deputy Mattie McGrath: I am not.

An Leas-Cheann Comhairle: I am not going to accept that from you. You must ask relevant questions.

Deputy Mattie McGrath: I am asking them. It is all about money.

An Leas-Cheann Comhairle: It is about the nurses’ dispute.

Deputy Mattie McGrath: And it is about money.

An Leas-Cheann Comhairle: I have called Deputy Danny Healy-Rae or he will not get in.

Deputy Mattie McGrath: Will the Ministers please enter into negotiations-----

An Leas-Cheann Comhairle: The Deputy could put that in another way. I call Deputy Danny Healy-Rae.

Deputy Mattie McGrath: -----immediately without preconditions?

An Leas-Cheann Comhairle: Do not make accusations against the Chair because I will deal with you in another forum.

Deputy Mattie McGrath: They were correct. I had two minutes to ask my question.

An Leas-Cheann Comhairle: You do not.

Deputy Mattie McGrath: I had.

An Leas-Cheann Comhairle: I call the Minister to respond.

Deputy Danny Healy-Rae: Can I ask a question?

Deputy Mattie McGrath: Of course, the Deputy can.

An Leas-Cheann Comhairle: Let us be orderly. The House has been very orderly and very dignified all day.
Deputy Mattie McGrath: The Leas-Cheann Comhairle is wasting our time.

An Leas-Cheann Comhairle: Do not abuse your position.

Deputy Mattie McGrath: I am not.

Deputy Danny Healy-Rae: Will the Minister please explain to the people of Ireland how it is the Government has money for a rainy day fund but it does not have money to pay the nurses?

An Leas-Cheann Comhairle: I call the Minister, Deputy Donohoe. I am trying to save time.

Deputy Paschal Donohoe: Deputy Mattie McGrath made the absolutely ridiculous assertion that there is no money available. This year alone, the health services will be receiving €17 billion-----

Deputy Mattie McGrath: I am quoting what the Minister said.

An Leas-Cheann Comhairle: Deputy.

Deputy Paschal Donohoe: ------of taxpayers’ money to support the development and delivery of services in our country.

Deputy Mattie McGrath: You are being ridiculous.

An Leas-Cheann Comhairle: Just one second, Minister. What accusation is Deputy Mattie McGrath making?

Deputy Mattie McGrath: You were unfair to me in my time. We had two and a half minutes between us. You stopped me twice.

An Leas-Cheann Comhairle: Listen, you made another one under your breath. If you want to repeat it, you can repeat it.

Deputy Mattie McGrath: I will, in writing.

An Leas-Cheann Comhairle: You do not have to. You can do it outside the House if you wish------

Deputy Mattie McGrath: In writing.

An Leas-Cheann Comhairle: ------and I will deal with you elsewhere.

Deputy Mattie McGrath: This is the House. I had two and a half minutes to ask questions.

An Leas-Cheann Comhairle: Shut up.

Deputy Mattie McGrath: I was including my colleague in that and you have wasted our time.

An Leas-Cheann Comhairle: Listen, I am not wasting your time.

Deputy Mattie McGrath: You did.

An Leas-Cheann Comhairle: You are the wrong one to be talking about wasting time in
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Deputy Mattie McGrath: You have wasted the time.

An Leas-Cheann Comhairle: Minister, my apologies.

Deputy Mattie McGrath: You are protecting the Minister. You are covering now.

An Leas-Cheann Comhairle: What?

Deputy Mattie McGrath: You are covering up for the Minister; he is not answering the questions.

An Leas-Cheann Comhairle: I want you to withdraw that statement.

Deputy Mattie McGrath: You are not allowing me-----

An Leas-Cheann Comhairle: I am asking you to withdraw that statement.

Deputy Mattie McGrath: The Leas-Cheann Comhairle is not allowing the Minister to answer questions.

An Leas-Cheann Comhairle: I am asking you to withdraw the statement that I am covering up-----

Deputy Mattie McGrath: I will not withdraw it. You are wasting time.

An Leas-Cheann Comhairle: You have made a statement that I am covering up for a Minister.

Deputy Mattie McGrath: You are.

An Leas-Cheann Comhairle: I am not covering up for any Minister.

Deputy Mattie McGrath: You are.

An Leas-Cheann Comhairle: I am not covering up for any Minister and never have. I have always been fair and impartial to everybody in this House.

Deputies: Hear, hear.

An Leas-Cheann Comhairle: I am giving you a last chance to withdraw the statement that I am covering up or we will deal with it.

Deputy Mattie McGrath: No.

(Interruptions).

Deputy Mattie McGrath: Fianna Fáil is in bed with them too.

An Leas-Cheann Comhairle: Sorry, what did you say?

Deputy Mattie McGrath: I said Fianna Fáil is in bed with the Government.

An Leas-Cheann Comhairle: Listen, there is no point in trying to slide out of it. I will take note of it. I call the Minister. My apologies to the House but I have a duty to defend the
Chair-----

**Deputy Mattie McGrath:** The record will show how unfair you were.

**An Leas-Cheann Comhairle:** -----not Pat the Cope Gallagher, TD. I will defend this Chair and the rights of the Members of this House as long as I am here.

**Deputies:** Hear, hear.

**Deputy Paschal Donohoe:** As I was saying in response to Deputy Mattie McGrath, there is €17 billion of taxpayers’ money deservedly going into the provision of services that are available in the health service and into trying to improve them, of which at least one quarter goes into the wages of those who provide care in our country.

The Deputy also asked if we respect the nurses and the contribution they make. Of course, we do. It is insulting to suggest otherwise on the part of any member of the Government. The challenge we face, which Deputy Mattie McGrath has no interest in acknowledging, is there are many other public servants whose work we also respect - over 290,000 of them. If we make any one movement in this wage agreement for one group, it has immediate consequences for every other group, which Deputy Mattie McGrath has no interest in acknowledging, although I know he understands it.

**Deputy Mattie McGrath:** Shameless.

**Deputy Paschal Donohoe:** Deputy Danny Healy-Rae asked me to explain why we are putting money into a rainy day fund. I understand why many would ask that question given the pressures that always exist for today. The simple answer is that we will get into another difficulty in the future because we are an open economy and a huge amount is happening in the world at the moment, as the Deputy knows. Our debt levels, on our emergence from the most recent crisis, are far higher than when we into the times of difficulty we are trying to put behind us. Our difficulties will be even greater if we do not have some reserves available to deal with whatever shock the rest of the world might throw at Ireland in the future.

I understand that is a tough argument to say we need to be better prepared for the future when we face challenges now but it is still the right solution for our country in the long run.

**Deputy Catherine Martin:** Like many people, including other Members, I am proud to have family and close friends who are nurses. I am the daughter of a midwife and the sister of a neonatal nurse and am acutely aware of the incredible work nurses do. I was delighted to join them on the picket line in Tallaght today because the work they do is among the toughest and most vitally important work undertaken by any group of people in this country. They undertake that work day in and day out.

Does the Minister accept that not being able to find adequate numbers to work in the nursing profession presents an overarching health and safety concern, a crisis and an emergency? Why would one continue to work in a system in which pay is too low, conditions are in need of vast improvement and, crucially, there is no sign of change? That is the situation nurses face.

Our nurses are second to none but the system is failing them and their patients. It is primarily a matter of pay, justice, fairness and equity. Pay is at the heart of this dispute and for Government to make an abysmal offer through the media to settle the pay dispute by excluding pay from negotiations is inflammatory, idiotic and insulting. It shows grossly poor judgment and a
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worrying absence of any understanding of the plight of nurses and midwives. Will the Minister admit that statement was insulting and wrong and apologise for it? Will he commit to engaging, in a meaningful way, with the general secretary of the nurses’ union?

Deputy Róisín Shortall: This dispute will be resolved sooner or later. For the sake of patients, staff and the Government, the sooner that happens the better. The Ministers said earlier that they are prepared to engage. Both the Minister for Health and the Minister for Public Expenditure and Reform need to send a clear signal that employers will engage in an honest endeavour on this and there will be no preconditions on negotiations. Everything must be on the table. It will be sorted out around the table, sooner or later, but the Government must give a clear signal and make a clear statement this morning that everything will be on the table and there will be no preconditions.

Deputy Paschal Donohoe: We cannot put the stability of our collective wage agreement on the table. There will be immediate consequences for every other public servant in the State if there is a change to the agreement.

I appreciate there are many nurses in the Public Gallery this morning who would rather be in their places of work. The challenge that my ministerial colleague, Deputy Harris, and I will immediately face is that, if this wage agreement is destabilised, the same Gallery will be full with other public servants who will want to benefit from the same change. That is the challenge we face.

There are some in the House for whom that is their agenda. Deputies Boyd Barrett, Brid Smith and Gino Kenny have acknowledged that they also seek the changes being sought for nurses for the rest of the public service.

Deputy Bríd Smith: We want to share the wealth.

Deputy Róisín Shortall: On a point of order, I already have said it is within the context of the current agreement. That is what I am asking about.

(Interruptions).

Deputy Paschal Donohoe: I will deal first with the question that Deputy Catherine Martin put to me about what the figures say about recruitment and retention. Figures developed by the HSE and the Department of Health that have been shared with us make the point that, over the past number of years, 3,876 more nurses and midwives have been recruited. That change has happened. A report of the Public Service Pay Commission makes the point that turnover rates within that workforce at the moment, excluding retirees, stand at 5%. That figure is 6.8% including retirees. That is the other side of the figures that were put to me.

This also applies in answer to the question of Deputy Shortall. We are willing to engage in the machinery of the State, whether the Labour Court or the Workplace Relations Commission, but we need to adhere to the key condition of preserving the overall agreement that is in place.

An Ceann Comhairle: Can we have a final response from the Minister?

Deputy Paschal Donohoe: I acknowledge the contributions and questions that have been put by all Deputies here this morning.

I want to respond to one particular allegation that has been made this morning about the
nature of the current wage agreement. A number of speakers have asserted that we do not have wage restoration or wage growth in place. The agreement, as negotiated at the moment, provides that anybody earning below €35,000 will see wage increases, as they should and deserve. The agreement ensures, contrary to the claims of some, that anybody earning less than €50,000 will have their wages fully restored by 2019. The current wage agreement ensures that anybody earning less than €70,000 will have their overall wages restored to €70,000 by the end of 2020.

Claims that we are not budgeting for, or implementing, wage restoration or wage growth for some people are not true. It is happening. It is under way and part of the current wage agreement.

On the questions that have been put to us about new entrant pay and our response to challenges, the current wage agreement contains provisions to ensure that anybody participating in that agreement could benefit from up to €3,000 from the concluded negotiations with the Public Service Pay Commission of ICTU. I have heard repeated claims this morning that we do not have agreements in place to tackle wage restoration, but we do, for low and middle-income workers. The agreement we have in place makes provision for dealing with the issue of new entrants’ pay.

A charge and claim has been made and repeated by Deputies that there are four vacancies for every one applicant for nursing jobs. That is a figure we have often heard. That figure is based on an article from April 2017 that, in turn, had its origin in the Global Jobs website. The figures from the Public Service Pay Commission showed that, on average, there are 1.86 applicants for every place on a recruitment panel. Those are people who want to work in our public services and gain work there.

The Minister for Health, Deputy Harris, and I have acknowledged in our contributions that, in addition to emphasising the understanding and respect we have for all who work in our public services, particularly our health services, we have also looked to sketch the competing claims we have and challenges we face. The following is a core point for Government in its response to these issues. It is not clear to me how, were this collective wage agreement to come to a disorderly end, we would be able to negotiate another to take its place. That has consequences for our public servants, how we pay for them and how we ensure they get the wages they deserve and are entitled to in the future.

I make the point to my Fianna Fáil colleagues that it was their efforts and leadership at another point of great change in our economy that showed how collective wage agreements could play an essential part in how we manage wage pressure and ensure public servants are paid fairly.

12 o’clock

A positive legacy of Fianna Fáil Governments is that they showed in collective wage agreements we could pay people by reference to what they earned as opposed to the leverage they had. They showed how that approach could be made to work.

Deputy Barry Cowen: Who put in the clause?

Deputy Paschal Donohoe: We also went through a period in which we saw how they did not work and we had to deal with the consequences. Again, Fianna Fáil used collective wage agreements to respond to them. There will be a bitter legacy if it emerges that in the future
Governments will be unable to negotiate a collective wage agreement for over 300,000 public servants.

**Deputy Barry Cowen:** What is the basis for talks, in the opinion of the Minister?

**Deputy Paschal Donohoe:** That is why this is such a difficult matter. I understand fully and appreciate the great support nurses and nursing unions have received, but it is because of the value of the agreements that this is proving to be such a formidable issue. The Minister for Health, Deputy Harris, and I will continue to work at the Workplace Relations Commission and in the Labour Court to see if we can find a way through.

**Deputy Bríd Smith:** What about the lack of safe staffing ratios? Neither Minister answered that question.

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**An Ceann Comhairle:** I appeal to the membership to behave with a little decorum in the course of debates.

**Deputy Dara Calleary:** I welcome the Minister for Children and Youth Affairs, Deputy Zappone, for Leaders’ Questions. She has a babysitter with her just in case; the independents are at last taking charge of the Government.

**Deputy Barry Cowen:** The Minister, Deputy Donohoe, will take all responsibility.

**Deputy Dara Calleary:** It is interesting that Fine Gael Ministers have gone missing today. We have just finished a debate in which the Minister for Finance, Deputy Donohoe, discussed the need for fiscal stability in the context of wage agreements. Everyone agrees with that, but it is very difficult to take that lecture, given what is happening with the national children’s hospital project. There was no worry about fiscal stability and taking responsibility or control during that debacle. For the thousands of nurses who are on the picket line for a third day, patients and psychiatric nurses who are subject to an overtime ban, it is very difficult to listen to lectures, in the light of the information that is continuing to come out on the goings on in the context of the cost overrun on the national children’s hospital. Within the past few minutes Jennifer Bray has released information in *The Irish Times* which outlines that there was a meeting of the project management board of the national children’s hospital in September 2018 which was chaired by the Secretary General of the Department of Health at which information was presented which suggested there would be a cost overrun of up to €400 million. We have been asked to believe this information was not passed on to the Minister for Health, Deputy Harris, or the Minister for Finance, Deputy Donohoe, despite the fact that the Secretary General had it in his possession in September ahead of this year’s budget preparations.

**Deputy Timmy Dooley:** Scandalous.

**Deputy Dara Calleary:** Is that credible? Is it credible that such information has been floating around at Secretary General level and was not passed on? What does it say to the Minister about relationships at the heart of the Government and those within the Department of Health? Until now we have heard the Fine Gael defence - a backstop defence, if you will - which has
been repeated with absolute discipline. We now need to hear a different view. This is the chance of the Minister for Children and Youth Affairs to put her stamp on the controversy. Is she comfortable, as a Minister, with the manner in which the issue has been handled? We all agree that we want to see the project delivered, but it cannot continue to be delivered in the manner in which it is being carried out. We have had a drip drip of information and seen the undermining of collective Cabinet responsibility, while thousands of nurses are on strike today. GPs were on strike yesterday. There will be more strikes. Will the Minister bring some sense and perspective to the debate? As she is known as a straight talker, she should talk straight on this issue. Does she accept that the information was not shared at senior Government level? When was she, as a member of the Cabinet, made aware of the cost overruns in the Department of Health? Can she understand the frustration of the thousands of nurses who are picketing today at being lectured by the Minister for Health, Deputy Harris, about the need for fiscal responsibility? He said meeting the nurses’ pay demands would cause a spiral in the public finances. He was asleep at the wheel and is now lecturing people about the need for fiscal responsibility. Can the Minister for Children and Youth Affairs understand the frustration in that regard?

Minister for Children and Youth Affairs (Deputy Katherine Zappone): I thank the Deputy for wishing me well and noting my willingness to take the opportunity to answer these questions. I understand the connection people are making between the overrun in costs on the national children’s hospital and the nurses’ strike. I have spoken to many people who are making that connection, including on doorsteps in my constituency. I have spoken to a number of nurses, even retired nurses, about it.

The Deputy asked whether it was credible that information had not been passed on. I believe what has been said by the Ministers. I am the Minister for Children and Youth Affairs and have come to the debate with that role in mind. The major questions asked by the Deputy concerned credibility, management, political oversight and accountability and they are important. It is the job of this House and the Opposition to hold Ministers to account and that is what Deputy Calleary and other colleagues in the Chamber are doing. This is the third time this week different members of the Government have been asked questions by the Opposition about the extraordinary increase in costs at the national children’s hospital, as well as questions about the nursing strike. The Minister for Health, Deputy Harris, and the Minister for Finance, Deputy Paschal Donohoe, have just answered questions about the strike and have both appeared before committees this week to answer questions. I know that there are outstanding questions and that we have to get to the bottom of them. The Deputy wants answers. As an Independent member of the Government, I also want answers. For that reason, PwC has been commissioned to review the escalation in costs.

Deputy Barry Cowen: It will not provide for political accountability.

Deputy Katherine Zappone: The review is being carried out at considerable expense, about which I also have reservations.

Deputy Timmy Dooley: What about PwC’s ability to review the matter?

(Interruptions).

Deputy Katherine Zappone: However, I believe the review is necessary.

Deputy Barry Cowen: What about what happened at the Fine Gael meeting last night? That party does not think much of the public.
Deputy Katherine Zappone: Ministers have answered the questions that they can answer at this point. They answered the questions put to them at the committee. I do not think we will to progress our understanding of how we ended up where we are by asking the same questions over and over again and getting the same answers. I expect the questions to be answered in the PwC review which will be completed at the end of March, at which point we will have further exchanges in this House. I agree that it is our job as the Government and that of the Opposition to get answers for citizens. I understand people are angry; I talk to them too. I hope that when the report is finalised, we will be wiser and able to apply what we will learn.

Deputy Dara Calleary: This is a case of a new Minister giving the same old response. We have not received answers, which is why we keep asking the questions. The Ministers have replied to questions but do not answer them. We believe PwC is receiving €450,000 - it might be higher - to give us the answers, yet at last night’s Fine Gael Parliamentary Party meeting the blame was laid squarely at the feet of the HSE. It was a case of “nothing to see here”, a Basil Fawlty “don’t mention the war” type response. The HSE was blamed. If the Secretary General of the Minister’s Department was made aware of a significant overspend and did not inform her, what action would she take? What if the Secretary General did not inform her during the negotiations on a budget? If the Secretary General did not inform the Minister for Children and Youth Affairs during the negotiations of a budget, what action would the Minister take? Second, before we get to March and before we get the famous PwC report that will be the answer to all our dreams, what is going to happen - I want the Minister for Children and Youth Affairs to outline the details - to projects throughout the country that will be postponed or “delayed” to use the Government’s language?

Deputy Barry Cowen: The word is “reprofiled”.

Deputy Dara Calleary: What projects will be reprofiled - with thanks to Deputy Cowen for the word - or delayed throughout the country to pay for the Government ineptitude around the children’s hospital? When will we be made aware of those projects? Do we have to wait for PwC for that too?

Deputy Katherine Zappone: First, I do not accept the fact that I answered in the same way as others did. I try to be straight with Deputy Calleary, as he requested.

Deputy Timmy Dooley: Does that mean the others were not straight with us?

Deputy Katherine Zappone: I indicated that I think questions have been answered to the best of their ability by the Ministers to whom it happened in respect of these issues. Moreover, I indicated that we will have further answers on the report.

The second set of questions asked by Deputy Calleary are particularly on the minds of people today. The Minister for Finance and for Public Expenditure and Reform, Deputy Donohoe, is going to bring proposals next week to Government in respect of departmental re-allocations to pay for the cost overruns that have been identified.

Deputy Barry Cowen: The Taoiseach told us last week it would be ten days.

Deputy Katherine Zappone: How is that going to happen? First, as I understand it, there will be an audit process that will take place in terms of capital projects for 2019 that, apart from the national children’s hospital issue, are already delayed. We need to see how much money might be available in that regard. Second, if there is still a deficit, and there probably will be,
Deputy Pearse Doherty: There is a crisis in our health services and in the Government. The Taoiseach and the Minister for Health have proved utterly incapable of resolving the various issues before us.

Yesterday, we had general practitioners outside Leinster House due to the lack of Government investment in primary care. Our hospitals have the worst waiting lists right across Europe. Last month, there were 10,000 on hospital trolleys. Last year was the worst year on record in terms of the constant trolley crisis. The debacle surrounding the national children’s hospital is beyond farcical now and we are no further along in it being resolved.

The issue I want to talk about, and the question I want to put to the Minister for Children and Youth Affairs today, surrounds the issue of 37,000 nurses and midwives who have engaged in another day of industrial action. It is a 24 hour stoppage as a result of a complete and utter failure on the part of the Government to deal with the issues of recruitment and retention that have gripped our health service for many years.

I met nurses this morning and I have met them on many occasions since this industrial action started in late January. Their message is very clear. Their message is crystal clear to Government. None of them wants to be out on the picket line. All of them want to do what they do best, that is, caring for patients in our hospitals. Their actions are not selfish because they are taking their action and their stand on behalf of every one of us. The public, the people at home, know that. That is why their actions have the support of people throughout every community in the State, because they know that nurses are fighting for a better health service for all of us. That is at the core of it. That is what the people understand. That is why they are standing with the nurses and midwives in this battle.

The Government has, to this point, refused to engage on levels acceptable to the nurses and midwives. Earlier this week we had the Minister for Health and the Minister for Public Expenditure and Reform issuing a joint press release stating that they were willing to engage in talks at the Workplace Relations Commission. They said they would engage in talks on everything bar what is at the core of this issue, which is the issue of pay. The Government has spouted that line time and again and it has been rejected by nurses and midwives and the Irish Nurses and Midwives Organisation, and rightly so.

It is time now for the Government to get real. It is time for the Minister for Children and Youth Affairs, as a Cabinet colleague, and the rest of her Cabinet colleagues to get their heads out of the clouds and deal with the issue at hand. The Minister said the Government will engage with the nurses but what the Government needs to accept and act on is the urgent need for that engagement without clauses or preconditions.

The approach that the Government has taken so far has failed utterly and dramatically. Let me be clear on this and let me spell it out to every Cabinet colleague. The Cabinet is putting patients at risk because nurses never put their patients at risk. The refusal and intransigence of the Government to deal with this issue on the basis of no preconditions is putting patient safety at risk. That is not surprising given this Government’s record on health and the record of the Minister for Health. Despite this, within a number of days we will have industrial action involving a three-day stoppage planned for next week.
Deputy Pearse Doherty: What we need is proper dialogue before that. Does the Minister accept that the Government’s approach to tackling the recruitment and retention crisis so far has failed? Does the Minister accept that pay is an issue and is going to need to be addressed? Will the Minister accept that a process of engagement is needed right now without any preconditions and without any clauses?

Deputy Katherine Zappone: First, in respect of Deputy Doherty’s first question, we are not there yet. Clearly, we are not there yet. As he has identified, with great eloquence, the risks are escalating. We understand that. That is why there is such significant contingency planning going on between the Irish Nurses and Midwives Organisation and the HSE. I am fully with Deputy Doherty and aware of that with regard to the risks that are escalating.

Second, I am here today as an Independent Minister because I am part of the Government and it is my responsibility to answer some of these questions as well. In my view, we need something to shift to bring the people to the table. That is what needs to happen. On what basis do I say that? First, there is reasonableness on both sides. There is reasonableness, as Deputy Doherty eloquently set out. I have spoken to nurses as well about their concerns. The issue of the safety of their patients is primary to them. Their understanding is that they need the issue of pay addressed to address the issue of safety effectively. That is what they are saying to us. On the other side, including the Government of which I am a part, there is reasonableness as well. When I came in I was listening to the Minister for Public Expenditure and Reform, Deputy Donohoe, identifying issues relative to pay, the collective pay agreement and all of the other aspects of that. These are reasonable for us as the Government to lay out. We have reason on this side and we have reason on that side.

At the same time, we need something to shift to bring the parties together to begin to have that conversation. Deputy Doherty asks whether it has to do with pay. The Minister for Public Expenditure and Reform, Deputy Donohoe, has laid out clearly an understanding of that in terms of the current agreement as well as the future agreement, and pay is part of that. No doubt that will be part of those discussions in terms of the safety and conditions that are required. How that is discussed and what is decided will be determined once they get to the table. This is the most important thing that needs to happen. The talking needs to begin. We require significant engagement and genuine and real intensification to find what the Minister for Health, Deputy Harris, referred to as innovative solutions. In my view, and I imagine Deputy Doherty shares it, before the significant intensification and the potential disruption that will happen next week, we need something to shift to get intensification in terms of engagement. This requires the support of the INMO as well as ICTU and the wider union movement.

Deputy Pearse Doherty: The Minister for Children and Youth Affairs says something needs to shift. I put it to her that what needs to shift is that the Government needs to indicate – it can be done today, right here, right now – that it will enter into negotiations with the INMO on the basis of no preconditions. What the Minister for Public Expenditure and Reform, Deputy Donohoe, and the Minister for Health, Deputy Harris, have said is that the Government will enter into talks, but not about pay. The Minister for Communications, Climate Action and Environment, Deputy Richard Bruton, was on “Morning Ireland” this morning. He said, “I think we are prepared to talk about pay in the context of an agreement”. Is that the position of Cabinet today or is it the position of the Minister for Health and the Minister for Public Expenditure and Reform that pay cannot be discussed? We need something to shift but those in the Government
have dug their heels in and do not want to talk about what is the core issue of this dispute.

Will the Minister for Children and Youth Affairs give clarity? This is Leaders’ Questions and not oral questions. What is the situation of the Government at this point? Is the Minister for Communications, Climate Action and Environment correct in his proclamation this morning in which he said the Government was willing to enter into talks to discuss pay in the context of an agreement? Is it the old position of the Minister for Public Expenditure and Reform and the Minister for Health in their press release that the Government will talk about everything bar pay?

This is a dispute in terms of two parties. I know which side I am on. I know which side the public is on. I believe the public believes the Government is being intransigent on the matter.

An Ceann Comhairle: Thank you, Deputy. Time is up.

Deputy Pearse Doherty: What we need is meaningful dialogue without preconditions. Will the Minister clarify who is right and who is wrong or is it the case that everybody is right with their differing messages in Cabinet?

Deputy Katherine Zappone: I am aware that this is Leaders’ Questions. I also listened the Minister for Communications, Climate Action and Environment, Deputy Bruton, this morning. I did not think the way he answered the question was necessarily at odds with what the Minister for Public Expenditure and Reform, Deputy Donohoe, was saying or how I answered the Deputy. As I have already said, we agree that we need a shift shortly to bring the parties together. When that happens there will be discussion on the issue of pay, whether in the context of what has been agreed, which will start soon, or of allowances that have been determined in relation to nurses, which will also begin soon. No doubt issues in relation to the future will also be discussed. That is all. That is what the Minister, Deputy Bruton, was saying and I think the Minister, Deputy Donohoe, would accept that if we get there, while at the same time identifying that there have been agreements and they are beginning to be followed up in relation to what the Government has promised.

I do not think that there is a difference, but based on the concern that the Government and nurses share for the safety of our patients, we need to come together.

Deputy Thomas Pringle: This week has seen the culmination of the Fine Gael and Independent Government’s incompatibility with industrial relations, and its blatant disregard for workers’ rights. The Government has refused to engage with the INMO on issues of pay and recruitment in the health sector. This has forced nurses to rightly protest for better working conditions. The Government has refused to meet with the National Association of General Practitioners, NAGP, on issues such as the much-needed investment in the GP sector, particularly in rural Ireland, it has refused meaningful engagement with the Psychiatric Nurses Association over pay and conditions and has even refused to meet the union of choice for ambulance staff and the national ambulance representative association. They do not even have the opportunity to meet with the Government on key issues of concern. Even the Government’s agencies refuse to engage or, in some cases, even recognise unions.

Last week Údarás na Gaeltachta announced a year-on-year increase in job creation figures for 2018, which is welcome. Some 156 of those jobs were created in my constituency of Donegal. However, a question remains over the quality of these jobs with employers that either refuse to engage with unions or simply refuse to recognise union membership at all. For
example, last year I supported workers at Rapid Action Packaging in Gweedore who had voted overwhelmingly in favour of industrial action in a ballot taken by SIPTU due to the continued rejection by management of the company to recognise the workers’ union. This company and many others were given grants by Údarás na Gaeltachta, a State agency using State money - our money. To this day, there is no way for us to ensure that employers are respecting workers’ rights because the power imbalance benefits the employer. This, through Údarás na Gaeltachta funding, is being reinforced by the Government.

It is time that union recognition is granted once and for all to all workers and not left to the discretion of employers. It should be the case in 2019 that Údarás na Gaeltachta makes it a precondition for companies to recognise workers’ union of choice before grants may be issued to that company. It is not enough to create jobs, they must be good quality jobs with the appropriate conditions attached, including mandatory trade union recognition by the employer.

Will the Government commit to making State agencies such as Údarás na Gaeltachta impose a precondition for companies seeking grants to recognise trade unions representing future workers of that company?

Deputy Katherine Zappone: Go raibh maith agat, a Teachta. The Deputy’s question raises a very significant issue. He is asking for a substantial policy change in relation to unions and industrial relations. I understand the question and am in sympathy with the Deputy’s position. However, Údarás na Gaeltachta has confirmed that under current legislation it has no statutory role, contracted or implied, to undertake any role in assisting, intervening or monitoring industrial relations between a private company and its employees or to make any statement in such an instance. The practice of all enterprise agencies is that to undertake such a role and to include conditions regarding union recognition and support grants would not be appropriate.

That is the nub of the answer for now. I understand the Deputy’s point which he made with great strength and persuasion, particularly as it relates to his constituency, and the importance of not only creating jobs but quality jobs and the possibilities and ways in which companies can acknowledge or recognise unions that could contribute to higher quality jobs and even better pay and conditions. It is very helpful for the Deputy to raise this issue in the context of the recent report by Údarás na Gaeltachta which, as he noted, is very positive and deals with the many excellent aspects of its work. It is a good time to raise this issue but there is no legal obligation on employers to negotiate with a union on behalf of an employee member unless previously agreed. This does not prevent a dispute about trade union recognition from being a lawful dispute.

Deputy Thomas Pringle: The Minister is saying that the current policy says there is no right to union recognition, but who does Údarás na Gaeltachta represent? Who is it supposed to represent and look after? Údarás na Gaeltachta is supposed to look after the people living in the Gaeltacht which not only means providing them with jobs but also the right to defend themselves and talk to their employers in a fair, balanced manner that is based in equality. Otherwise, agencies such as Údarás na Gaeltachta are giving money to employers to provide jobs but are effectively saying “good luck” to the people who work there, that they can look after themselves and defend themselves because the agencies are having nothing to do with it. It is not right that these agencies give all this money to employers and let them do what they want, and it fails to recognise the position of workers. We represent those people and we should accommodate them that they may do their work properly. It is not about creating conflict or strikes but about creating fairness so that workers can have their rights recognised. That should
be the role of all Government agencies including Údarás na Gaeltachta.

**Deputy Katherine Zappone:** The Deputy has argued there is effectively a power imbalance without the possibility of union recognition. As I said, I am in sympathy with that and understand that.

He also spoke of the need to give additional supports to the Gaeltacht and this issue could be a good place to begin. I also understand that. Although this is not current policy or legislation, I would be happy to ask the Minister for Business, Enterprise and Innovation, Minister Humphreys, to engage with the Deputy further on this matter.

**Deputy Michael Healy-Rae:** The Government should not tax our health. People are sick to death of additional taxes appearing at every opportunity. The latest attack on consumers is the increase in VAT on food supplements which is proposed to come in soon. The majority of products in Ireland affected by the 23% VAT rate are supplied by Irish companies which work closely with the Food Safety Authority of Ireland to ensure their products’ safety and compliance with regulations. They employ hundreds of Irish people.

The Taoiseach questioned the science behind food supplements. All claims made for such products are governed by the European Food Safety Authority. The claims relate to the support and maintenance of health. The rulings are based on international large-scale clinical trials and peer supported research. When I questioned him in the Dáil recently, the Taoiseach was not sure whether folic acid was a food supplement, but he will find out soon enough on 1 March when the Government applies the 23% VAT rate to it, affecting women who are trying to look after their health during pregnancy. It is the same Taoiseach who told people a couple of weeks ago that he was going to reduce his carbon footprint by decreasing his meat intake, one of the most idiotic statements ever made by a Taoiseach. For a Taoiseach to send the message that he will stop eating meat to a farming country that is proud of its tradition of farming and in which people survived with nothing for years was so stupid and beyond belief. He was encouraging people to adopt a healthy lifestyle, while at the same time agreeing to a 23% VAT rate on food supplements.

**Deputy Eugene Murphy:** “Operation Transformation”.

**Deputy Michael Healy-Rae:** The health food stores I will discuss are independent. For example, we have a great person in County Kerry, Mr. Dan Horan, who is the proud owner of Horan’s Health Stores and last week celebrated 30 years in business, giving much needed employment in County Kerry and beyond, just as other independent health food stores have done. These businesses have customers who are young, middle aged and older and who, in taking care of themselves, rely on health food supplements for their well-being and in staying away from the doctor’s surgery and out of the hospital system. The Government’s answer is to tax them at a rate of 23%. I will provide a couple of examples shortly, but I want to hear whether Deputy Zappone, as an Independent Minister, supports the Government in applying the 23% VAT rate to such customers.

**Deputy Katherine Zappone:** I thank the Deputy for his question. As I have an interest in this issue, I am glad that he raised it. I will give the House my view as an Independent.

There are at least two aspects to the Deputy’s remarks on vitamins. First, many people, including me, take them and avail of supplements regularly or, if we forget, sporadically in order to improve or optimise our health and well-being. This is often the case for people, in particular
older people, who believe they are deficient in certain areas and need supplements to counteract it. In other cases people take vitamins while recovering from illnesses or because they feel run down. From that perspective, I understand why the Deputy has raised the issue. Many Irish people depend on vitamins and supplements for their well-being, including me.

The second aspect relates to the viability of businesses that depend on the sale of these products for their livelihood. Given the general uncertainty about Brexit, additional impediments such as the increased VAT rate cause concern and deserve our attention. As my father sold health food products and vitamins, I understand the issue from the consumer’s perspective, as well as from a business perspective.

These issues have been raised previously and I have listened to the Minister for Finance, Deputy Donohoe, address them. I was in touch with him about them. I am pleased to say he is reviewing the matter, albeit with the caveat that it involves an interpretation of the law that could prove to be an insurmountable difficulty. However, I understand he will be in a position to come to a conclusion on the issue in the coming days.

**Deputy Michael Healy-Rae:** I very much appreciate the Minister’s genuine response, but I remind her that she is not a person outside on the street making an observation. She is a Cabinet Minister and a person who should have influence in the Government. Will she and its other Independent members, many of whom I respect, including the Minister of State who is sitting alongside her, Deputy Moran, use their influence to try to make the rest of the Government see common sense? I will provide a couple of examples. A married lady with two teenage children who take a number of supplements currently has a bill of €87 per month. This figure will increase to €107. A 48 year old married person with two children who works four days per week takes a number of items at a cost of €70 per month. That figure will increase to €86. I have another case which involves a person who is 88 years of age. These are the types of people we respect. A semi-retired farmer, he still does a lot of work on his farm and is grateful to be in extremely good health.

**Deputy Billy Kelleher:** Is he a Deputy?

**Deputy Michael Healy-Rae:** His good health is due to the support of his local GP and the vitamins and supplements he takes.

**Deputy Timmy Dooley:** Is he Deputy Danny Healy-Rae?

**Deputy Michael Healy-Rae:** His bill of €91 which he manages to pay will increase to €112 per month.

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

**Deputy Michael Healy-Rae:** These are real cases of people who are taking care of their own health. Will the Minister and other Deputies who support the Government, please, use their influence with the Taoiseach? He made a derogatory statement the first day-----

**An Ceann Comhairle:** Please, Deputy.

**Deputy Michael Healy-Rae:** -----but there was such a backlash, he was not long in copping on to the seriousness of the issue. I would appreciate it if the Minister and her colleagues did something to stop this before it starts. I apologise to the Ceann Comhairle.
Deputy Katherine Zappone: I thank the Deputy for making those points and bringing to our attention the lives of the real people on whom this will impact significantly. I have seen evidence of supplements increasing the health and well-being of people, both young and old, who take them. The Deputy mentioned something in his initial contribution that I did not get a chance to address. My understanding is folic acid is not included and will remain subject to the zero rate of VAT.

Deputy Michael Healy-Rae: We will know in March.

Deputy Katherine Zappone: To respond to another of the Deputy’s points, yes, I sit on this side in this row and will use my influence. The Minister for Finance, Deputy Donohoe, has indicated that he is reviewing the position. We will hear the results of the review shortly.

Deputy Mattie McGrath: Maith an bhean.

Deputy Michael Healy-Rae: Very good.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

An Ceann Comhairle: Next week will see a motion from the Dáil reform committee to increase this slot from 15 minutes to 30, if that is to what Members agree.

Deputy Billy Kelleher: That is great.

An Ceann Comhairle: Today 21 Members have indicated, but it is highly unlikely that we will reach all 21.

Deputy Dara Calleary: The motion is a welcome development.

Returning to my previous question, if the Secretary General in the Minister’s Department was aware of a major cost overrun and did not inform her, what action would she take?

Deputy Billy Kelleher: Ring PricewaterhouseCoopers.

Minister for Children and Youth Affairs (Deputy Katherine Zappone): My understanding of the Deputy’s question is based on the debate under way and I have already answered him in that regard. I believe what the Ministers have said.

Deputy Timmy Dooley: The question was simple.

Deputy Katherine Zappone: We have to wait for another report.

Deputy Dara Calleary: I asked the Minister what she would do.

Deputy Katherine Zappone: If my Secretary General knew about a cost overrun-----

Deputy Eugene Murphy: The Minister would fire him.

Deputy Katherine Zappone: -----knew exactly what it was and waited a number of months, I would have questions. I would not be satisfied with it. I understand from what the Ministers
have said that that was not the case in this instance.

**Deputy Pearse Doherty:** We learned as we came into the Chamber that in September senior officials in the Department of Health were aware that the cost overrun was reaching a figure of €391 million. It is reported in *The Irish Times* and on RTÉ. The minutes are there. We will have the copy when we leave this Chamber. Senior staff of the Department of Health knew that the overrun of that project was €391 million in September. A month later, with the Minister for Health sitting beside him, the Minister, Deputy Donohoe, delivered a budget to this Chamber under false pretences because somebody knew, at least senior officials knew, at that stage that there was a massive hole due to the overrun on expenditure on the children’s hospital. We are asked to believe that a number of senior staff in the Department of Health did not tell their Minister. We are then asked to believe that the Minister, Deputy Harris, did not tell the Minister, Deputy Donohoe, who was in negotiations with him during the budget, and then we are told that we must wait for the PwC report.

**An Ceann Comhairle:** The time is up.

**Deputy Pearse Doherty:** I will finish on this. The PwC report-----

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

**Deputy Pearse Doherty:** I am just finishing on this.

**An Ceann Comhairle:** No, the Deputy’s time is up.

**Deputy Pearse Doherty:** The Taoiseach stated the PwC report would hold individuals accountable and identify individuals who made particular mistakes, and yet the terms of reference do not allow for that.

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

**Deputy Pearse Doherty:** It is more spin and not enough substance. Will the Minister, Deputy Zappone, stand over the fact that the report on the €391 million figure is being issued today?

**An Ceann Comhairle:** Deputy Doherty is taking his colleagues’ time.

**Deputy Katherine Zappone:** I myself did not get a chance to see that. I understand from Deputy Doherty’s question that he is taking as a fact what he has read about that report.

**Deputy Brendan Howlin:** The minutes of the board meeting.

**Deputy Katherine Zappone:** Is that correct?

**Deputy Pearse Doherty:** The minutes of the meeting.

**Deputy Brendan Howlin:** The minutes of the board are published.

**Deputy Katherine Zappone:** I will stand by what I stated previously about the report that is coming to us. That is when we will get our answers to the questions.

**Deputy Brendan Howlin:** Is it credible that the Secretary General would attend at a board meeting, have a minute given to him that there was an understanding because there was an invoice for this overrun, and that he, as the Accounting Officer of the Department of Health, would conduct bilaterals with the Minister for Public Expenditure and Reform and the Secre-
tary General of the Department of Public Expenditure and Reform and not mention any of that? How could there be a rational budgetary process that was looking at every cent in the context of the overruns for last year and the potential costs for this year without that being mentioned? Is that credible?

**Deputy Katherine Zappone:** I understand that the Deputy has these questions. That is all I would say, first of all. Is it credible? I do not know what was going on in the mind of the officials in having some sense of how they could ensure that whatever negotiations were going on would result in something that was good. I do not know what was going on in their minds. I understand the Deputy’s question whether it was credible. I understand that the Deputy is asking that. There is a question but I am not going to answer it.

**Deputy Gino Kenny:** I raise an issue I have raised on numerous occasions over the past two and a half years, that is, access to medicinal cannabis. Mr. Kenny Tynan is a father of four from Roscommon who a number of years ago was diagnosed with a brain tumour and last year was granted a medicinal cannabis licence by the Minister. Unfortunately, that licence did not involve reimbursement. Somebody, in the interim, has paid for the first three months of medical cannabis. Obviously, that person cannot continue to do so, putting Mr. Tynan in a stressful situation for his family.

The substantial issue is the medical cannabis programme which was proposed two years ago. As of yet, there is nothing. This programme is not up and running. If the programme was up and running, reimbursement would be guaranteed, as would access. There are families who must leave the jurisdiction to go to Barcelona to get medical cannabis for their children. As Minister for Children and Youth Affairs, Deputy Zappone is quite progressive on this issue.

**Deputy Eugene Murphy:** The Tynan family are constituents of mine. Indeed, Deputy Gino Kenny and I have been in contact over this. I will not take up time. I would certainly support the comments being made here on behalf of Mr. Tynan and his family. It is a critical and difficult situation. I hope the Minister will be able to give some clarification and good news to us today.

**Minister of State at the Department of Health (Deputy Jim Daly):** Obviously, I will not comment on an individual case on the floor of the Dáil. As the Deputies opposite will be aware, there is a compassionate access programme that is consultant-led. Provided it is prescribed by a consultant, the Minister has the authority to sign access to that.

Work is ongoing, as the Deputies will be aware, within the Department. Deputies Kenny and Murphy will be aware of the progress we are trying to make in the area as a whole. Obviously, Deputy Kenny’s Bill is part of that consideration, notwithstanding some of the difficulties that are presenting with it. Other than that, I cannot go any further when it is an individual case.

**Deputy Gino Kenny:** Is there a date for the programme?

**An Ceann Comhairle:** I call Deputy Mattie McGrath.

**Deputy Mattie McGrath:** I welcome the Minister, Deputy Zappone, and her honest and fresh approach in trying to answer questions to the best of her ability.

I worked hard to try to get rural proofing put into the programme for Government and we were supposed to have rural proofing. An Post is closing post offices. I am talking about
Dáil Éireann

Clogheen in County Tipperary today. An independent review is supposed to be setting up an appeals system. They are no more independent than my sheepdog at home because An Post is writing the letters to answer them. An Post makes it so difficult for new people to take the post office. It wants too much space in the shop and has too many regulations. It is too expensive, prohibitive and with fewer services. Departments are also sending out letters every day encouraging people to transfer their business from post offices to banks. Will the Government do something to halt the attack on rural post offices which provide a vital service for rural areas? In Clogheen, people will have to walk or try to get a taxi, if they can get one, or bus or whatever to neighbouring parishes.

An Ceann Comhairle: The time is up.

Deputy Mattie McGrath: I thank the postmistress, Ms Margaret Moroney, for such sterling work there over the decades.

Deputy Michael Healy-Rae: The following is a letter from an Intreo office manager:

Customers who are in receipt of a Jobseekers payment who have reached the age of 62 years of age, now have the option of having their Social Welfare payments paid into their bank account.

If you wish to have your payment paid into your back account, please complete the enclosed form and return to this office.

The Department of Employment Affairs and Social Protection is actively trying to rob customers from our post offices, which we are trying to keep open.

Deputy Jim Daly: People have a choice. People should have a choice.

Deputy Michael Healy-Rae: It is in the programme for Government that the Government wants to protect them. Will the Government make up its mind?

Deputy Jim Daly: People cannot be forced. Deputy Healy-Rae knows well.

Deputy Michael Healy-Rae: Does the Government want to close them? Why is the Minister of State shouting in the background?

An Ceann Comhairle: I thank the Deputy. Can we get an answer?

Deputy Michael Healy-Rae: Does the Government want to keep them open? They closed the Mastergeehy post office, outside of Waterville, a couple of weeks ago. It is a disgrace. Let them make up their minds-----

Deputy Katherine Zappone: I thank the Deputies.

Deputy Michael Healy-Rae: -----and stop sending out these letters.

An Ceann Comhairle: Let me hear the Minister.

Deputy Katherine Zappone: I have a rural postmistress as well. I appreciate the Deputies’ questions. I will ask the Minister for Communications, Climate Action and Environment, Deputy Bruton, to engage with the Deputies directly, and if he needs to talk to the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, so be it.
**Deputy Catherine Connolly:** Luaitear i gcílár oibre an Rialtais go ndíreoidh an Rialtas ar chothú fostaíochta sa Ghaeltacht trí Údarás na Gaeltachta agus go gcuirfear straitéis i bh-feidhm chun fás fostaíochta a leathnú amach. Luaitear é sin sa phhean gníomhaiochta, sa phleán náisiúnta, agus sa mhéid sin cáipéisí eile ná a bhfuil in ann iad a chur in iúl i ndaonadh an oireachtas. In ainneoin sin, tá sé tagtha chun solais go bhfuil an comhlacht HID Global, atá lonnaithe i gContae na Gaillimh, ag athlónú go dtí an Gaeltacht agus go bhfuil sé tábhachtach tóbhachtachta foistiocht a chothú agus tabhair sé bhfeidhm as an tSean-ghinearaltaíochta, Údarás na Gaeltachta agus an IDA, ag obair as lámh a chéile chun an comhlacht seo a mhealladh ó chroílár na Gaeltachta go dtí an Gaillimh. Tá na hAirí sásta agus daonra ag an eolas faoi sin. Tá gá le soiléiriú, le beart práinneach, agus le cruinniú le Teachtaí agus le muintir na hAité.  

**Minister of State at the Department of the Taoiseach (Deputy Seán Kyne):** Is drochscéal é seo don Ghaeltacht ach, buíochas le Dia, tá na poist ag fanacht i gContae na Gaillimh agus ní bheidh aon páirt a fháil. Tá an scéal faoin ábhar seo agus faoin gceannadh seo fada. Beidh HID agus Údarás na Gaeltachta ag déanamh ráiteas inniu nó amárach fíor seo. Beidh mé in ann caint faoin scéal tar éis na raitheas sin.

**Deputy Caoimhghín Ó Caoláin:** It is most appropriate that I ask Deputy Zappone, who is Minister for Children and Youth Affairs, on behalf of 25 very ill children, when the HSE leadership meeting will take place to approve nusinersen, marketed as Spinraza, for all of those children suffering from spinal muscular atrophy. Last night I received an impassioned appeal from a grandparent which states:  

>This is a very anxious and fearful time for SMA suffers ... My gorgeous witty intelligent and physically invalided 8 year old granddaughter ... is anxiously awaiting its approval. I’m fearful, with so much going on at present ... that the approval of Spinraza may fall through the cracks.

Will the Minister for Children and Youth Affairs please use her good offices? We need to know the date in this month and we need to have certainty of the decision that will be taken.

**Deputy Jim Daly:** As I stated in the House yesterday the meeting of the senior leadership team in the HSE is due to take place next Thursday when this matter will be discussed. This is not to say that it will be agreed there but the recommendation has come up to the senior leadership team. They will meet on Thursday, 14 February.

**Deputy Caoimhghín Ó Caoláin:** Will the Minister, Deputy Zappone, please notify me?

**Deputy Jack Chambers:** At yesterday’s Oireachtas Joint Committee on Health the Secretary General, Jim Breslin, said that he received a formal briefing from the National Paediatric Hospital Development Board on the serious risk of the cost overrun. I understand that three days later Mr. Breslin met with the Minister for Finance, Deputy Donohoe, and the Minister for Health, Deputy Harris, at a meeting in the Department of Public Expenditure and Reform. The cost overrun was fresh in his mind. Two issues have occurred here: the Secretary General withheld very serious and important information regarding this capital cost overrun or the Ministers knew unofficially and they are not admitting to that. Either one of these has happened and I want the Minister to bring clarity to that matter. Clearly the biggest capital cost overrun
in the State was known to officials in June but we have no information or clarity on the issue and it is important that the Government brings clarity to the House. The Minister for Finance, Deputy Paschal Donohoe, has said that he knew nothing of it until November, three days after the Secretary General received a briefing. Is the Minister saying that Mr. Breslin did not mention a word about the children’s hospital at that meeting?

**Deputy Louise O’Reilly:** Will the Minister tell the House if he believes it is credible that this information was known by senior people in the Department of Health and kept from the Minister? Do any of the Ministers on the Government benches today believe that this stacks up? Do any of them want to answer this? Will they stand up and say they believe this has credibility? This is beyond a joke at this stage. Nurses and midwives are on the picket lines. Do the Ministers think it is lost on the nurses that the Government has endless money for a children’s hospital and not a shilling for nurses? Do the Ministers think that nurses want to see members of the Government sitting in here folding their arms and shrugging their shoulders while saying they will have to wait for the PwC report? We cannot wait. Does this stack up? Does Fine Gael believe it has credibility? I ask the Ministers please to answer the question.

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** There is no need for shouting.

**Deputy Maurice Quinlivan:** On the same question, it is not credible for the Minister to say that he was not aware of the report. We need to know if the Minister for Finance came to the House with a budget while knowing there was going to be a massive overrun? Did the Minister for Finance mislead the Dáil with the figures he gave to Members? All parties sit down and do their own pre-budget submission on the figures we believe will happen. Was the Minister well aware that this overrun was going to happen and did he come to the House knowing that fact?

**Deputy Katherine Zappone:** I believe I have answered those questions. I understand, just as the Deputy does, the concerns of the nurses. Just because I am sitting here does not mean that I do not understand that. The initial question from Deputy Jack Chambers was whether the Secretary General had withheld the information or are the Ministers telling the truth. I believe the Ministers are telling the truth. With regard to the question on whether the Secretary General withheld information, the use of “withhold” implies that he did something wrong and I do not believe that he necessarily did anything wrong.

**Deputy Dara Calleary:** Did he pass the information on?

**Deputy Jack Chambers:** Did he have that information on the night of the meeting?

**Deputy Danny Healy-Rae:** There is a row going on between the Government’s own Fine Gael Deputies in Wexford about the local electoral areas and boundary changes. There are also problems in Kerry where parishes like Kilcummin have been divided into two. Parishes such as Gneeveguilla and Rathmore are also being divided into two. People are very angry. In Wexford the Minister of State, Deputy John Paul Phelan, has asked the local authority to respond or make submissions with regard to any concerns they have on boundary changes. Is that same opportunity open to people in Kerry when part of Kilcummin is put in with Ventry and Dingle? People have real concerns that their issues and problems will not be dealt with as they were when they were being dealt with in Killarney.

**Deputy Katherine Zappone:** I thank Deputy Danny Healy-Rae for the question. I understand that it is in promised legislation but I will ask the Minister of State, Deputy Phelan, to get
back to the Deputy directly.

**An Ceann Comhairle:** That concludes Questions on Promised Legislation. With ten Deputies remaining it is not possible to take everyone.

**Equality (Miscellaneous Provisions)(No. 2) Bill 2017: Second Stage (Resumed) [Private Members]**

**An Ceann Comhairle:** I must now deal with a postponed division relating to Second Stage of the Equality (Miscellaneous Provisions)(No. 2) Bill 2017, taken on Thursday, 31 January 2019. On the question, “That the Bill be now read a Second Time”, a division was claimed and in accordance with Standing Order 70(2) that division must be taken now.

Question again put:

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Tellers: Tá, Deputies John Brassil and John Lahart; Níl, Deputies Seán Kyne and Tony McLoughlin.

Question declared carried.

1 o’clock

Ratification of EU and NATO Status of Forces Agreements: Motion (Resumed)

The following motion was moved by the Minister of State at the Department of Defence, Deputy Paul Kehoe, on Tuesday, 5 February 2019:

That Dáil Éireann approves the terms of:

(i) the Agreement between the Member States of the European Union concerning the status of military and civilian staff seconded to the institutions of the European Union, of the headquarters and forces which may be made available to the European Union in the context of the preparation and execution of the tasks referred to in Article 17(2) of the Treaty on European Union, including exercises, and of the military and civilian staff of the Member States put at the disposal of the European Union to act in this context, done at Brussels on 17th November, 2003, a copy of which was laid before Dáil Éireann on 2nd January, 2019; and

(ii) the North Atlantic Treaty Organisation Partnership for Peace Status of Forces Agreement, done at Brussels on 19th June, 1995, a copy of which was laid before Dáil Éireann on 2nd January, 2019;

subject to the respective reservations, copies of which were laid before Dáil Éireann on 2nd January, 2019.”

An Ceann Comhairle: I must now deal with a postponed division relating to the motion regarding the EU and NATO Status of Forces Agreements. On Tuesday, 5 February 2019, on the question that the motion be agreed to, a division was claimed and in accordance with Standing Order 70(2), that division must be taken now.

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Tellers: Tá, Deputies Seán Kyne and Tony McLoughlin; Nil, Deputies Richard Boyd Barrett and Paul Murphy.
European Defence Agency Project: Referral to Select Committee (Resumed)

The following motion was moved by the Minister of State at the Department of Defence, Deputy Paul Kehoe, on Tuesday, 5 February 2019:

That the proposal that Dáil Éireann approves Ireland’s participation in a European Defence Agency Project in relation to Military Search Capability Building pursuant to section 2 of the Defence (Miscellaneous Provisions) Act 2009, be referred to the Select Committee on Foreign Affairs and Trade, and Defence, in accordance with Standing Order 84A(3)(b), which, not later than 19th February, 2019, shall send a message to the Dáil in the manner prescribed in Standing Order 90, and Standing Order 89(2) shall accordingly apply.

An Ceann Comhairle: I must now deal with a postponed division relating to the motion regarding the European Defence Agency project. On Tuesday, 5 February 2019, on the question that the motion be agreed to, a division was claimed and in accordance with Standing Order 70(2), that division must be taken now.

Question put:

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The following motion was moved by Deputy John Brady on Tuesday, 5 February 2019:

That Dáil Éireann:

notes that:

— JobPath was set up by Fine Gael and the Labour Party in July 2015, with the aim of assisting the long-term unemployed to secure and sustain employment;

— contracts to deliver JobPath on behalf of the Department of Employment Affairs and Social Protection were signed with two private companies – Turas Nua and Seetec;

— between July 2015 and January 2019 some 205,000 people have engaged with either Turas Nua or Seetec following referral by the Department of Employment Affairs
and Social Protection;

— as of January 2019, over 21,000 people had been referred to JobPath for a second time having previously completed the scheme in full;

— as of November 2018, Turas Nua and Seetec had received €149 million of taxpayers’ money between them;

— as of November 2018, out of the 190,000 people referred to JobPath at that stage, just nine per cent (i.e. 17,100 people) had secured employment which had been sustained for at least one year, at a cost of €3,718 per person;

— where an individual is referred to JobPath for a second time, Turas Nua and Seetec received double payments; and

— JobPath has engaged with 24,185 people (as of October 2018) who are working part-time and also with people who have been referred to another job activation scheme;

further notes that:

— the Minister for Employment Affairs and Social Protection has hailed JobPath as the most successful job activation scheme in the history of the State, however, the employment outcomes for JobPath do not reflect this claim;

— other job activation schemes are suffering as a result of the Department of Employment Affairs and Social Protection’s preference to refer people to JobPath over all other community-based schemes;

— referrals to the Local Employment Service are down across the State and thousands of vacancies in Community Employment schemes, which provide vital benefits to local communities, cannot be filled; and

— research recently presented to the Oireachtas Committee for Employment Affairs and Social Protection from Waterford Institute of Technology concluded that ‘they (participants) felt actively and capriciously patronised, cajoled, threatened, manipulated and bullied’; and

calls on the Government and the Department of Employment Affairs and Social Protection to:

— immediately cease all referrals to the JobPath service and end the mandatory nature of the scheme;

— end the contract with the JobPath providers as soon as possible without any extension;

— properly resource and expand existing job activation schemes which are community-based, including:

— the Local Employment Service;

— Adult Guidance Services;

— Community Employment;
— Rural Social Scheme;
— Tús; and
— Job Clubs;
— invest in the Back to Education Allowance scheme, Vocational Training Opportunities Scheme, and any other available training and education schemes;
— end the use of ‘payment by results’ models in job activation schemes;
— examine the significant international research on the consequences of sanctioning, including the short-term impacts, such as poverty, and the long-term impacts on health and well-being; and
— focus on an ‘individual first’ approach rather than the ‘work first’ approach pursued by JobPath, acknowledging that one size does not fit all and some jobseekers would benefit more from upskilling through apprenticeships, education, training and work experience rather than an ‘any job will do’ attitude.

Debate resumed on amendment No. 1:
To delete all words after “That Dáil Éireann:” and substitute the following:

“recognises:
— the significant progress made by this Government in reducing unemployment from a peak of almost 16 per cent in 2012 to 5.3 per cent in December 2018;
— the achievements of the Department of Employment Affairs and Social Protection in moving from a passive income provider of social welfare supports for working age people to an organisation that is focused on helping and supporting unemployed people find work;
— that the use of contracted service providers such as Local Employment Services (LES), Job Club providers and JobPath alongside its own Intreo service has enabled the Department of Employment Affairs and Social Protection to reduce the ratio of jobseekers to case officers from over 2,000:1 to international best practice ratios (120:1);
— that the JobPath service providers are focused on delivering an intensive activation service tailored to the needs of long-term unemployed jobseekers;
— that JobPath service providers are required under contract to offer jobseekers a customer service guarantee covering matters such as the allocation of a dedicated case officer, frequency of engagement with case officers, access to training in curriculum vitae, interview and other skills, a transparent complaints process, and post employment support for a period of at least 3 months and up to 12 months following commencement of employment;
— that at the end of January 2019, 206,000 clients had commenced on JobPath and that total costs of the service at the end of January 2019 is €160 million, which represents a service delivery cost of less than €790 per person and is the lowest cost per capita
of any of the State’s activation services;

— that JobPath providers receive a small registration fee in respect of any customer referred and cannot recoup their costs overall without individuals gaining and sustaining employment;

— the very low level of complaints received in respect of JobPath, with 836 complaints recorded (i.e. 0.41 per cent) of those who have engaged;

— that Jobseekers’ satisfaction with the service offered by JobPath providers, as measured in independent customer satisfaction surveys, is high, with over 6,000 customers taking part in these surveys over the past three years and with an overall satisfaction score of 4.15 out of 5;

— that employment outcomes for persons engaging with the JobPath service are ahead of target, at 25 per cent against a target of 14 per cent and as of the end of January 2019, 41,000 individuals have found full-time jobs while engaged with the JobPath service, with a further 5,000 finding part-time jobs;

— that funding and staffing levels for LES have been maintained and that the availability of JobPath has enabled the Department of Employment Affairs and Social Protection to reduce the caseloads carried by Intreo offices and the LES so that they are in a position to provide a more intensive individual service to jobseekers;

— that immediate cancellation or suspension of the service would result in a significant 356 diminution in case officer services to unemployed jobseekers, the loss of up to 600 jobs among JobPath staff and, in the absence of due cause warranting such a cancellation prior to 2021, could create a significant financial exposure for the State;

— that the most decisive factor in individuals improving their economic circumstances and being lifted out of poverty, is to secure employment, thereby reducing their dependency on welfare;

— that the assistance provided by activation services such as JobPath and LES is essential to assisting jobseekers make the transition into employment;

— the Government’s continued commitment to invest in education, training and employment support programmes to support people transition from welfare to employment; and

— the value of employment support services such as Tús, Rural Social Scheme and Community Employment as an important assistance to individuals and local communities, but acknowledges that these schemes, on their own do not reduce an individual’s dependency on welfare but rather supports their transition to full-time employment; and welcomes the Minister for Employment Affairs and Social Protection’s commitment to continue to deliver activation services to the long-term unemployed and to explore the delivery of supports and services to other cohorts through Intreo and the continued use of contracted providers.”

-(Minister for Employment Affairs and Social Protection)
An Ceann Comhairle: I must now deal with a postponed division relating to amendment No. 1 to the motion re the JobPath Programme. On Tuesday, 5 February 2019, on the question, “That amendment No. 1 to the motion be agreed to,” a division was claimed. In accordance with Standing Order 70(2), that division must be taken now.

Amendment again put:

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7 February 2019

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The following motion was moved by Deputy Brendan Howlin on Wednesday, 6 February 2019:

“That Dáil Éireann, in this the Centenary Year of its first meeting, re-committing itself to the imperative of the Democratic Programme and the principles of justice and equality, to support the development of all children, and in order to ensure a fair start for every child, declares that:

— it is the first duty of Government to provide for the wellbeing, education and development of children, regardless of their origins, and to provide them all with an equal opportunity to contribute, to the extent of their abilities, to the economic, social and cultural life of the nation;

— the accommodation of homeless families with children must be the immediate and urgent priority of housing policy;

— all children born and raised in Ireland should be entitled to Irish citizenship, regardless of the nationality or migration status of their parents;

— all children who are adopted should have access to information about their birth parents;

— same-sex couples who are parents should have equal parenting rights to those afforded to opposite-sex couples;

— the Government should ensure that quality childcare is genuinely available to all and is affordable;

— all children should be entitled to a prompt assessment of any special needs and the provision of whatever support services they may need; and

— the Government should ensure that primary education is genuinely free-of-charge, including through public funding of the cost of school books and uniforms and by out-
lawing mandatory contributions by parents to national schools; and

calls on the Government to:

— immediately implement actions to ensure no children remain in homelessness;

— immediately implement the Affordable Childcare Scheme announced in Budget 2019;

— immediately implement its commitment to providing free-of-charge general practitioner care to all children under the age of 18;

— prepare and implement a comprehensive strategy to eliminate consistent child poverty and material deprivation, with clear timeframes for its implementation; and

— report to the Dáil no less than quarterly upon the implementation of this strategy and in particular to report on current numbers of children in consistent poverty or deprivation.”

Debate resumed on amendment No. 2:

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

“— commits strongly to the principle of ensuring a fair start for every child underpinned by the principles of justice and equality;

— endorses the objectives of the Democratic Programme of the First Dáil by supporting the development of all children and by making provision for their physical, mental and spiritual well-being, to alleviate poverty;

— welcomes the overall increase of €107 million (8 per cent) over 2018 in the 2019 vote of the Department of Children and Youth Affairs;

— welcomes the increased investment in early learning and care by 117 per cent over the past four Budgets and the Government’s commitment to ensuring that high quality developmentally-appropriate early learning and care is accessible and affordable for families throughout Ireland and reflects diversity of need;

— welcomes the publication of First 5 as a whole-of-Government strategy to improve the lives of children in the birth to age five age range, and the lives of their families, which speaks directly to the aspirations set out in the Democratic Programme;

— welcomes the commitment to the introduction of the Affordable Childcare Scheme as soon as the Scheme’s regulatory, administrative, and information and communication technology infrastructure is in place, namely in October 2019;

— welcomes the commitment to the establishment of a statutory scheme to facilitate all children who have been adopted to access information about their birth parents to the greatest extent possible;

— reiterates the need for a continued focus on reducing the rate of child poverty through a coordinated approach by Government Departments through the Better Outcomes, Brighter Futures National Policy Framework for Children and Young People
supports the overall work being co-ordinated by the Minister for Children and Youth Affairs through the Better Outcomes, Brighter Futures process;

— notes the Government’s commitment to report on a regular basis on the efforts being made across Government to tackle child poverty based on the six priority actions contained in the Whole of Government Paper on tackling Child Poverty, published by the Department of Employment Affairs and Social Protection in 2017;

— notes the commitment to reporting on the forthcoming Poverty and Social Inclusion Strategy which will be implemented by the Minister for Employment Affairs and Social Protection;

— notes that the draft Civil Registration Bill 2019 makes technical amendments that will facilitate commencement of existing legislation that will allow both partners in a same-sex female relationship, who have been through a donor-assisted birth process, to have their details shown on birth certificates;

— welcomes the provisions of Parts 2 and 3 of the Children and Family Relationships Act 2015, as well as the General Scheme of the Assisted Human Reproduction Bill 2017, which uphold the principle of equal recognition of same-sex and opposite-sex parents;

— notes that amendments were approved by Government to the Adoptive Leave Act 1995 on 6th November, 2018, and will be included alongside legislative provisions to introduce a new paid parental leave scheme, which was announced as part of Budget 2019, and the proposed amendments will afford the same entitlements to adoptive leave and benefits to all couples who are married, co-habiting or who are in a civil partnership, irrespective of gender;

— notes that the Government remains committed to the extension, in phases, and subject to negotiation with general practitioners (GPs), of free GP care to all children under 18 years;

— notes that Ireland confers citizenship to a child born on the island of Ireland, if one or other of its parents has been lawfully resident on the island of Ireland for three out of the last four years;

— further notes that Ireland has generally less onerous requirements for the acquisition of citizenship when compared to our fellow European Union Member States;

— notes that under Part 2 of the Disability Act 2005, any child suspected of having a disability and born on or after 1st June, 2002, is entitled to an Assessment of Need, to be conducted within a specified timeframe;

— agrees that timely access to assessments and services for children with additional needs is of the utmost importance;

— welcomes the fact that the Health Service Executive has a number of initiatives in place to improve services to all of these children, and that Budget 2019 provided for 100 additional posts specifically to improve the access to assessment of need and ensu-
ing therapies;

— welcomes the Department of Education and Skills policy initiative, Delivering Equality of Opportunity in Schools (DEIS), aimed at tackling educational disadvantage in primary and post-primary schools, and the DEIS Plan 2017, which sets out the vision for future interventions in the critical area of educational disadvantage policy;

— welcomes the work being done by the Department of Education and Skills in supporting a range of interventions across the education continuum, with the objective of achieving its vision for education to become a proven pathway to better opportunities for those in communities at risk of disadvantage and social exclusion;

— strongly supports any measures that can be put in place to reduce school costs for parents, noting that schools must be sensitive to the financial pressures on parents in making decisions, not just about fees, but about any matter that has cost implications for parents, including, amongst others, uniforms and books;

— acknowledges that the Minister for Education and Skills has issued specific guidance to schools on the issue of costs (circular 32/2017) and the need for schools to do everything possible to keep costs down for parents;

— notes that the Minister for Education and Skills also intends that under the draft legislation on a Parent and Student Charter, schools will be required to consult students and parents regularly in relation to school costs and working to avoid costs acting as a barrier to participation;

— welcomes the commitments contained in Rebuilding Ireland, the Government’s Action Plan on Housing and Homelessness, to:

— increase the overall supply of new homes to 25,000 per annum by 2020;

— deliver an additional 50,000 social housing units in the period to 2021; and

— meet the housing needs of an additional 87,000 households through the Housing Assistance Payment (HAP) scheme and the Rental Accommodation Scheme; and

— acknowledges that supporting households experiencing homelessness is a priority for this Government and that Budget 2019 increased the funding available to local authorities for the provision of homeless services by over 25 per cent to €146 million.

-(Minister for Children and Youth Affairs).

An Ceann Comhairle: I must now deal with a postponed division relating to amendment No. 2 to the motion re a fair start for every child. On Wednesday, 6 February 2019, on the question, “That amendment No. 2 to the motion be agreed to,” a division was claimed. In accordance with Standing Order 70(2), that division must be taken now.

Amendment again put:

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Tellers: Tá, Deputies Seán Kyne and Tony McLoughlin; Níl, Deputies Brendan Ryan and Jan O’Sullivan.

Amendment declared lost.

**Deputy Anne Rabbitte:** I move amendment No. 1:

To delete all words after “ensure a fair start for every child,” and substitute the following:
Dáil Éireann

“affirms that:

— it is the first duty of Government to provide for the wellbeing, education and development of children, regardless of their origins, and to provide them all with an equal opportunity to contribute, to the extent of their abilities, to the economic, social and cultural life of the nation;

— a fair pathway to citizenship should be provided to all children who have been resident in Ireland for three years, regardless of their parents’ citizenship or residency status;

— the accommodation of homeless families with children must be the immediate and urgent priority of housing policy;

— same-sex couples who are parents should have equal parenting rights to those afforded to opposite-sex couples;

— the Government should ensure that quality childcare is genuinely available to all and is affordable;

— all children should be entitled to a prompt assessment of any special needs and the provision of whatever support services they may need;

— the Government should strive to drive down the cost of education for families, reverse cuts to the funding of schools and eliminate the need for mandatory contributions to be paid by parents to national schools;

— over 8 per cent of children consistently experience poverty and that almost one in four children are experiencing deprivation in modern Ireland; and

— the percentage of lone-parent households that are at risk of poverty has increased since 2016;

and calls on the Government to:

— facilitate the swift passage of the Parental Leave (Amendment) Bill 2017, which will increase the amount of leave that a parent can take to care for their child and extend the period during which the leave can be taken to the first 12 years of the child’s life;

— allow for the swift passage of the Shared Maternity Benefit and Leave Bill 2018, which was introduced by Fianna Fáil to allow parents to share maternity leave;

— immediately commence sections 2 and 3 of the Child and Family Relationships Act 2015;

— immediately implement actions to ensure no children remain in homelessness;

— immediately implement the Affordable Childcare Scheme, as announced in Budget 2019;

— address the extremely lengthy waiting periods that are faced by children awaiting a disability assessment;
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— increase the availability of vital disability services for children, including occupational therapy and speech and language therapy;

— increase capitation funding to schools around the country, thus reducing the need for parental contributions;

— immediately establish a register in order to facilitate adopted persons’ access to information surrounding their birth and to enable mutually agreed upon exchanges between birth parents and adopted people;

— prepare and implement a comprehensive strategy to eliminate consistent child poverty and material deprivation, with clear timeframes for its implementation; and

— report to the Dáil no less than quarterly upon the implementation of this strategy and in particular to report on current numbers of children in consistent poverty or deprivation.”

Amendment put:

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Tellers: Tá, Deputies John Brassil and John Lahart; Níl, Deputies Brendan Ryan and Jan O’Sullivan.

Amendment declared carried.

Motion, as amended, agreed to.

Sitting suspended at 1.45 p.m. and resumed at 2.25 p.m.
1. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform if he played a role in the cost budgeting, tendering and cost management process for the national children’s hospital; the impacts on other projects as a result of the increase in costs; if the terms of reference for a report (details supplied) have been finalised; and if he will make a statement on the matter. [5977/19]

2. **Deputy Jonathan O’Brien** asked the Minister for Public Expenditure and Reform when his attention was drawn to the cost overruns in the national children’s hospital; when he raised concerns with the Department of Health on the robustness of internal cost controls; and if he will make a statement on the matter. [6137/19]

**Deputy Barry Cowen:** I will be brief because many of the points mentioned in this question, which had to be submitted by last Thursday, have been overtaken by events. The Minister need not elaborate on the PwC report; he can give a brief overview. I can pre-empt his answer on the tendering and cost management processes and cost budgeting that the Department would have done in the preparation of the contract.

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I propose to take Questions Nos. 1 and 2 together.

With regard to the overruns associated with the build of the hospital, the full assessment of the cost overrun and the reasons for it were received by my Department in the form of a report from the National Paediatric Hospital Development Board submitted by the Department of Health on 19 November. My Department reviewed the report and met the Department of Health to discuss it on 23 November and made a formal submission to me on 26 November.

The Department of Health submitted a memorandum to Government in April 2017 that included a section on the proposed new governance arrangements for the national children’s hospital, NCH, project. This proposal included the establishment of the board, to be chaired by the Secretary General of the Department of Health, with responsibility for monitoring the progress of the children’s hospital programme against the agreed parameters for the programme in relation to its timeline, scope and funding. There is much in my prepared statement which I have already shared with the Deputy. I will respond to one question he put to me with regard to the timeline for how I plan to deal with the issue for this year. My aim is to be in a position to agree this with Cabinet next Tuesday.

**Deputy Barry Cowen:** The Minister says he was made aware of the extent of this overrun on 19 November. We are led to believe that the board discussed seismic overruns in June and that in September the Secretary General of the Department of Health was present when a figure of €391 million was relayed to the committee. The Minister’s representative on the board did not remind the chairman to contact the line Minister, as was his duty. The Minister and ourselves were in the throes of budget preparations. He was well aware of the overrun in respect of current expenditure in the Department of Health, so much so that he was looking at a supplementary budget to the tune of €600 million. Obviously the Minister deals directly with Department of Health officials, officials of his own Department, and the Minister for Health in respect of budget preparations. When it became apparent that there was such an overrun on the current side, did the Minister ask about the situation in respect of capital expenditure?
Acting Chairman (Deputy Eugene Murphy): I would just like to point out that it is not the case that I am cutting the Deputies’ time short. The time is doubled, but the two Deputies will have a better chance to ask more questions if they stick to one minute for each supplementary question.

Deputy Paschal Donohoe: To answer the Deputy’s two questions, I did not deal with the issue of whether a supplementary budget was required for capital expenditure at that point. There were two reasons for this. First, a supplementary budget would have dealt with last year, 2018, rather than with any additional costs for 2019. The second reason is that in all of my experience of engaging on this issue in previous years, all supplementary budgets for the Department of Health focused on current expenditure. In any event, we were dealing with 2018 and the costs that are now the cause of debate and inquiry in the House related to 2019 and beyond. With regard to the role of my official on the board, I emphasise that, from working with him, I know of his excellence as a procurement professional and the work he has done in that area. From his point of view, he could see engagement on the matter taking place in the board and with the Department of Health. This engagement then led to the timeline that both the Minister, Deputy Harris, and I have shared.

Deputy Jonathan O’Brien: There are serious questions which need to be answered and we are not getting the answers. For instance, we now know that in April an assistant secretary in the Department of Health made a request for an interim report to be forwarded to Government in respect of the escalating costs. In May she again asked for a report to be sent to Government in respect of these escalating costs. The minutes show that she asked for this to be done prior to the budgetary process taking place. We now know that the figure of €391 million was, to use the term used by the Secretary General yesterday, “crystallised” and known on 19 September. Despite this, nobody seems to have told the Minister or the Minister for Health what the figure was until after the budget. If that is the case, I put it to the Minister that there have been serious breakdowns in communication between the most senior officials in the Department of Health and the Minister and within the Minister’s Department. He was not able to get that information from the Department of Health when discussing a black hole of €600 million or €700 million in current expenditure. Which is it?

Deputy Paschal Donohoe: It is very important to be clear around the timings. The so-called black hole to which the Deputy is referring, which ultimately resulted in a supplementary budget of €645 million for the Department of Health, referred to 2018. It was a supplementary budget for last year. A discussion about additional funding for last year cannot be conflated with funding for this year and the years to come. All of the engagement we had on the supplementary budget was focused on current expenditure for last year and referred to a process that had been ongoing between myself and the Minister for Health for a number of months. With regard to the engagement within the Department of Health and between my Department and the Department of Health, the Minister, Deputy Harris, has outlined all of the work he did in trying to interrogate all of the costs and to come up with a figure he felt he could submit to me and on which we could then work. That is what happened.

Deputy Barry Cowen: The Minister is saying that the discussions within his Department with regard to his preparations for the budget were solely concentrated on current expenditure. I do not doubt that but I find it amazing that he would never ask the Minister for Health or his representatives, or his own officials to check the situation in respect of capital expenditure. The Minister knows as well as I do that, when we spoke, we looked to see whether he was in a position to provide funds within the HSE service plan, under future expenditure for this year, to
deal with our demands in respect of children who are were awaiting psychiatric assessment and in respect of the elderly and the lack of home help packages and hours to deal with the backlog in that area. That was a priority of ours. Obviously we were mindful of the commitments the Minister had made in the national development plan and the commitments he made at various roadshows around the country with regard to the different projects and primary care centres to be included in that plan. They are now in jeopardy because of an overrun in capital spending on the children’s hospital to the tune of €100 million. If the Minister did not ask about capital expenditure, that is very disappointing. If he did ask, what is the answer? The Minister is saying he did not ask and that he is therefore exonerated. That is a poor reflection on the situation.

Deputy Paschal Donohoe: As I have said, I have to take, and do take, responsibility for the framing of any budget. Ultimately, while line Departments have responsibility for specific projects, I hold myself accountable for overall decisions on how the country’s money is used and I understand why the House is putting these questions to me. The majority of the discussions we had with the Department of Health were focused on current expenditure because that is where services are delivered. The two issues the Deputy has raised, and which I acknowledge he pressed during our budget discussions, are entirely issues of current expenditure. If the matter of the national children’s hospital had come up in the way it has now, I would have asked the Minister, Deputy Harris, to quantify the costs. As he has outlined, that is what he and his Department are doing.

Deputy Jonathan O’Brien: We are led to believe that the Minister, Deputy Harris, was not aware of the costs in September, despite the Secretary General and an assistant secretary knowing that the figure was €391 million. I accept that is a capital cost but surely it is a pretty important figure to feed into the budgetary process. While the budget deals with current expenditure, there were also massive increases on the capital side, which we have all welcomed. Surely if the Minister is dealing with the issue of increasing the capital budget for next year and further years, it is an important piece of information that the cost of the flagship capital project is running over by €391 million. Surely he would have an expectation that such information would be relayed to him, given that the assistant secretary in the Department requested as early as May that it be given to the Government as part of the budgetary process, which did not happen. Will the Minister give a commitment that he will find out why it did not happen, given that it was requested at the steering group meeting in May?

Deputy Paschal Donohoe: The minutes that have been released for the meeting of the steering group in May outline all of the options that body was considering in moving the national children’s hospital project forward. Because the capital expenditure figures for this year had already been determined as part of Ireland 2040, the vast majority of the engagement I had with all colleagues on budget 2019 was on the issue of current expenditure. I will repeat what I said before. In dealing with a project of this size, for me to do the kind of work I now have to do, the key issue would have been to understand the exact figure about which we were talking. What we can see is that within the Department of Health that was exactly the work they were doing. They were trying to understand why it had developed. From the moment the Minister for Health was notified - he has outlined the timeline - he has shown what he did to try to interrogate the figure and deal with it. He did the work I would have asked him to do. I am now responsible for how we can include it in our plans for this year from a capital point of view.
3. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform if his Department is or has been involved in the final stages of the tendering process for the national broadband plan; when the tendering process will be complete; and if he will make a statement on the matter. [5765/19]

**Deputy Paschal Donohoe:** As the Deputy will be aware, the Department of Communications, Climate Action and Environment is the sponsoring agency for the national broadband plan, NBP. The Government is the final sanctioning authority. A procurement process was launched to engage a company to build, operate and maintain the State intervention network. A final tender from the remaining bidder was received by the Department of Communications, Climate Action and Environment on 18 September 2018. Officials of that Department are examining this bid.

Officials of my Department with responsibility for the Vote for the Department of Communications, Climate Action and Environment have been apprised periodically of progress in the NBP procurement process. The Office of Government Procurement was represented in an advisory role on the procurement board for the project, but it does not have a decision-making role in the procurement process. In accordance with the public spending code, the Department of Communications, Climate Action and Environment has submitted cost benefit analysis reports to my Department for comment regarding methodology. I will be working with my colleague, the Minister for Communications, Climate Action and Environment, as he gets ready to bring a recommendation to the Government once he has considered the outcome of the evaluation process being undertaken by his Department.

**Deputy Barry Cowen:** I ask the question because we all have a great fear in respect of another big capital project which is expected to cost up to €500 million more than originally intended. I am also mindful of the comments made this morning by the Minister for Communications, Climate Action and Environment. He said the Cabinet had collectively thought the right protections were in place to protect taxpayers’ money, despite the overrun that occurred on the children’s hospital project. I am also conscious of the commitment the Minister, Deputy Donohoe, gave this week to bring forward proposals next week to deal with any such issue into the future. It was last November when he became aware of the problems. He is now bringing forward proposals only because of the furore caused by the fallout. It is incumbent on him to carry out an audit or trawl of all capital development programmes and projects that are under way or have been contracted. I have helped him along the way by putting questions about every item programmed for expenditure under the national development plan this year. I hope he can meet the commitment given by the Taoiseach on Sunday when he said he would bring forward the details of the projects within the capital development plan that would not be progressed because the money was needed to plug the hole created by the overrun this year. I hope in later weeks the Minister will bring forward the details of what will not proceed in the next three or four years to make up the shortfall of €450 million.

**Deputy Paschal Donohoe:** To be clear, these are completely different processes. Where we are with the national broadband plan is that any decision to be made on it will be made on the basis of a price now tendered. In working with me the Minister for Communications, Climate Action and Environment has completed a tendering process that is yielding figures. These figures, a consequence of the completed tendering process, will form the basis on which the
Government will make a decision.

On what the Deputy aid about the furore caused, it is worth reminding the House that as part of the decision made to move ahead with the national children’s hospital project, I said I would deal with the cost in 2019 inside the overall capital expenditure figures for the year. My commitment and decision in that respect predate the debate taking place on the project.

**Deputy Barry Cowen:** The Minister’s last comment might well be true, but I am talking about a commitment the Taoiseach gave to the country when he spoke on the “This Week” programme on Sunday. He was specifically asked whether, as a result of the overrun, he would bring into the public domain the details associated with the figure of €50 million to come out of the health capital plan and the €50 million to come out of other capital plans. He said he would; “reprofile” is the word he used. As I have said to the Minister previously, there were plenty of road shows to tell us what was going to take place under the national development plan. We only want one road show to tell us what is being cut, where it is being cut and the communities and sectors within the health service, in respect of which the Government will not be in a position to deliver on its commitments under the 2019 plan. That is only fair and appropriate. The public is very anxious to know the real effect the mismanagement of such a colossal amount of money is having on the daily lives and health not only of the nation but also of the various communities and sectors that will be affected.

**Deputy Paschal Donohoe:** I appreciate that. The Taoiseach was repeating again, in the context of the current debate, the decision the Government had made on this matter in December. I will be able to clarify the consequences of where we are with the national children’s hospital project, but I also want to emphasise the long-term consequences when the hospital is delivered. I fully acknowledge the difficulties we now have. Next week I will deal with their consequences. As we move forward with the project and see construction work begin to accelerate, the scale of and impact the project will have when it is open will become clear to the public.

*Question No. 4 replied to with Written Answers.*

**Public Service Pay Commission Reports**

5. **Deputy Róisín Shortall** asked the Minister for Public Expenditure and Reform the reason the submission made by the HSE to the Public Service Pay Commission was edited by his Department to remove a section (details supplied); and if he will make a statement on the matter. [6159/19]

**Deputy Róisín Shortall:** This question relates to the background to the nurses’ dispute and what transpired in respect of the Public Service Pay Commission. It has been brought to my attention that a very important sentence in the HSE’s submission intended for the commission was edited by the Department of Public Expenditure and Reform. It reads: “The overall picture of the nursing and midwifery workforce is one of a constant challenge to effectively recruit and retain to meet ever increasing service demands”. Is that the case and, if so, why did it happen?

**(Deputy Paschal Donohoe):** First, I wish to clarify that the HSE submission was not to the Public Service Pay Commission but instead came to the Department of Public Expenditure and Reform through the Department of Health to assist with preparation of a joint employer
I also wish to clarify that, when requested by the pay commission, my Department made the HSE internal submission available to it in June 2018 and it was considered in the preparation of its report, published in September 2018. I understand that both the HSE and the joint employer submissions are available on the website of the pay commission.

It is longstanding practice that the Department of Public Expenditure and Reform, and before it the Department of Finance, represents the public service as employer.

The Department has the responsibility for co-ordinating, articulating and submitting the employer case in such matters on behalf of the Government as employer. This is absolutely essential to ensure consistency and coherence in approach.

The employer submission compiled by this Department is based on data and inputs from a broad range of sources, including material submitted to the Department by both the Department of Health and the HSE.

It should be said that the joint employer submission to the pay commission reflects evidence presented by the HSE, particularly the increase year on year in absolute numbers of nurses and midwives, over and above the level required to simply replace leavers and retirees. Since December 2013, the public service has now recruited an additional 3,876 nurses.

The pay commission is completely independent and comprises seven individuals with a vast experience of human resources and industrial relations in the private and public sectors and in the trade union movement.

Additional information not given on the floor of the House.

It forensically examined all the evidence from the employer side and from the staff side.

Its considered conclusion is that there are no generalised recruitment and retention difficulties in respect of nursing and midwifery. The report states that the commission was not persuaded, based on the evidence available, that pay arrangements were in themselves a significant impediment to recruitment and that current pay rates do not appear to be unduly affecting the number of nurses, midwives and doctors applying to work abroad.

In respect of nurses and midwives it considered that the national levels of nursing and midwifery turnover rates do not indicate a generalised retention crisis and that the available evidence suggests that none of the turnover rates reported are significantly out of line with those experienced in private sector employment generally.

Instead it recommended a targeted package to incentivise nurses and midwives to work in certain areas, a recommendation which the Government has accepted and which remains on the table alongside the other pay benefits of the public service stability agreement and the significant measures agreed with ICTU on new entrant salary scales.

Deputy Róisín Shortall: The difficulty is that the constant line from the Minister, his Department and the Government is that there is no evidence of any difficulty in recruiting and retaining nurses. That is the line that is being put out, and it is entirely unhelpful to the current situation. It flies in the face of the evidence before our eyes. The HSE has said that difficulties in recruitment and retention pose a major challenge to its ability to meet the demand for health
services. The HSE knows; it is dealing with this problem on a daily basis. It tries to find cover for its services, whether at hospital level or community level. It has made a clear statement that this is a constant challenge. In light of that, and in light of the fact that we are spending €2 million per week on agency nurses, why does the HSE have to travel all around the world, paying very substantial recruitment costs and still not managing to get enough nurses, why is the Minister in denial?

Deputy Paschal Donohoe: If the Deputy reads the conclusion of the submission to which the Deputy is referring, it says:

Equipping the public health service with the required nursing and midwifery workforce is undoubtedly a substantial challenge.

The text to which the Deputy refers, which went to the Public Service Pay Commission on behalf of the employer, acknowledged the challenges we face. It went on to state the challenges here:

collectively...represent some of the greatest challenges faced by our health services nursing and midwifery workforce.

It did acknowledge that there were challenges in this area. It made the point, however, that these challenges are not generalised in nature and are concentrated in particular hospitals and particular disciplines. It placed that in the context of our being successful in recruiting more nurses and midwives. We have turnover levels that are comparable with the rest of our public service.

Deputy Róisín Shortall: If that is the case, why is it that procedures are cancelled because of a shortage of theatre nurses? Why is it that our child health programmes and our vaccination programmes are hopelessly inadequate in terms of coverage as a result of the lack of public health nurses? This is the evidence before the Minister’s eyes, yet the Government continues to create the impression that there is no problem in this area. We all know there is a problem. Anyone who has any interaction with the health service knows there is a serious problem there as a result of those challenges. The longer this goes on and the longer a situation is allowed to continue where we are losing significant numbers of nurses, the heavier the burden becomes on those who remain, the more stressful the job becomes and the more incentive there is for those people to move on also.

This morning the Minister said he was genuine about engagement with the nurses. Will he ensure that people get around the table as soon as possible and that they do so in a constructive manner? Will he remove any preconditions in order that there can be open and frank discussions?

Deputy Paschal Donohoe: I repeat that across the entirety of this document, there are repeated references to specific difficulties that occur. I want to see another round of genuine and constructive engagement to try to deal with this issue. The only condition I have - I maintain it is vital - is that any engagement happens inside the context of the existing agreement. That agreement says that strike action should not take place and that cost-increasing claims should not be made. It is clear that those elements of this agreement are already being challenged. As I said during our two-hour debate on this issue earlier, the consequences of this going wrong in a very disorderly way, if we cannot maintain a wage agreement in our society for our public servants, will create even greater difficulties in the future as we try to maintain and improve
Deputy Róisín Shortall: It will cost €300 million to sort out.

Ceisteanna Eile - Other Questions

Public Service Pay Commission Reports

6. Deputy Barry Cowen asked the Minister for Public Expenditure and Reform when the Public Service Pay Commission will publish its reports on recruitment and retention issues in the Defence Forces; and if he will make a statement on the matter. [5763/19]

Deputy Barry Cowen: While we are on the subject of the Public Service Pay Commission, notwithstanding the difference of opinion we have as to the credibility of the entirety of the recommendations, I seek an update on its similar responsibility with regard to recruitment and retention issues within the Defence Forces.

(Deputy Paschal Donohoe): The Deputy will be aware that the Public Service Pay Commission was established by the Government in 2016 and tasked with examining pay levels across the public service. The commission made its first report to the Government in May 2017; we are debating that report today.

In respect of the Defence Forces, in its first report the pay commission noted that the force was experiencing a significant exit of trained and experienced personnel in areas such as engineering, ICT, pilots, avionic technicians and air traffic controllers, as well as encountering challenges in attracting direct entry personnel in specialist streams, including doctors, marine engineers and engineers.

In the context of these observations the commission, in its first report, suggested that: consideration be given to commissioning a more comprehensive examination of underlying difficulties in recruitment and retention in those sectors and employment streams where difficulties are evident.

As the Deputy will be aware, the first module was published by the commission in August 2018. The commission is currently examining recruitment and retention issues in the Defence Forces and certain other health grades and has not yet indicated a timeline for completion of this important module.

Deputy Barry Cowen: I defer to Deputy Jack Chambers.

Deputy Jack Chambers: A very unusual thing happened in autumn of 2018. The Minister of State at the Department of Defence, Deputy Kehoe, informed the Dáil that the joint submission had been sent to the Public Service Pay Commission, which was between military management and the Department of Defence. We found out, in January of this year, that the Department of Public Expenditure and Reform had a central role in the aftermath of the appar-
What did the Department of Public Expenditure and Reform do around the changes made between military management and the Department of Defence? Why did it take three months for the Department of Public Expenditure and Reform to intervene in that process? In response to a parliamentary question the Minister said there was a collaborative basis between the management side parties to provide the commission with accurate and complete information. Is he saying there was inaccurate or incomplete information from military management and the Department of Defence? It appears that the Department is delaying on the issue of recruitment and retention and unusually intervening in a joint submission made by the civil and military sides in the Department of Defence. The Minister needs to clarify his Department’s role in the matter. If he is playing a role in diluting the serious issues surrounding pay and conditions in order that he can uphold his top line on public pay, people working in the military will not place much hope in the report that will come from the Public Service Pay Commission. The Minister needs to clarify the matter.

Deputy Paschal Donohoe: The role my Department plays in these matters is entirely consistent with the one I have outlined for Deputy Shortall. My Department has responsibility for overseeing total pay policy and acting on behalf of the State as employer. My Department plays a role in making submissions to the commission that then looks at pay.

Deputy Jack Chambers should join together the two strands of the debate we are having today. I know that he will because I know how heavily engaged he is in this issue. If we get to the point where the Oireachtas believes the Public Service Pay Commission is not the appropriate way and does not accept the recommendations in respect of the health service, it will have profound consequences in how we deal with issues related to the Defence Forces.

I appreciate the fact that the Deputy wants to see the case advanced. However, if we do not have a collective agreement to deal with these matters, we will end up with sector after sector looking to leap ahead of other parts of the civil and public service. If we end up in that place, I am really concerned that the people who will ultimately suffer from the absence of a collective agreement are those on low and middle incomes. It is for that reason I believe the pay commission is a good tool to deal with these issues. The views the Oireachtas may offer on the work of the commission on health and the views on its recommendation will have a major effect on how the issues the Deputy is raising related to the Defence Forces can be resolved.

Deputy Jack Chambers: The commission is absolutely a tool to resolve pay complaints and difficulties. The issue I have is that I want to know what the Department of Public Expenditure and Reform did in contaminating the joint submission made by military management and the Department of Defence. The Minister delayed the process for three months by interrupting the joint submission. I want him to clarify the Department’s role before the submission was made to the pay commission. The issue I have is whether the Department, in effect, muzzled the Department of Defence and military management. If the Minister diluted some of the recommendations and removed some of the serious issues for members of the Defence Forces, there is no credibility to the pay commission because it has not received the data or is not aware of the real-life circumstances of people working in the Defence Forces. We need to clarify what the Department of Public Expenditure and Reform did in removing, adding to or diluting the core information sent in the joint submission from the Department of Defence and military
management. The Minister has not clarified the matter today. In fact, he is involving himself and trying to filter and remove some of the core recommendations being made by the other parts of civil and military management. He needs to outline his role in that process. Otherwise, there is no credibility to the pay commission because it is not receiving real-time information on members of the Defence Forces.

**Deputy Paschal Donohoe:** Despite the Deputy not being clear on my role, the lack of clarity does not stop him from making the charge that we are contaminating or muzzling - to use his language - another part of government.

**Deputy Jack Chambers:** Did the Minister interfere?

**Deputy Paschal Donohoe:** As I said in response to the questions I have dealt with, it is simply our role, as the Department that represents the State as the employer, to ensure there is consistency of approach in how applications are made to the pay commission.

**Deputy Jack Chambers:** The Minister needs to clarify the matter.

**Deputy Paschal Donohoe:** What the Deputy does not acknowledge is that our submission is only one of many. Others will be made by groups that have views on the matter. It will then be up to the pay commission to reach an assessment of the matter.

**Acting Chairman (Deputy Eugene Murphy):** I will give Deputy Cowen 30 seconds, but that is all he has because time is almost up.

**Deputy Barry Cowen:** Does the Department adjudicate on or mark the submissions made? Does it amend or alter them?

**Acting Chairman (Deputy Eugene Murphy):** We will let the Minister answer.

**Deputy Barry Cowen:** Does the Department amend or correct submissions before it passes them to the commission?

**Acting Chairman (Deputy Eugene Murphy):** The Deputy has asked the question. Let the Minister answer it.

**Deputy Paschal Donohoe:** We are involved in the drafting of submissions, about which I have been perfectly clear.

**Deputy Jack Chambers:** It is inappropriate interference.

**Deputy Paschal Donohoe:** We are involved, whether with the Department of Health, the Department of Defence or any other Department. At the end of the day, it has always been the case that the Department representing the State as the employer has a view on submissions. My colleagues in the Department of Defence and the Department of Health also look to have their views represented in the submission. That is what happened in this case.

**Acting Chairman (Deputy Eugene Murphy):** Deputy Curran has tabled Question No. 7, but he is unavoidably absent. As Deputy Deering is not in the House, we will move on.

*Question No. 7 replied to with Written Answers.*
9. **Deputy Aindrias Moynihan** asked the Minister for Public Expenditure and Reform to outline the status of the flood relief works on the Upper Lee at Inchigeelagh and Ballingeary, County Cork; when the tranche of projects involving Inchigeelagh and Ballingeary will be announced; and if he will make a statement on the matter. [5959/19]

**Deputy Aindrias Moynihan**: The threat of flooding is a source of constant concern for people in Inchigeelagh and Ballingeary. Residents in 14 houses in Inchigeelagh are under threat, as are 14 businesses, while there are 21 homes and 25 businesses in Ballingeary. The impact on people’s lives and homes when a flood comes is severe. There have been plans - we have discussed them in the House – talked about previously to advance flood defences, but they do not seem to be advancing. Will the Minister of State update us on what is happening in the provision of flood defences in Inchigeelagh and Ballingeary in the interests of the people who live there?

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran)**: In May 2018 I launched flood risk management plans for 29 river basins in Ireland. I identified a total of 118 flood relief projects to protect the main flood risk areas throughout the country. The plans and projects are a key part of the overall flood risk management strategy set out in the national development plan 2018 to 2027, involving a total investment of €1 billion over the ten years of the plan.

The proposed schemes for Ballingeary and Inchigeelagh are not in the first tranche of the project to be progressed. The OPW and Cork County Council are working closely to ensure the programme of flood relief projects identified by Cork County Council is kept under review and that all projects will commence as soon as possible within the ten-year timeframe of the programme investment. However, it is still open to Cork County Council to submit an application for funding under the OPW operated minor works flood mitigation and coastal protection scheme to undertake minor flood works to deal with problems in the area. The scheme’s eligibility criteria include the requirement that the cost be beneficial. The details set out on the Office of Public Works website apply to all applications. Once consultants are appointed to progress the flood relief schemes identified in the flood risk management plan, consultation with statutory and non-statutory bodies, as well as the general public, takes place at the appropriate stages to ensure all parties have an opportunity to have an input in the development of the schemes.

**Deputy Aindrias Moynihan**: I thank the Minister for outlining the up-to-date position. I am aware of the opportunity under the minor works scheme. The council has been undertaking various works, but the minor works are temporary in nature. They involve removing gravel and vegetation. As anyone knows, the river will bring back the gravel and vegetation will return. They are not long-term or real solutions. What is really needed is the long-term solution of flood defences. I realise the Minister of State is saying the schemes are not included in the first tranche. It was a real disappointment for people in Ballingeary and Inchigeelagh that they were not prioritised. Can they be prioritised in view of the constant threat? There are 21 homes in Ballingeary, while there are 14 householders in Inchigeelagh. When the flood comes, there will be no stopping it. Can the schemes be prioritised for inclusion in the next tranche of the project or even within the current tranche? By their nature, temporary works are not going to last long. We need to provide relief for people. We should also bear this in mind.
Deputy Kevin Boxer Moran: I fully appreciate from where the Deputy is coming. He has raised the issue several times in the Dáil. I respect the people he represents. However, I have outlined the position in allowing for minor works to take place. I disagree with the Deputy. They actually work. We are open to the county council seeking help on the work in the interim for the benefit of the people for whom the Deputy fears. I am open to it but I have not received any application from Cork County Council relating to the two areas in question. If that happens, I will take it on board and work with the council. However, as I outlined, we have launched schemes under tranche 1 and are looking at some schemes under tranche 2, which I have announced. The Deputy has put questions to me but he needs to tell Cork County Council to talk to us in the Department. We will work with it but it must do that.

Deputy Aindrias Moynihan: The smaller works are helpful and they give temporary relief but they are not the solution. Different temporary works have been carried out in both Inchigeelagh and Ballingeary but the long-term scheme must be advanced. People have seen the different drawings which have been presented and have given their input on where they see the flood and how the situation can be improved. The expectation is there. What is needed is for the wider scheme to be advanced and that there be no danger that smaller or temporary works might reduce the priority of a scheme at Inchigeelagh and Ballingeary which must be advanced so that the designs that have been presented to people are made a reality.

Deputy Kevin Boxer Moran: The county council is working with my Department on the larger scheme. As I said, we are still open to this. It is some time since Cork County Council came in on minor works. We changed the minor works application to allow substantial monies to go to the local authorities to help with this issue while we deal with the overall bigger scheme. Cork County Council has had plenty of engagement with my Department in advance of the overall big scheme for the area and we are working on it together.

Acting Chairman (Deputy Eugene Murphy): Deputy Deering has arrived in the Chamber and I have decided we will return to his question. I am sure no one will object. I ask him to keep it brief as he is being accommodated.

Climate Change Policy

8. Deputy Pat Deering asked the Minister for Public Expenditure and Reform his views on whether the public spending code adequately takes carbon impact into account when decisions are being made on capital projects; and if he will make a statement on the matter. [53194/18]

Deputy Pat Deering: I thank the Acting Chairman for allowing me in. I apologise for not being here earlier but my question came up earlier than I expected. I have come from a meeting of the Joint Committee on Climate Action which has been very busy in recent weeks. Does the Minister believe that the public spending code takes adequate account of carbon impact on capital projects in the coming years? The Project Ireland 2040 plan announced some months ago was very ambitious. Does the spending code take into account the ambitious projects in that scheme?

(Deputy Paschal Donohoe): Facing challenging and legally binding greenhouse gas emission reduction targets, it is imperative that the assessment of public investment projects includes an appropriate valuation of the cost that society will bear in dealing with these emissions.
Under the national mitigation plan, my Department committed to “undertake a review of guidance on public expenditure appraisal and evaluation to ensure their suitability to capturing key costs and benefits of climate measures”. This review concluded that the model used for pricing carbon in the public spending code is outdated. As such, in 2018 my Department published a consultation paper proposing significant reforms of how carbon is priced in the appraisal of capital projects.

The consultation paper proposed that future greenhouse gas emissions should be valued according to a shadow price of carbon that is based on the estimated marginal cost that will be faced by society in achieving Ireland’s legally binding 2030 greenhouse gas emissions target. In practical terms, this means a new shadow price of carbon for emissions not covered by the emissions trading scheme of €32 per tonne in 2020, rising to €100 per tonne by 2030. Beyond 2030, it is proposed that the shadow price of carbon will rise by 5% a year, reaching €265 by 2050. For any elements of projects that will affect emissions in sectors of the economy covered by the EU emissions trading scheme, ETS, the shadow price of carbon will continue to be based on the estimated future value of allowances in the ETS.

To be clear, the shadow price of carbon applies only to the public spending code which covers the evaluation of direct Government investment. It is not a direct cost borne by consumers, it is not a carbon tax, nor does it imply any future direction for carbon taxes.

Deputy Pat Deering: I thank the Minister for his detailed response. The greenhouse gas emissions challenge will be one of the biggest challenges of our generation as we try to reach our 2030 targets and beyond. Are the projects which have been announced, including some of the large, very ambitious projects included in Project Ireland 2040, still under the existing emissions targets or must they be repriced in future?

Deputy Paschal Donohoe: We will have to make decisions about projects when we consider the revised public spending code. I will decide the elements of the revised code shortly. I expect that when we do that with many of the key projects in Project Ireland 2040, particularly in the area of public transport, the case for doing them will become only stronger, especially given that the plan already has such a significant allocation for climate change related funding.

Deputy Pat Deering: Will the action plan for climate change that the Minister for Communications, Climate Action and Environment is to announce in coming months tie in to whatever revised estimates that the Minister for Public Expenditure and Reform may have to announce? I am glad to hear the Minister’s commitment to the projects that are already there. It serves to re-emphasise a point I would make myself, namely, that the large infrastructural projects are needed to join up the dots for things that were missing during the lost years of the recession.

Deputy Paschal Donohoe: That is the case. We will complete the work we are doing on the public spending code. The public consultation on this only finished on 14 December. The Minister for Communications, Climate Action and Environment, Deputy Bruton, is setting quite the pace in looking to publish the new climate action plan. I will do my best to try to keep up with that and ensure that any decisions we make on the public spending code, which must be integrated from a policy perspective, will conclude at the same time as the work being undertaken by the Minister, Deputy Bruton.
10. **Deputy Jonathan O’Brien** asked the Minister for Public Expenditure and Reform the role of the Office of Government Procurement and the chief procurement officer in his Department in the delivery of the national children’s hospital; and if he will make a statement on the matter. [5954/19]

**Deputy Paschal Donohoe**: The chief procurement officer was appointed in a personal capacity to the National Paediatric Hospital Development Board, NPHDB, in 2013 for a five-year term by the then Minister for Health. He was reappointed in 2018 by the current Minister for Health. He is a member of several of the board’s committees.

The members of the National Paediatric Hospital Development Board, in line with the code of practice for the governance of State bodies and the board’s code of governance, have a fiduciary duty to the board in the first instance, a responsibility to act collectively in decision-making and communication, and an obligation to observe its confidentiality arrangements. The Department of Health, as the accountable Department for the children’s hospital project, established the reporting and governance arrangements for the project through which the National Paediatric Hospital Development Board provided regular updates to it on the project.

On the role of the Office of Government Procurement, responsibility for construction procurement policy and the associated capital works management framework lies with that office. Government policy requires the use of the capital works management framework on all projects delivered under the Exchequer-funded element of the public capital programme. The public works contract is a key component of the capital works management framework and is a lump sum fixed-price contract that is to be used on all public works projects. It is possible for public bodies to seek a derogation from the use of the standard forms of contract. The National Paediatric Hospital Development Board commenced its formal engagement with the Government contracts committee for construction with a view to securing that derogation.

It is important to note that a derogation does not sanction the approach or strategy of the contracting authority, but simply acknowledges that the circumstances are such as to warrant a different approach than the standard. It is a matter for the contracting authority and the sanctioning authority to satisfy themselves as to the adequacy of the approach in terms of compliance with procurement rules and project appraisal in accordance with the public spending code.

**Deputy Jonathan O’Brien**: I thank the Minister for his response. I am sure he is aware that there has been much discussion of the role of the procurement officer in question and whether he should have brought information on the cost overruns to the Minister. While I accept that a relevant code of practice is in place, one that clearly outlines that it is the chairman of a board who brings information to the relevant Minister, I am sure that the Minister, Deputy Donohoe, is aware of the circular setting out the procedure that a civil servant should follow if he or she believes there are issues of public concern. Has the Minister held discussions with the officer since the controversy about the cost overruns broke?

**An Ceann Comhairle**: Does Deputy Cowen wish to ask a supplementary question?

**Deputy Barry Cowen**: Yes. When the Taoiseach was asked about this earlier in the week, he said that the duty was, as the Minister said, to the board and that it was the duty of the chair of the board to report to the line Minister. The Minister, Deputy Donohoe, did not mention that.
Rather, he said that it was the duty of the board to report to the Department of Health. Is it also the duty of the chair to report to the line Minister? If the chair was not regularly reporting to the line Minister, is it not the fault of the line Minister not to have sought that information, given that, according to information now in the public domain, he was not aware of progress on this matter for up to a year?

**Deputy Paschal Donohoe:** Regarding the first question, I met the official to whom the Deputy referred. I am absolutely satisfied that he met all of the responsibilities that he had as a member of the board. I have worked with him since becoming Minister for Public Expenditure and Reform and have seen at all times his professionalism and expertise in discharging his responsibilities.

Regarding Deputy Cowen’s question, the circular is very clear. It says that if the person who is on the board does not feel that his or her concerns about an issue are being relayed by the chair of the board to the Department, that person has a duty to raise issues with the line Minister himself or herself. It was the view of Mr. Quinn that this matter was being dealt with by the board. The Minister, Deputy Harris, has outlined how the information was made available to his Department and then to him.

**Deputy Jonathan O’Brien:** I want to be sure I understand this. The Minister, Deputy Donohoe, is saying that Mr. Quinn was happy with the reporting structure that was in place and that information on the cost overruns was being passed to the line Minister in question. We can only presume he was happy because he did not do any of the actions outlined in the circular.

Will the Minister confirm when he met Mr. Quinn and whether they discussed the cost overruns at the children’s hospital? Did the Minister ask Mr. Quinn whether he had raised any concern with the chairperson with a view to that information being passed on? Was Mr. Quinn under the understanding that such information was being relayed to the line Minister in a timely fashion?

**Deputy Paschal Donohoe:** I met him on Tuesday. He was satisfied that the issue was being dealt with appropriately in the board. I am absolutely satisfied from my engagement with him that he was handling his responsibilities appropriately. He was satisfied that the information was being shared with the Department of Health. I am satisfied that that happened too.

### Flood Risk Management

11. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform the details on the management of the River Shannon as part of the Managing Flood Risk in Ireland report; the timelines of the projects announced in the report; the annual allocation until 2027; and if he will make a statement on the matter. [5764/19]

**Deputy Barry Cowen:** I would like details about the timelines of the projects contained within this report and the annual allocation up to 2027, and confirmation that this week’s events relating to the capital development plan will not impinge on this report or the funding that is needed to implement it. I trust that, given where the Minister of State is from, he will ensure that.

**Deputy Kevin Boxer Moran:** On 3 May, I was delighted to launch 29 flood risk manage-
ment plans and announce investment of €1 billion in flood risk management as part of Project Ireland 2040. These plans are the output from the catchment flood risk assessment and management, CFRAM, programme, the largest flood risk study ever carried out in the State. They set out the measures proposed to address flood risk nationally and include 19 new flood relief schemes to protect towns in the River Shannon catchment in addition to the scheme already under way in Athlone. Twelve of these have been prioritised as part of the ten-year programme.

Since the launch of the plans, the OPW and local authorities have been pro-actively engaging to advance the implementation of these schemes. Engagement with the local authorities is ongoing in respect of Springfield, Ballinasloe, Nenagh, Longford, Rahan, Castleconnell, Mohill, Leitrim, Clonaslee, Carrick-on-Shannon, Killaloe and, in Limerick city, King’s Island and its environs. The procurement of consultants for the detailed design of these projects will commence in the near future.

Capital funding for the delivery of the existing schemes and the additional schemes identified by the flood risk management has been provided by the Government in the Project Ireland 2040 plan. Expenditure on flood risk management will increase to €100 million annually by 2021.

In January 2016, the Shannon Flood Risk State Agency Co-ordination Working Group was established by the Government to support the CFRAM programme and further enhance the ongoing co-operation across all of the State agencies involved with the River Shannon, including the ESB, Waterways Ireland, Bord na Móna, Inland Fisheries Ireland, the National Parks and Wildlife Service, the OPW and the relevant local authorities. The Shannon group has taken a number of significant decisions since its establishment, including targeted maintenance at a number of locations, trialling the lowering of the levels on Lough Allen, studies to explore managing flood risk at the Shannon callows and lowering the Shannon below Parteen weir.

Deputy Barry Cowen: I will ask Deputy Eugene Murphy to take my supplementary question.

An Ceann Comhairle: That is agreed.

Deputy Eugene Murphy: I thank the Minister for State for his reply. Like him, if I go out my back door or front door, I am not too far from part of the River Shannon, be that Roosky, Termonbarry or Ballyleague-Lanesborough. The Minister of State and his staff keep in contact with me, given my role in this matter.

Questions are being asked following what we have been told about the overspend on the children’s hospital. Is any of these projects going to be hit? The Minister of State will agree that many areas that will experience difficulties are not included in the CFRAM programme of maintenance. Climate change is having an effect and we will have more severe storms. For example, the west coast has been promised very bad weather tonight and tomorrow. We hope it will not be as bad as people are saying. As the Minister of State knows, even inland areas are being flooded that never flooded before. Will he confirm that the €100 million he mentioned will be spent per annum?

Deputy Kevin Boxer Moran: I appreciate where the Deputy is coming from on this matter. We work together and have regular phone calls on it. He will acknowledge our commitment regarding the money. Since I started in this job, the amount has increased from €40 million to almost €70 million, and we will increase it further to €100 million. However, spending that
money can be difficult at times. One could have an objection to a scheme or judicial reviews or all such issues that can hold up the delivery of the schemes. My Department is working with the local authorities right around the country. The Deputy himself can see that.

In particular, on the question proposed regarding the River Shannon, it is probably the first time in years. The Deputies will be well aware that many taoisigh travelled around the country on the back of a tractor along the River Shannon. Commitments were given and things done, and nothing has happened. Over the past three years, and particularly since I came into office, the Deputies will be aware of the risks with the high levels and what we have done to maintain them through working with all agencies across the Shannon catchment. Work is happening. They are up in Carrick-on-Shannon, as the Deputies are aware, and we announced its funding recently. Athlone is well on the way. Even in Portavola, Banagher, which has been talked about for years, the job is finished. It is done. As for the targeted maintenance, we received nine licences. We have done the work on seven and are back in there at present doing more work. We are actively involved with each one. On the question regarding the country overall, I am committed to spending the funding I have available but it is not always easy to spend all of it.

Deputy Eugene Murphy: I accept that one can run into difficulties and problems. However, a few things concern me in this regard. I acknowledge the Minister of State’s undoubted role in this. He is in contact and some works are being carried on. In my county, however, because of the flooding and because the River Shannon runs from one end of the county to the other, people who should be relocated have not been relocated. I accept certain works are being done on the River Shannon. In terms of maintenance and the amount of silt and peat in the River Shannon, I had thought there was some agreement with Bord na Móna that there would be a pilot scheme to remove some of it. Finally, my party brought forward a Bill on the ESB’s control over the levels of water on the River Shannon. That Bill has been sitting there for probably two years at this stage and it needs to be progressed. I am sure the Minister of State agrees that we need to provide a single management board in charge of the River Shannon, rather than having all these groups.

I appreciate the effort the Minister of State has made. I do not question that in any way. Because of climate change, however, we must get twice as busy and twice as serious about this.

Deputy Kevin Boxer Moran: On the Deputy’s first question on relocation, he referred to County Roscommon, which I have visited on many occasions. As for Lough Funshinagh, plenty of people have made promises. I have delivered in terms of the funding to the local authority to come in looking for a scheme, and we will make that happen.

The Deputy talks about the relocation scheme. I have sat in kitchens with people around this country. One hundred and thirty-four people applied for it. There are now 36 looking to move. People do not want to move. In some cases, people have come and said that they would move and we are working with those people, but when one returns and engages with them, they say it did not rain this year or they did not experience high floods and would like to stay. We are asking people to give up their family home to move. In some cases, people just do not want to and they work on it.

What was the other question the Deputy posed? The Deputy asked three questions.

An Ceann Comhairle: A broad authority.

Deputy Kevin Boxer Moran: On an overall authority, I totally disagree with Deputy Eu-
Deputy Eugene Murphy: Why?

Deputy Kevin Boxer Moran: We must agree to differ. I can only commend the co-operation I am getting from all State agencies on the Shannon, from the ESB to the National Parks and Wildlife Service, which many Members in this House have criticised. They have worked closely with me. We made things happen. In Portrane, people were talking about houses falling into the sea for years. We sat down with the different agencies, in particular, the National Parks and Wildlife Service, that made that work happen. We are doing that right around the country. A single agency around the Shannon will not work. What we have, in terms of the steering group, is working and work is happening.

Heritage Sites

12. Deputy Thomas Byrne asked the Minister for Public Expenditure and Reform his plans to make improvements to the round tower in Kells, County Meath. [5756/19]

Deputy Kevin Boxer Moran: Currently, the round tower in Kells, County Meath, is not accessible to the public. Last year, however, the Office of Public Works, OPW, started a project to facilitate visitors. Some early work has been done to clear the tower of decades of accumulated bird debris and to carry out building surveys. These surveys will facilitate the development of a design solution that it is hoped, once it has been approved by the Minister for Culture, Heritage and the Gaeltacht, will result in the provision of a safe access for visitors to the tower.

Deputy Thomas Byrne: I welcome the Minister of State’s answer. I will try to flesh out a little more detail. The Kells round tower is one of the most important monuments in the country. People in Kells have felt historically, and justifiably, that Newgrange, which is a world heritage site, has got most of the attention but there is considerable potential to have our heritage on show from the side of the street or from the grounds of a church-owned monastery and that the public would be able to have access to it.

When would the Minister of State expect design solutions to be put in place and when would he expect those then to go to the Minister for Culture, Heritage and the Gaeltacht and for there to be public access? Is there a plan to fund public access as well? Obviously, one can have the design solution, which is welcome and important and must happen, but then one needs the ongoing expenditure and money it will cost to allow the public in to see this monument.

Deputy Kevin Boxer Moran: As for my role in heritage, the Deputy will be aware that on my first appointment, I let children and persons with disabilities and their carers into the heritage sites for free. I am very much committed to heritage.

This is a site I have visited. This is a site on which the Minister of State, Deputy English, has me wound up to make something happen and we made something happen towards the end of last year. We are now progressing that. However, there are engagements. Deputy Thomas Byrne knows the tower better than do I. The safety of the public is most important. Given that the work has now started, we will see it come to conclusion. We must work with the other Minister to achieve a successful outcome for the people and the heritage of this country.

Deputy Thomas Byrne: I strongly encourage the two Departments to work together with
the Kells and district tourism network, the Kells municipal district council, Meath County Council and the local community. People will welcome this. They are delighted that something is happening in this regard and certainly would like to see that come to fruition. There is much effort in Kells at present to promote the town and to bring people together and this will help enormously. Obviously, we are impatient, while welcoming everything the Minister of State said today.

**Deputy Kevin Boxer Moran:** I appreciate that and I thank the Deputy. I met the heritage group and I am aware of what it is trying to do. I like to work with such groups that have shown the enthusiasm to make things happen, and that is what I intend to do. We are working with the other Department to make it happen.

*Questions Nos. 13 and 14 replied to with Written Answers.*

**Infrastructure and Capital Investment Programme**

15. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform the way in which his Department monitors expenditure on large national capital projects; the way in which spending controls in relation to procurement and construction of these projects compare to other EU and OECD jurisdictions; and if he will make a statement on the matter. [1098/19]

**Deputy Thomas P. Broughan:** The Minister, Deputy Donohoe, might remember a few months ago I asked him about procurement systems from the Department. We had been talking about the chief procurement officer in earlier questions. I note that in the previous Government, in May 2014, the National Paediatric Hospital Development Board recommended a derogation, in other words, a different two-stage approach to procurement. This is the context.

There is a budget oversight unit in the Department and there seems to have been a formal approach about that to the effect that there would have to be a two-stage procurement process.

**An Ceann Comhairle:** I thank the Deputy.

**Deputy Thomas P. Broughan:** Then there was another circular in January of 2016, also in the lifetime of the previous Fine Gael-Labour Party Government, and then, subsequently, a date in early 2017. Given the dangers of two-stage procurement, was this poor oversight and a crazy performance by the Department?

**Deputy Paschal Donohoe:** The question the Deputy just put to me bears no relation to the one I have in front of me.

**Deputy Thomas P. Broughan:** It does. I asked how does the conduct procurement for large projects. We were talking about the metro last week, for example. I am asking about two-stage procurement. The Minister already provided me with a short written answer about two-stage procurement, given that we know about building contracts in the past.

**An Ceann Comhairle:** Can we hear the Minister, please?

**Deputy Thomas P. Broughan:** I am merely trying to help the Minister.

**Deputy Paschal Donohoe:** I am not sure Deputy Broughan is. It is Question No. 15.
An Ceann Comhairle: We are dealing with Question No. 15, if the Minister would answer the question in front of him.

Deputy Paschal Donohoe: The role of my Department is in respect of the monitoring of overall expenditure by Departments. Of course, individual Departments play a key role in individual projects. The management and delivery of individual projects within the overall capital allocation is primarily the responsibility of the relevant sponsoring Department and Minister.

A public investment management assessment, PIMA, mission to Ireland was undertaken by the IMF in July 2017, which assessed our management of public capital resources compared with what would be expected in an advanced economy. Its final report was published on my Department’s website on 10 November 2017.

The PIMA report concluded that, overall, Ireland manages its public infrastructure relatively well. It highlights both strengths and weaknesses and contains a number of recommendations to improve future performance in terms of the efficiency of public capital investment. The national development plan, published in February 2018, sets out planned improvements for the management of capital spend, drawing in particular on the 2017 PIMA report.

More generally, in the context of the ongoing review of the public spending code, I will be giving consideration to how the current arrangements for procurement and management of major capital works contracts can be further refined and enhanced, with a view to maintaining and strengthening the focus upon value for money.

Deputy Thomas P. Broughan: The Minister was asked how he monitors major procurement contracts. I looked at the agendas for the management board meetings and it appears that every quarter, there is an agenda item for high-level risks. During all the time the Minister, Deputy Donohoe, has been the Minister, surely there was feedback through the Department of Health that there was a high-level risk with the escalation and ballooning of costs for the national children’s hospital. Surely this was brought to the Minister’s attention way back in early 2018 or even in 2017 since the formation of the Varadkar Administration. Was the management committee not aware, for example, that there was a derogation on the two-stage procurement? Was the committee aware that a contractor would be doing the pile driving and so on but another contractor would be coming along with a totally separate bill for the building itself? Surely the management committee knew this was the case and that the procurement was not working. The Minister, Deputy Donohoe, has appeared before the Committee on Budgetary Oversight several times with regard to the budget. I have a motion down in the Dáil clár about this.

An Ceann Comhairle: The Deputy is out of time.

Deputy Thomas P. Broughan: The Minister never told us about this risk when he must have known that it was ongoing and that it was happening.

An Ceann Comhairle: Deputy Broughan has made his point.

Deputy Thomas P. Broughan: Has this not been a failure for the Minister? It has been a grotesque failure by him and by the Department of Public Expenditure and Reform.

Deputy Paschal Donohoe: I have outlined to the House on a number of occasions the timeline upon which I and my Department became aware of the overspend. We have outlined the timing during which this happened from early November onwards and we have outlined the
work the Department of Health has done to get to this point. Clearly there are learnings we have to look at in respect of the implementation of a two-stage procurement process. It appeared to be appropriate then for a project of this scale. Amidst the language the Deputy used, such as “grotesque failure”, I hope he also would give recognition to all the projects, including within the Department of Health, that are built and that are making differences for communities and citizens at present, as well as those projects that are being built as we speak through procurement and tendering processes that have worked well.

Deputy Thomas P. Broughan: Is it not the case that the Department of Health and the HSE knew in April 2018 at the latest that there was no figure for the guaranteed maximum price for the second stage of this procurement project? There was no figure and we did not know what figure we were facing. There seems to have been total disagreement between the national paediatric hospital’s quantity surveyors and the building contractors, BAM. Surely we knew that the issue existed way back, possibly this time last year, and that we were facing some guaranteed maximum price the size of which we did not know. I recall the Taoiseach speaking first of putting €400 million to €650 million by for this project. Was it a mistake by the Government to put the Department of Public Expenditure and Reform back into the Department of Finance? Would it not have been better if the Minister, Deputy Donohoe, had simply been the Minister for Public Expenditure and Reform, and able to do his job-----

An Ceann Comhairle: Please, Deputy.

Deputy Thomas P. Broughan: -----which is to monitor our spending and not to spend €1 billion of the people’s money in the way he has done?

Deputy Paschal Donohoe: It was due to the integration of the Department of Finance and the Department of Public Expenditure and Reform that we have been able to move ahead on projects overall such as Project Ireland 2040. Because the two Departments are located under me as Minister, we are able to make integrated decisions on taxation and spending. We are able to look at the level of money we need to raise to deliver new projects or to continue to deliver on projects currently under way. We are able to make taxation decisions that fit into doing that. Deputy Broughan is quick enough to point to the failure of this project but I put it to the Deputy that we have many other projects across the State and many other decisions that have been made.

Deputy Thomas P. Broughan: Other trouble in other contracts also.

Deputy Paschal Donohoe: A decision was made this week on the Collooney to Castlebaldwin motorway, for example.

Deputy Thomas P. Broughan: Other public private partnership projects to report.

Deputy Paschal Donohoe: This project is a much-needed motorway. It can and will make a very big difference to commuters and citizens in the State. Other projects are going ahead successfully about which we never hear a word of recognition from Deputy Broughan.

Public Sector Staff Retirements

16. Deputy Jonathan O’Brien asked the Minister for Public Expenditure and Reform the details of the report to be laid before the Houses of the Oireachtas on the cohort of workers that
will leave the interim arrangements and retire under the Public Service Superannuation (Age of Retirement) Act 2018; and if he will make a statement on the matter. [5955/19]

41. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform when the report under section 3 of the Public Service Superannuation (Age of Retirement) Act 2018 will be published; if the report will include options for persons that are working on interim arrangements due to reaching 65 years of age in 2018; and if he will make a statement on the matter. [5766/19]

**Deputy Paschal Donohoe:** I propose to take Questions Nos. 16 and 41 together.

The Public Service Superannuation (Age of Retirement) Act 2018 provides for an increase to age 70 in the compulsory retirement age of most public servants recruited before 1 April 2004.

The Act provides that I, as Minister for Public Expenditure and Reform will, within three months of the passing of the Act, prepare and lay before the Oireachtas a report on the public servants who were forced to retire between 6 December 2017 and the commencement of the Act, due to reaching the age of 65 years, and on potential remedies to assist this cohort of worker.

As the Deputies are aware, public servants who reached the compulsory retirement age of 65 before the new legislation was enacted were required to retire in accordance with the statutory compulsory retirement age in effect at the time. Those who availed of the interim arrangements did so in the knowledge that the contract was for one year only, until they reached the age of 66. The Public Service Superannuation (Age of Retirement) Act 2018 has no effect on those public servants who availed of the interim arrangements. The terms of their fixed term contracts will continue to apply and they will cease working at age 66 as previously provided.

Work on the report under section 3A(6) has commenced. The report will be prepared in accordance with the provisions and the timelines provided for in the Act.

**Deputy Jonathan O’Brien:** When we were dealing with the legislation previously, Deputy Cowen and I outlined the issue facing this cohort of people and the unfairness attached to the situation. A commitment was given that the report would address these issues. I now hear that the report will not address this cohort of people and they will just have to retire at 66 and that is it. Perhaps the Minister can confirm this is the case.

**Deputy Barry Cowen:** During the passage of that legislation, and on foot of amendments put forward by Deputy Jonathan O’Brien and me, the Minister agreed that because the application of the legislation could not be retrospective he would - within three months - bring forward the report that has been alluded to. Are we still on that timeframe? If we are, when can we expect its publication? I do not expect any indication as to how it will be resolved until the report is before the House.

**Deputy Paschal Donohoe:** I will ask the Minister of State, Deputy O’Donovan to take this point.

**Minister of State at the Department of Finance (Deputy Patrick O’Donovan):** At the time of the legislation going through the Houses, and on foot of the Deputies’ amendments, we undertook to insert a provision into the Bill for a report. The report is under way, as the Minis-
Deputy Jonathan O’Brien: I do not disagree with what the Minister of State says, but my understanding was that the report was going to look at possible remedies. While we all accepted the advice the Minister of State was given about this cohort of people who may not have accepted the interim arrangements and the unfairness in that regard, I certainly understood we would look at this issue as part of the report and, I hope, find a way forward. Whether it would be through a legislative or other solution, no one could say before the report was completed. However, that is not impression I am now getting in terms of what the report will indicate. We will just have to wait for it.

Deputy Barry Cowen: Without going that far, I have every faith in the commitment given at the time that a report would be put before the House which would possibly offer remedies to that cohort who we all agree were left in something of a limbo by the announcement, enactment and year’s grace. They were caught in the middle. Will the Minister of State confirm when he expects the report to be finalised?

Deputy Patrick O’Donovan: As the Minister, Deputy Donohoe, said, work has started. We gave a commitment in the legislation to work within the timeframe of the Bill. I was very clear in pointing out at the time, both here and in the Seanad, that while a report might be laid before the Houses, it might not provide the remedies for which we had all hoped. If there is a remedy, it may require legislation to give effect to it. I made it very clear, as did the Government more widely, that there might not be a remedy, taking into account those who were included in this arrangement. More importantly, I refer to those who did not avail of the interim arrangements because of the very clear commitment of the Government that those who entered into them were doing so for one year only and that there would be no continuation, regardless of when the legislation was passed. I understand the concerns. The Government and everyone in the House understand them. However, based on the commitment given at the time of the publication of the Bill, we were left with the decision we were left with when the Bill passed into law.

Deputy Barry Cowen: Rather than pre-empt the content and negative connotations the Minister of State puts on it, when will the report be forthcoming?

Deputy Patrick O’Donovan: As the Minister, Deputy Donohoe, said, work on it is under way. We gave a commitment to work within the timeframe. I do not want it to be suggested there are negative connotations. I want to be upfront with the House. When I agreed to accept
the amendment, I did so in the full knowledge that it was not a panacea or magic wand. I do not want false hope to be held out to the people concerned. They had a difficulty when they entered into the arrangement and I want to be upfront with them. I said at the time that if, when the report was brought before the House, there were remedies, the Government would look at them. However, I also want to be realistic and upfront based on the advice we have received from the Office of the Attorney General.

National Monuments

17. **Deputy Thomas Byrne** asked the Minister for Public Expenditure and Reform his plans for permanent tourist access to St. Colmcille’s house in Kells, County Meath. [5757/19]

**Deputy Thomas Byrne:** As with my last question, I refer to another unhappy situation with regard to access to St. Colmcille’s house in Kells. There has been no access to it for tourists since last summer. While work is ongoing, the pace of change is slow. I am also concerned about other sites nationally where similar scenarios could emerge where a keyholder retires and access for tourists ceases.

**Deputy Kevin Boxer Moran:** Public access to the historic St. Colmcille’s house in Kells was previously available through a local keyholder who lived near the site. This system worked well for many years, with a significant number of visitors gaining entry and good positive feedback being received from them. However, the person in question retired unexpectedly from the post early last year and has not yet been replaced. The OPW is working with Meath County Council to put in place a new arrangement whereby the key will be held in the local heritage centre facility which has recently been opened and which will in the future be a major focus for tourists in the town. In addition, the OPW is engaging with a local tourism group, with a view to appointing another local keyholder who will be able to address issues at the site that cannot be managed by the heritage centre. This is being done to ensure the greatest possible access to the site will be restored, while also making sure the historic building is not damaged.

**Deputy Thomas Byrne:** I pay tribute to Mrs. Carpenter and her family who have provided access for the public to St. Colmcille’s house for decades. She retired last summer and the town, wider region, tourists, archaeologists and historians were very grateful to gain that access through her. Keyholders nationally provide access for limited reward and from a sense of love for their native towns and areas. They take on the role with the OPW for the greater good, for which I pay tribute to them. It is unfortunate, however, that when someone retires, having done tremendous work over many decades, significantly beyond normal retirement age, as discussed in the previous question I tabled, matters are left to stand with no access being provided. There is no succession plan from the OPW. I pay tribute to the Kells and district tourism network which the OPW is asking to find a keyholder. While it will be good if someone suitable and willing to do the work is found, which I hope will happen, it is a burdensome role from the perspective of what is required by the OPW. I accept that it is probably necessarily so, given what needs to be done to ensure a monument is protected and people are let in. However, the OPW and the local authority must play a more proactive role to ensure the huge gaps in access will not occur and that the particular gap will be closed as soon as possible.

**Deputy Kevin Boxer Moran:** I appreciate fully where the Deputy is coming from, but it is not fair to say the OPW is not engaging with the local authority and the tourism group. We had a meeting in my office just before Christmas and hope to advance the matter to a conclusion
shortly.

Deputy Thomas Byrne: While work is now taking place, there was a long period last summer - a very important time - when things were moving very slowly and people did not know what was happening. I acknowledge that work is now taking place, but it should not all be left to voluntary tourism groups. It is something to watch out for in the future. Last night I attended a meeting in Clonalvy, County Meath where there is another extremely important monument, FourKnocks, which is of equal standing to the monuments in Newgrange and Knowth. Mr. White continues to give out the key on a regular basis. There are so many such sites nationally that it was about time someone acknowledged it. The OPW probably does so, but the individuals in question should be acknowledged nationally for the work they do to keep the sites open, while places that are considered to be more important, whether it be World Heritage Organisation sites such as Newgrange or sites in other parts of the country which historically have had more political clout, have visitor centres, seen substantial developments or have full-time staff. The people in question do a great deal of work and it is important that it be recognised.

Deputy Kevin Boxer Moran: Certainly, I acknowledge all of the good work they have done throughout the country. The matter the Deputy has raised in his question was brought to my attention just before Christmas. Once I had the meeting, I commenced to move it to a successful conclusion. We are working closely with the parties involved. The Minister of State at the Department of Housing, Planning and Local Government, Deputy English, brought the matter to my attention just before Christmas and set up the meeting. The matter is now moving towards finality for those involved.

Deputy Thomas Byrne: I brought it to the attention of the Minister of State’s officials.

Deputy Kevin Boxer Moran: The Deputy might have brought it to the attention of officials, but if he brings it to my attention, I will act. No matter what Member comes to me with a query, I will follow it up. If it is placed in front of me like the matter in Kells, I will deal with it. I appreciate that it was brought forward.

River Basin Management Plans

18. Deputy Brendan Smith asked the Minister for Public Expenditure and Reform his plans to include more river systems under the Arterial Drainage Act 1945 such as the River Erne system; and if he will make a statement on the matter. [5951/19]

Deputy Brendan Smith: Very few of the river systems in County Cavan are included under the Arterial Drainage Act 1945. The River Erne is a major waterway which, unfortunately, causes serious flooding in parts of counties Cavan, Fermanagh and Donegal. I ask that consideration be given to amending the 1945 Act to include further major river systems such as the River Erne navigation system which is a critical waterway through the three aforementioned counties. The river rises in County Cavan and flows into County Fermanagh and on to County Donegal. There are particular problems in County Fermanagh and I have been urging the Department, with its counterpart in Northern Ireland, to address the flooding issues. Adequate drainage works will never be carried out if they are only done piecemeal under small-scale schemes. The River Erne must be brought under the 1945 Act and a proper programme of drainage and remediation works put in place.
An Ceann Comhairle: As there is no time remaining, the Minister of State’s reply will appear in the Official Report.

Deputy Kevin Boxer Moran: Let me say the following. The Deputy has asked me to visit the neck of the woods mentioned to see if something can be sorted out. That is a commitment I will give him. Later in the year I hope to meet him and other Members from the area.

An Ceann Comhairle: When the Minister of State is finished here, there will be a job for him in the United Nations.

Deputy Kevin Boxer Moran: I am glad that the Ceann Comhairle thinks of me in that way.

Additional information not given on the floor of the House

Historically, flood risk management focused on the arterial drainage of river catchments to improve agricultural land. The maintenance of arterial and drainage district channels, as designated under the Arterial Drainage Act 1945, is the responsibility of the OPW and local authorities, respectively. It includes maintenance by the OPW of the Boyne, Inny and Glynde-and-Dee arterial drainage schemes in County Cavan. In 2018 it included 78 km of river channel maintenance at an estimated cost of €460,000. Owing to nationally increasing urbanisation, the Arterial Drainage Act 1945 was amended in 1995 to facilitate the OPW’s implementation of localised flood relief schemes to provide flood protection for cities, towns and villages.

Flood risk management plans were launched in May 2018, following the largest ever study of flood risk in Ireland. The study identified that Government investment was feasible to protect 95% of properties assessed as being at risk from significant flooding through flood relief schemes. Together with this legislative amendment and in line with the Government’s 2004 policy on flood risk management, the OPW has no plans for catchment-wide arterial drainage schemes. However, to target the management of flood risk outside cities, towns and villages, in 2009 the OPW introduced the minor flood mitigation works and coastal protection scheme. The purpose of the scheme is to provide funding for local authorities to undertake flood mitigation works or studies to address localised flooding and coastal protection problems within their administrative areas. Since 2009, approximately €46.4 million has been approved for in excess of 720 projects throughout the country, which illustrates the scheme’s many benefits for communities all over Ireland.

Written Answers are published on the Oireachtas website.

4 o’clock

Fourth Interim Report of the Commission of Investigation into Mother and Baby Homes: Statements

Minister for Children and Youth Affairs (Deputy Katherine Zappone): I welcome the opportunity to update the House on the Commission of Investigation into Mother and Baby Homes. In particular, I would like to update Deputies on the commission’s fourth interim re-
port and what I have been doing to progress issues since the work of the commission began. As Deputies are aware, the commission submitted a fourth interim report to me last December, which I published after securing Government approval on 22 January. The report is available to view and download on the Department’s website. The commission advised that it would not be able to issue its reports within the previously agreed timeframe and requested an extension of one year to allow it to complete its work in full. The Government has agreed to this extension request and the commission is now due to submit its final reports by February 2020.

In making a case for an extension, the commission outlined the sheer scale of the work involved in investigating the matters set out under its terms of reference. The investigation includes multiple lines of inquiry relating to the operation of quite different institutions over a period of more than three quarters of a century. The scope of the terms of reference and timeline for this commission has always been ambitious and we remain ambitious for the outcome of the commission. The public interest and, most importantly, the interest of former residents is best served by facilitating the commission to conduct the comprehensive analysis required to make accurate and robust findings on the extensive range of sensitive issues before it. I know that many former residents have been eagerly awaiting the completion of the commission’s work and I understand that many who contributed to the process and shared their information are disappointed and frustrated by this development.

The commission’s fourth interim report provides an update on its important work engaging with former residents and others connected with these institutions. It has captured the personal experiences of 519 witnesses through the work of its confidential committee, and this process was expected to be completed by the end of January. Hearing these stories grounds the work of the commission in the lived experiences of those who spent time in these institutions. The commission is continuing to take evidence about conditions in the institutions from former residents, workers and the authorities that ran the institutions and this work is not yet complete. The commission also stated that its wide terms of reference have necessitated the collection and analysis of a vast range of documentary material relating to the institutions under investigation. While this process is ongoing, I can confirm that the Department has furnished the commission with all relevant records in its possession.

Significantly, the commission now plans to deliver by 15 March 2019 a substantial report on the burial arrangements for persons who died while resident in these institutions. The report will include extensive technical reports prepared in the course of the commission’s work on the site of the former mother and baby home in Tuam, County Galway and the commission’s assessment of burial arrangements at other major institutions. I will seek formal Government approval to publish the report as quickly as possible after I have had an opportunity to consider its findings.

Upon receipt of the interim report, I consulted with the commission to explore whether any of its three reports could be completed in advance of February 2020. The commission is strongly of the view that it will not be possible to complete any of its reports in isolation from its companion reports. When I met Judge Yvonne Murphy I was reassured by the absolute commitment of the commission to establishing the full facts of what happened to women and children in these institutions. I accept that the commission is using its best endeavours to conclude the investigation as quickly as possible. The chair wants to conclude matters, and I know the Deputies in the House want the same thing. It is clear that the commission is seeking to collate and analyse information on these institutions at a level of detail that has never been done before. This will greatly assist public understanding and possibly assist individual citizens with their
I can confirm that the extension of time for the commission will not impact on the planned forensic excavation of the Tuam site. These are separate processes. However, the commission’s burials report is expected to assist and inform the ongoing work to advance the legislative and operational arrangements for this priority project. If a decision had been made not to grant the extension sought, the commission would, effectively, be obliged to submit incomplete reports this month. Clearly, such a scenario would ultimately undermine its findings and impact on the opportunity within this process for Irish society to acknowledge and start to understand the harrowing manner in which single women and their children were often treated during this period. This would be placed at risk. In these circumstances, the Government’s approval of an extension was the only viable option. The Government will continue to make available whatever resources and supports are required for the commission to continue its vital work. The commission has confirmed that despite the extension, it expects total costs to remain within the initial costs estimate of €21.5 million.

In October 2018, the Government approved the recommendation for the phased forensic excavation of the available site of the former mother and baby home in Tuam, County Galway. As the Minister responsible, I was honoured to make a recommendation to colleagues, which was not only supported by the best experts in science and law but, more importantly, was also informed by the voices of survivors, families and loved ones. Implementing this decision will not be straightforward. New legislation is needed to provide specific lawful authority for the proposed course of action.

The preparation of legislation is a key priority in the Department and a new dedicated unit has been established for this task with additional staff from other Departments expected to be assigned to the unit in the coming weeks. The wider interdepartmental group on Tuam, led by the Department of Children and Youth Affairs, will continue to assist in terms of strategy and overall approach for the project. Scoping of the required legislation has commenced. There is no precedent for this kind of project in an Irish context and it is vital that we get it right in the interests of the survivors and the relatives and dignity of those buried at the site in Tuam. The approach taken will be further informed by the forthcoming report in March on burials at these institutions. In parallel to the legislative project, work will be carried out on sourcing appropriate expertise to carry out the works. As Minister, I will continue to examine the ways we can respond to the wider concerns of the advocates, families and survivors.

While the commission’s work and the work regarding Tuam is ongoing, I am committed to engaging with former residents about their needs. The collaborative forum of former residents, which I established last year, has assisted in constructive engagement with former residents. It was established as a progressive response to the theme of “nothing about us without us”, which emerged from facilitated consultations with former residents and their advocates. I recently received the collaborative forum’s report, which identifies a number of issues of concern to former residents and includes a series of recommendations on matters of priority to them and their families. I am considering the recommendations made in the report that fall under the Department’s remit, which include access to records and concerns about how Tusla deals with requests for information, tracing and access to records. There are arrangements in place with Tusla in regard to these services. I will look at ways in which these services could be improved where possible.

The report also makes recommendations on access to health services. Memorialisation and
commemoration are also strong themes in the report, as is the appropriate use of language and terminology. Many of the recommendations do not fall within the remit of the Department. However, I am engaging with my Government colleagues and their respective Departments to discuss and progress these matters further. I propose to bring the report to Cabinet shortly to facilitate its consideration by the Government and I hope to have responses to at least some of the recommendations when I do so.

Picking up on questions and concerns raised by Deputies recently regarding Bethany Home, it might be helpful to set out some of the background on the matter.

As Deputies will be aware, my colleague, the Minister for Education and Skills, Deputy McHugh, is responsible for the Residential Institutions Redress Act 2002 legislation and related arrangements. The redress scheme established under the Act has not been extended to any additional institutions since 2005. When the Ryan report was published in 2009 there were a number of calls for the redress scheme to be extended to include additional institutions, including the Bethany Home. The Bethany Home is one of the 14 named mother and baby homes currently being examined by the current commission.

Mother and baby homes and related institutions have never been the focus of a statutory investigation before. The decision regarding extending the scheme has been reviewed on a number of occasions by this Government and the previous Government. There is no change in the decision not to extend the scheme. In its second interim report, the commission suggested eligibility for the scheme be re-examined. We examined it carefully and concluded it was not possible to implement redress at that time.

In reaching that conclusion the Government was conscious the commission has made no findings to date regarding abuse or neglect, and believes it would not be appropriate to deal with the question of redress in advance of any conclusions by the commission. Deputies may also wish to note that the Bethany Home survivors are represented on the membership of collaborative forum and the report contains powerful contributions from the member representing the Bethany Home and Protestant survivor groups. I met representatives of the forum when it presented me with its initial report in December. I heard from some of the members at first hand and was deeply moved by that testimony from them. Information on the forum can be found on my Department’s website.

Deputy Anne Rabbitte: This is my third time to stand here as the Minister seeks an extension regarding the commission of investigation. On the two turns before this I was favourable to, approving of and co-operative with the request. Today, I am disappointed. The Minister will understand why I am disappointed to see yet another extension to the commission of investigation timelines. That is particularly the case for the survivors and the families affected by what happened in the mother and baby homes and who have been awaiting this report for years at this stage.

Only the other night, the “Prime Time” programme covered this issue from Tuam. Three gentlemen, Peter, Pat and Tommy, spoke up. I spoke about Tommy in this House before. His final comments on that programme referred to the survivors getting old. He hoped this issue was not being dragged out so that no one would be left to talk about it or fight for the survivors. That is how he sees it, which is unfortunate because that is not the intention of the commission of investigation. I have no doubt the commission and the Minister want to get to the bottom of this matter. It is, however, unfortunate that we are going into another year of waiting.
We need to get some answers and to see where this process is going. The “Prime Time” programme the other night brought up many questions I have brought up in this House before. I look forward to getting answers to those questions and I feel those answers will feed into the commission of investigation. I am referring, in particular, to the role of Galway County Council in all of this. I want to know in particular what its role was as it started building houses in the 1970s when the council knew about the sites prior to that. The maps have become available.

Tommy told the story previously about how, after five years and two months, he was very lucky to be “sponsored”. That was the word used. He also spoke about later in his life getting the price of a bike when he turned 18. The price of that bike came from Galway County Council. I know, therefore, that there are many records and much information there. I need to know exactly how many other people got the price of a bike. How many other families got that allowance for caring for those people? That will tie up much of the information needed.

I need to know serious co-operation is taking place between Galway County Council and the commission of investigation. The survivors would also like to know co-operation is happening. I also want to know about the role of the coroner in all of this. What information was available to the coroners, what have they shared and how have they engaged? That is a major piece of this jigsaw but nobody is talking about the role of the coroner in respect of the death certificates. We have spoken of birth certificates but death certificates have not been mentioned. I am sure all of the deaths had to be recorded somewhere, at whatever age those deaths might have taken place, be it adults or children. The role of the coroners links back in again to Galway County Council. The council has a major role to play in this investigation. It is the silent body with no statements whatsoever coming out.

I am cross about the council in this regard. The reason is that when I speak of the Pats, the Tommys, the Peters or whoever and when I go to Galway County Council to seek some form of housing adaptation grants for those people I know have been through the mother and baby homes, I can get very little co-operation. This issue has been raised previously. There should be some streamlining of the system in order that I can help some of the former residents of the mother and baby homes when they need adaptation grants. Some of those people have disabilities yet they are being long-fingered. That is wrong. Certain comforts are required for these people. I am referring to day-to-day practicalities. They are not within the remit of the Minister’s Department but they are within the remit of local government.

There should be some form of co-operation on that issue while we are awaiting the results of the commission of investigation. I think the final report of the commission is going to be quite damning from the point of view of Galway County Council. I want to see that report and I want to see it soon. Age is not on the side of the survivors. That is wrong. I refer to Peter, who wants to know the story and is going through the High Court now to find the link with his sister. We are denying that man the opportunity to have knowledge of his family. We are forcing him down the road of the courts. That is not right.

The people of Tuam are not proud, by any manner or means, that this is being dragged out for so long. They would like this issue brought to a conclusion. Burials and excavation works are now going to take place. All of that is taking place, however, in a vacuum. We do not know what has fed into it in respect of the commission of investigation. I implore the Minister, and the people she has commissioned to do this work, to please stick to the timelines on this extension. It is essential that we do not have to look for even another hour of an extension. The targets set out by the Minister today in the interim report should be followed through. I state
that because I have last year’s statement concerning this process running from 2018 into 2019. Now we have it running from 2019 into 2020. That is not good enough. It cannot happen again.

In her report, the Minister also stated the cost would be €21.5 million. One of the initial reports referred to €6 million to €12 million and now the cost has gone to €21.5 million. I can understand an expansion but in respect of the costings we need to keep things in line and within targets. We also need to know exactly where we are spending that money. I do not mind spending it because these people need answers. That is not what this is about. Let us, however, meet our targets and give these people a definite answer.

Deputy Denise Mitchell: We stood in this Chamber in March 2017 and I said the Government must do all it could to ensure the commission had whatever resources it needed to complete its work in a timely fashion. Many Deputies, across this House, expressed their frustration with the delays but by and large, it was understood at the time. With this second delay, that frustration is now turning to anger. I am sure the Minister is aware of the sheer disappointment this delay has caused. The survivors of these mother and baby homes have waited a lifetime for their stories to be heard. To be told, yet again, that they have to wait another year is an injustice.

The Coalition of Mother and Baby Home Survivors described the second one-year delay as an absolute kick in the teeth for the people who will never see justice or an apology or redress. The Irish First Mothers group has described the delay as a mechanism for evading redress, while the Tuam Home Survivors Network has called the delay devastating. This is powerful. What does the Minister suggest we tell these victims, what words of comfort can we supply? What do we tell the survivors of the Bethany Home who were wrongly excluded from the 2002 redress scheme? They have described the Government’s attitude towards them as a policy of delay and denial until they die. Many survivors’ and relatives’ groups are beginning to feel the same, because every time a report is on the horizon there is another pushback. I raised the question of whether it was a matter of resources. Why was it that in December some 26 people were still waiting for their testimony to be heard?

According to the report, the HSE yet again seems not to have a clue where the files are. One institution that is referenced is the Castle in Donegal. It operated until 2006, yet the HSE, which was heavily involved, has not handed over any documentation - zilch. I acknowledge and share the commission’s frustration on the matter, but it is utterly shocking.

In the part of the report that covers burial arrangements, it is stated that a geophysical survey has been conducted at the site of the former Sean Ross Abbey in recent weeks and that further investigations may be carried out, depending on the findings. Will similar surveys be conducted at the former Bessborough mother and baby home in Cork? Not only was it run by the same religious order as the Sean Ross Abbey but the death register shows that 470 children and ten women died there between 1934 and 1953. The religious order, however, seems to have provided different figures to State inspectors for the same period.

All the facts I have outlined make it important that this mother and baby home is surveyed in the same manner as the Sean Ross Abbey. It seems that much of what is contained in the interim report has been copied and pasted from the previous one. Each delay to the final report not only means there will be a longer wait for justice and closure for the survivors but also that many people will not see the truth, justice or closure, which is a harsh reality. As I have previously stated to the Minister, justice delayed is justice denied.
Deputy Mary Lou McDonald: We all accept the scale of the commission’s task in investigating this shameful chapter in the State’s past. The need to investigate mother and baby homes and the provision of redress to survivors have been debated in the Chamber for the past 15 years. In 2005, my colleague, Deputy Ó Caoláin, called on the Minister for Justice, Equality and Law Reform to include mother and baby homes in the work of the Ryan commission. Members of the Opposition in the Dáil and Seanad repeatedly called on Governments led by Fianna Fáil and Fine Gael to recognise the wrongs endured by the women and children who passed through the doors of the institutions but their demands fell on deaf ears.

The Minister’s recent apology to survivors for the further delay to the commission completing its work was welcome, for what it was worth. I accept the sincerity of her belief that by granting an extension of 12 months, the final report will provide a better picture of what happened in the institutions. Unfortunately, however, the Minister’s sentiments are not matched by her Department’s actions. I was alarmed to learn that it took two full years for her Department and the Department of Health to hand over the first tranche of discovery to the commission. Even after such an inexplicable delay, the material provided by both Departments was just one tenth of the documentation that would follow over the next year and a half. As late as November 2018, the commission was informed of many thousands of pages of discovery yet to be handed over.

While that is bad, the HSE has fared even worse. It has been unable to provide documentation of its involvement in institutions from as recently as 2006, as Deputy Mitchell noted. The fourth interim report indicates that the commission is dismayed that so little relevant documentation has been found by the HSE. It also reveals that the HSE does not have a system for storing or archiving material. How can it be that any State agency in 2019 does not have an archiving policy and procedure embedded in all levels of its administration function? As an aside, it is reminiscent of the behaviour of state authorities north of the Border, which seek to hide information from families seeking the truth about legacy inquests and past events.

Many survivors and families simply no longer have confidence in the Government or the State to do the right thing. It is as stark as that. They fear that the Government is dragging its heels in a cynical attempt to limit the State’s redress liabilities to a small group of survivors whose numbers decline with each passing year.

I make particular reference, as the Minister did, to the survivors of the Bethany Home. As she will know, detailed research undertaken by Dr. Niall Meehan on behalf of the survivors provides a catalogue of State culpability dating as far back as 1939. Let us not forget that statutory inspections of maternity homes began in 1934, and the Bethany Home was inspected from 1935. Just four years later, the State’s deputy chief medical adviser ignored the advice of a departmental inspector who wanted a Bethany Home nurse mother to be prosecuted for severe neglect. At least 247 children died in the institution. Some 222 of those babies and children have been memorialised by survivors in Mount Jerome Cemetery, and it is possible that more died. Children were routinely shipped out to unsuitable homes in Ireland and further afield. We know that at least 54 of those children died from convulsions, 41 from heart failure and 26 from malnutrition or starvation. In 2017, by examining the records of undertakers, the group discovered 25 additional children, many of whom also died from malnutrition.

Mr. Derek Leinster, arguably the leader of the group, has outlined his heartbreaking story of abuse and neglect, as are those stories of survivors who have since passed away without justice or redress. In 2016, the commission stated in its second interim report that, logically, children
resident at the Bethany Home and similar homes should be eligible for the residential institutions redress scheme. I cannot for the life of me understand why the Minister has not taken it upon herself to champion that cause. I do not accept her blithely setting the matter aside and telling us that the Government position remains the same.

On Tuam, which the Minister mentioned, if legislation is needed for the gathering of DNA, let us have it promptly. We must listen to victims and survivors.

Deputy Joan Collins: My position on this issue is on the record of the House, as Deputies Clare Daly, Connolly and I brought it to the Minister’s attention during a Topical Issue debate three weeks ago. Deputy Daly raised it again during Leaders’ Questions. Mother and baby homes are one of the darkest parts of our history. It was mainly working class women and kids who were treated so badly and with such neglect that it is almost unbelievable.

Last year when we got the third report there were probably arguments for the investigation to be extended. The commission indicated it had yet to meet many of the large numbers of people and this clearly had to be done. It indicated that the records were old and many were paper files, meaning the commission had to go through all of them. These amount to a strong enough argument and we could not close the commission at that point because of it. A third point was that extensive information had still to be provided by religious congregations and Departments served with discovery orders. I had a quick look through last year’s debate and every Deputy who spoke indicated support of the commission and the Minister. However, many of them made the point that the investigation could not go on after 2019. They argued that all the required resources should have been given to the commission to ensure that in 2019 we would have the report and the survivors would at least be able to have some closure.

Why did this not happen? The fourth interim report states, “The first tranche of discovery was delivered in March 2017.” That was from the Health Service Executive and the Department of Children and Youth Affairs. The report continues:

This consisted of over 12,000 pages. The second tranche was delivered in March 2018 and consisted of over 54,000 pages. Two further tranches were delivered in June 2018, consisting of approximately 36,000 pages. The Commission was informed in November 2018 that a further 277 relevant files were available. The Commission does not yet know the extent of the material.

That seems to be where the commission was in December. When these tranches were coming through, surely a red flag should have been raised so as to indicate that the commission needed more resources to get the job done because it would not be able to get through this in the time given. The Minister must address that point. Why did the commission not raise an alert and say there were problems? Whatever about 277 files coming in late last year, the matter could have been dealt with more quickly if a flag had been raised and more resources had been allocated to examining those tranches of documents.

The Minister does not want to see the commission not fulfilling its role but this affects older people. They are not just anxious and they were hoping that the commission would bring final findings to them this year; now they are getting angry. These people have lost confidence or trust in the commission and the Minister. The comments from Tommy on the “Prime Time” programme reflected that feeling that justice delayed is justice denied.

I really cannot express how the survivors must be feeling at this stage as some of them will
not survive another year. They will not see the closure they need, even when there was an expectation they would have that closure on the matter. I am very angry and bitterly disappointed that we have had to come to the Chamber to discuss another year for the investigation. Irish First Mothers has expressed very clearly how its members feel about this. The Minister said some moneys or support would be given to survivors over the next year but that group called for Judge Yvonne Murphy’s commission of investigation to split its historical investigations from redress considerations. Could that happen? The group voiced its support of Catherine Corless and her call for comprehensive historical investigations at Tuam and other sites but argues that the commission has enough evidence to issue a redress finding immediately by way of an interim report. Could that happen? It is something we could consider if we are to deal with the matter of redress for survivors. The group described the delays as being like “a kick in the teeth” for survivors and it is.

We should also consider what happened in the Bethany Home. Mr. Derek Leinster of the Bethany Home survivors’ group has stated that time is running out for the Government to do the right thing. He argues that for the Bethany group, members’ remaining time would be measured in days and not years, and there are people who cannot afford to keep themselves for the time they have left.

These concerns must be taken on board and I would like the Minister to revert on those two specific points. Could the historical investigations and redress elements of the investigation be separated? Could a redress finding be issued by way of an interim report? The Irish First Mothers group has argued that the Cabinet should stop the “smokescreen” of false redress and it should quit hiding behind Judge Murphy. It has argued that the Cabinet should ask her to issue an interim redress report. If that could be done, it would go some way to dealing with the redress issues. The Irish First Mothers group is now taking legal advice and going to the courts; it should not have reached the point where they feel so let down that the only option they feel they have is to try to get redress in the courts. It is a shame and we should all hang our heads, particularly the Minister and those in the commission.

**Deputy Catherine Connolly:** I welcome the opportunity to make a contribution to this, although sometimes I tire listening to my own voice. I am not here for myself but for those who feel exasperation on the ground. I admit from the outset that I have a particular personal interest besides a professional interest in the past.

I welcome that there will be a report in March and that the Minister has opted for a full forensic examination of the Tuam site. However, I do not welcome the way this has been handled, with details of an extension being sought published by Mr. Patsy McGarry in *The Irish Times* on 9 January. I do not know who is responsible for that but I am afraid the Minister must carry the can. It is not the way it should have been done. I do not know how that got out and the independent commission clearly could not have done it. It would be serious if it was responsible so I will presume it was not, but who did this and how did the details emerge in that manner? Have we learned nothing?

It is important to consider the timeline. I was about to say the remains of “approximately 800” children were found but I thought how wrong of me it would be to do something like that. There were remains from 796 children discovered in 2014 arising from the extremely important work of Catherine Corless. That work was not easy. I will not go back into it but it was the beginning of the process. We are uncovering the layers of secrecy in Irish society, along with the layers of shame heaped upon women. I often wonder how we, as women, emerged sane from
this or how we can have any sanity after the way we were treated. I certainly came up towards the tail end of such a background. With the brave work of Catherine Corless, we finally had some action from the Government on 4 June 2014, when it announced it was to bring together representatives from various organisations and that an inquiry would take place. On 16 July 2014, which is more than four years ago, the Government announced that Judge Yvonne Murphy would chair a commission. I will not get into the details, which we know.

My difficulty is that deadlines were given from day one but they were never met. There was foolishness with the confidential committee report, a social history report and a substantial report, as all the deadlines were missed. One can imagine that with something as important as this, trust should be of utmost priority. There was no trust. People could not even trust birth or death certs. We could trust nothing and the people for whom I stand here had no trust in anything. A commission was set up but there is no trust either in the process of reporting on that commission, with deadline after deadline missed. There is a final request to extend it another year to 2020. The first interim report concerned the revision of the timeframe for the reports. There was no change to the statement on costs or anything like that and that was agreed to. The second interim report is a little more important. It made a recommendation to the Government, which it duly ignored. Trust once again went out the window. It was given to the Minister in September 2016 and was published in April 2017. There is no explanation for that delay and no understanding of what that did to people’s confidence. The report clearly stated that those babies and children who were unaccompanied should not be distinguished from those who had received redress from the Residential Institutions Redress Board, those who had spent time in institutions. It is a distinction I do not agree with but I can see where it is coming from. If the Government wanted to show good faith and restore confidence it could deal with the implications of that, rather than make a glib response that the time for the redress board had closed. That was a golden opportunity that did not happen.

The third interim report was submitted in September 2017 and published in December 2017, another inexplicable delay. That was to request an extension of a year. We agreed and the Government gave it that in our name. How could all of these extensions of time go ahead? I accept the work is complex and there is a pile of documentation but there has been no request for an increase in resources, staff or money. How could that happen? It was set up for a specific period and has gone far over that time yet there is no request for any increase in funding. That is very strange.

The fourth report stated that it was expected that all the meetings with individuals would be completed by January 2019. This is February. Has that happened? The revelation in the report that extensive material provided by the Departments of Health and of Children and Youth Affairs had only recently been provided to the commission was alarming. More of the blame, if that is the appropriate word, fell on the Health Service Executive, HSE. What are the reasons for this? The commission has been going on for four years and it is not clear why there was a delay in giving it the documentation and whether all documentation has been given.

The terms of reference go way back, yet the first tranche of discovery documentation was delivered in March 2017. This consisted of over 12,000 pages. The second tranche was delivered in March 2018 and consisted of over 54,000 pages. The fourth interim report stated:

it is difficult to understand how relatively recent documentation is not available. For example, the North Western Health Board, and subsequently the HSE, was intensively involved in the running of one of the institutions under investigation.
It mentions the institution and continues. Does the Minister have an answer for that in respect of specific documentation?

I have repeatedly highlighted a file note and confidential briefing documents in this Chamber. Every Government for the past few years has been utterly aware that something was seriously wrong in respect of mother and baby homes throughout the country. Much of that documentation and knowledge came from the McAleese inquiry into the Magdalen laundries. While it was not his brief to look into that, all of the information came to the surface, which may be a bad choice of words. I note the principal social worker for adoption in the west has been working on her own time. This is all outlined in this material, to which the Minister, the Government and the previous Governments were privy. It is a record of what they knew at the time. She is working on her own time and on her own dollar, an interesting choice of word bearing in mind where our children went, to try to piece together a bundle of information. She already has a database of up to 1,000 names but it is not clear yet whether they all relate to the ongoing examination of the Magdalen laundries or to the adoption of children by parents, possibly in the USA. It continues, for the information of the person in charge, “This may be a scandal that dwarfs other, more recent issues with the Church and State”. There are serious questions about interference with death and birth certificates. We have a commission of investigation but there are unacceptable delays. We get a lot of padding from the Minister about collaborative justice. As someone who has been affected by this, but not as much as those who have closer relatives involved, I do not want filling on collaborative justice. The people on the ground who have spoken to me do not want it. They want knowledge and information at regular intervals to empower them. They were disempowered and this system continues to disempower them and to patronise them.

I do not think the Minister should stand over that. I do not think she is the type of person who will do so but unfortunately, that is what has happened. Patronising disempowerment continues by the very mechanisms that have been set up to undo what happened in the past. If we learn anything, the Minister should publish the report as quickly as possible when it becomes available in March. There should be an interim report on the substantive nature of what has been discovered by the commission. I see no reason why a substantive interim report cannot be published. There should be no more communication through The Irish Times, notwithstanding my respect for that newspaper. Communication should be directly with the people on the ground. Any report that comes into the Minister’s hands should come into the Dáil within hours or days, depending on the schedule of the Dáil. There should be no more three and six-month delays. That is how the Minister will restore confidence in the system and empower the people on the ground.

Deputy Clare Daly: Unlike Deputy Connolly, I have no respect for The Irish Times but the person whose article brought this information into the public domain is one of its better writers. It is the case that survivors of the mother and baby homes, not to mind politicians, should not be getting their information from The Irish Times or any other media outlet.

This is an incredibly important issue. There is a certain irony in the fact that we are celebrating 100 years of this Parliament and of the Irish State and yet one of our biggest, dirtiest secrets has not been properly examined. It is part of what we are, the way in which women and their children were treated in this State and, as Deputy Joan Collins noted, working-class and poor women in particular. They were hidden behind walls, their babies in many instances were taken from them and they and their children have lived with that trauma to this day. We cannot develop as a State unless we fully acknowledge that and utilise the information available.
to the State to learn, apologise and give redress. Redress is not a question of money. In many instances it is an acknowledgment of the wrong. When we have raised these issues, the Taoiseach has got up and said sorry but that is not the same thing. It is not a full acknowledgment that we as a society have to take responsibility for this.

It is in that context that we have to examine the fourth interim report of the Mother and Baby Homes Commission of Investigation. In some ways it strikes me as incredibly similar to the children’s hospital because the argument is the same. It is an acknowledgement that something has ended up different from the way in which it started out and that while it is not the way it was planned, it has now gone so far down the road that it would be an awful waste to pull back from that. It is a case of being kind of stuck with it, so the only thing that can be done is to go with the flow because it would be madness to waste all the work that is being done. That is the same argument that was put forward last year. Deputies across this House accepted the bona fides of that argument in good faith, although they did not like it. The survivors certainly did not like it. They were seriously traumatised by that situation, but they accepted it because it was a rational argument to make that we have gone a long way and that the work is complicated. We cannot do that this time around. There is a difference a year on because we have had that conversation. Our job is now to ask whether it is really good enough to say that the commission has got this far and that we should let it finish off the work. We now have to ask why it did not complete the work in the time allotted. Was it that we got it wrong in laying down the terms of reference, because something is wrong? This commission was set up with a budget of €21 million and has run over time by two years. It has therefore rented nice offices on Baggot Street and employed people for two years longer than it was supposed to, yet the budget is unchanged. How could that be? The sums do not add up. Did we get the budget wrong or is something wrong now? I do not have an answer to that. We do not know how it has got this far. One can only draw two conclusions; either this is being done in a monumentally disastrous and ham-fisted way or something more cynical is afoot. They are the only two possible conclusions. This process has been handled so badly. Other Deputies have also made points about its handling.

Let us look at where we are. This interim report said that the commission needs more time. It said that 26 people remain to be interviewed and that these interviews would be done by January. As other Deputies have already asked, have those 26 people been interviewed? The second issue raised in the report is that of a big boat-load of documents which had only recently come into the fray. It said:

The Commission does not yet know the extent of the material in these files but it is likely to run to many thousands of pages. The Commission expects to receive these in December 2018.

Did the commission receive these files in December 2018 as indicated in the interim report? Did the material run to thousands of pages? Based on that information, what is the commission now saying about its likely conclusion date? If one reads the different interim reports one will see that the language in parts of earlier reports is absolutely identical to the language in this one. We cannot have that. The report talks about its considerable workload in cross-referencing documents and about delays in obtaining the evidence from the authorities which ran the institutions which could not be examined until the commission had finished the examination of the documents. These are word-for-word the same in one interim report as in another. What happened in between?

Why is it that a commission set up by the Department of Children and Youth Affairs had
to wait until a year after it was supposed to have concluded for that same Department to forward documents? Either we are dealing with the most incompetent shower in the history of the universe or something more sinister is afoot and there are forces obstructing the transfer of this information. I do not have an answer to that. I actually do not know. Nobody has given me a rational explanation, but I have read between the lines where the report talks about the HSE. This is utterly frightening. Again it is an indictment of the very weak media in this State that they fail to scrutinise the real issues relating to what goes on in here and, instead, prefer to chase a cheap headline. They do not actually carry out real scrutiny and did not highlight and examine what is in this report, limited as it is. The commission is shocked that, “the HSE does not have any system, much less a proper system, of storing and archiving material”. It finds it, “difficult to understand how relatively recent documentation is not available”. What does this public commission mean when it says that? When it says that it is difficult to understand it is really saying that it does not believe it, it cannot understand it, and there is no logical explanation as to why that would be. Why is that the case? I have not heard anything in that regard. These are incredibly serious issues.

The Minister has talked a lot about Tuam and the graves, but that is a separate issue from that of the mother and baby homes commission of investigation. It is tied in, but it is not necessarily what we are talking about here. I strongly support the point made by Deputies who asked for the issues of apology and redress to be taken out of this process. It is scandalous that we have not had an answer on the issue of the Bethany Home. Perhaps I will hear something now, but I have not seen a single word as to why the Bethany Home redress issue cannot be addressed now. This commission, which we set up, has said that the people affected should never have been excluded in the first place. They comprise an ageing cohort of people and yet we are to wait another year before we even look at the issue. That cannot be. The fund is still there and its parameters are still in place. The existing basis of the scheme can be utilised creatively to allow those individuals to get redress. Everybody agrees that they should. What is the point of us all agreeing if these people are dying off in the meantime and our agreement does not lead to legal effects? We have to do something. I really would like the Minister to answer on that because it has not been answered on anywhere. The people affected by the Bethany Home can be dealt with now. There is a mechanism to do so. In an earlier report the commission recommended it be done. What are we waiting for?

That brings me to the other groups and the issue of the apology. We really need to give this far more careful attention. The problem I have with it is that too often in here we set up commissions, send them off to do their work, and then use them as a great excuse to forget about the issues. I have made that point here before. It has not just happened in respect of this commission. The Grace case was the hottest news in town. It was on “Prime Time” and everyone wanted to know about poor Grace. A commission was set up but it has gone on well past its deadline. Who in here even cares to ask about it? Who in the media is keeping an eye on it? Who is keeping an eye on all of the other commissions we have set up at monstrous cost? They never do what they are supposed to do.

I know that people will say that I am one of the people in here who argues hardest for commissions, but they are the only vehicle available. Perhaps the Oireachtas needs to say that they are not really working, not doing their jobs, and not doing what it says on the tin. We bought all of the excuses the Minister has given on the commission’s behalf last year. They are not good enough this year. It needs to explain why it said last year that it would deliver in a year. Why should we now believe that it will deliver next year? If we do not ask these questions we are
selling everybody short, particularly the survivors.

5 o’clock

Saincheisteanna Tráthúla - Topical Issue Debate

Airport Development Projects

**Deputy Mary Butler:** Waterford Airport has been without any commercial flights since mid-2016. I know the Minister is very familiar with this matter. The lack of international and national connections is a huge challenge. Extending the runway is crucial for the viability of Waterford Airport in the long term and in the context of any commercial future for the airport. Right now, Waterford’s runway is only capable of handling smaller, turboprop aircraft, which are diminishing in numbers and struggling to retain their place in a highly competitive marketplace. The airport’s board says a longer, wider runway would allow the hub to cater for more commonly used aircraft such as the Boeing 737, favoured by Ryanair, and the Airbus A320, the most common plane in the Aer Lingus fleet. The future of Waterford Airport has been hanging in the balance since June 2016, when the Belgian parent of the VLM airline went bankrupt, bringing an abrupt end to its only scheduled services to London Luton Airport. Waterford Airport currently hosts an Irish Coast Guard helicopter and is available for use by private jets.

The development of the runway extension at Waterford Airport is key to the region so that viable routes can be explored. I accept that the aviation industry is extremely tough and the airport has seen its fair share of setbacks in recent years. However, the delivery of funding to pay for the extension of the runway to allow larger aircraft use the airport, offering longer distance services to mainland Europe, would ensure the future of the airport and secure the many local jobs that are dependent on it being fully operational.

The North Quays in Waterford is the site of a proposed €350 million regeneration project which can only be described as a game-changer for Waterford. The south east needs a regional city of consequence and that city must be Waterford. A viable working airport is crucial to strengthen the city and the region. Waterford could act as a release valve for the overcrowding in Dublin, and it could act as a counterbalance to the capital in the context of issues such as overheating, rehousing, transport congestion and education.

I acknowledge that on foot of requests made by the airport and the Minister’s colleague, the Minister of State, Deputy Halligan, and to ensure there was no disruption to the coast guard’s search and rescue service, the Minister sanctioned the provision of €750,000 in grant funding to the airport last year. Two payments of €375,000 were made to the airport in January and December. These were exceptional payments and were provided to allow time for appropriate consideration of the issues arising at Waterford Airport. I submitted a parliamentary question on the matter last October and welcomed the reply that the Minister had brought to Cabinet an independent report on the extension of Waterford Airport runway. This was a very positive move. I am also pleased that submissions from Waterford Airport, Waterford City and County Council and local private investors were included in the review by Ernst & Young, EY, commissioned by the Minister. A planning application has been made for an extension to the runway. The current length of 1,400 m would be extended to 2,200 m and the width would be increased...
from 30 m to 45 m. This runway extension is vital to secure the future of Waterford Airport.

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I thank the Deputy for raising this issue. I appreciate its importance to the south east, and to all the public representatives and people there. I appreciate the energy Waterford Airport could inject into that region if it was a working and successful project.

Before I update the House, I think it might be useful to provide some background information on the issue. Many Deputies here today will be familiar with Waterford Airport, which has been operating in the south east of the country since the mid-1980s. While passenger numbers reached a peak of more than 140,000 in 2008, there was a steady decline in numbers thereafter with fewer than 35,000 travelling through the airport in 2015. In fact, since June 2016, as the Deputy stated, no scheduled air services have operated at Waterford Airport. In terms of Exchequer support, no capital funding grants have been provided to the airport since that time and grant aid towards operational funding ceased from 2017. This is because the schemes operated under the regional airports programme relate to the provision of scheduled air services. Unfortunately, despite best efforts and numerous attempts, the airport has not been able to secure new scheduled air services since the last operator ceased services in 2016.

This has, as one would expect, given rise to financial challenges at the airport. On foot of these challenges, the airport submitted requests to my Department for a minimal level of subvention, which would allow the airport to continue its operations in 2018 as it considered its future. After informing the Government of the situation, I made a decision to provide €375,000 to the airport in January 2018. I provided a further payment of €375,000 in December. That is the €750,000 to which the Deputy refers. These payments were justified. They were an exceptional measure and were made to ensure that there would be no disruption to the search and rescue service that operates from there. They were also provided to allow time for a full and extensive consideration of future options for Waterford Airport.

In respect of that consideration and the detailed analysis that would be required, the Department procured the services of EY, the independent consultants, in early 2018. During the course of this analysis, Waterford Airport submitted a proposal to my Department for Exchequer support in respect of a project to expand the runway at the airport to accommodate large commercial passenger jets. The airport is also intending to raise money from three local authorities - Waterford, Kilkenny and Wexford - and from private investors. EY was asked to assess this proposal as part of its review.

The airport contends that the failure to maintain passenger services is embedded in the limitations of its runway, particularly in terms of length, which cannot handle larger jet aircraft. Following completion of the EY review, my Department sought additional information from the airport in respect of private investor commitment, interest from jet carriers and the future ownership and shareholding position of the airport company. Then, in October last, I brought the matter to Government for the purposes of updating my Cabinet colleagues and also to inform them of my intention to provide a copy of the EY report to the board of Waterford Airport. The airport was invited to respond to EY’s findings and to provide any additional information that might strengthen its position in respect of the runway proposal. That response, received from the airport last week, is being reviewed by my Department and will be assessed against national aviation and transport policy objectives, as well as broader Government policies such as Project Ireland 2040 and the national planning framework. Once I have fully considered the matter, it is my intention to revert to Government for a decision in the coming weeks.
**Deputy Mary Butler:** I thank the Minister for his comprehensive reply. Funding will be required from the State, local government and private investors. However, I believe a positive response from the Government and from the Minister will spur on other interested parties and ensure that the developments needed are delivered. It is imperative that support from the Government for the extension is delivered. If the Government could commit to the €5 million requested, there would be matched funding from private investors of €5 million and matched funding of a further €3 million from the local authorities in Waterford, Kilkenny and Wexford. I welcome the Minister of State’s comments to the effect that he received a response from the airport last week which is being reviewed by his Department and which will be assessed against national aviation and transport policy objectives, as well as broader Government policies. I hope we will have a timely reply on that.

I reiterate some of the comments I made earlier. The development of this runway is absolutely essential. Waterford city is on the crest of a wave currently. There are huge opportunities in Waterford to make it the capital city of the south east. There is no doubt that if the airport could access this runway we would end up with a range of additional businesses and opportunities. I believe the airport would reduce its dependency on Government support in the long run, and its potential to attract additional investment and employment opportunities to the area would be enhanced.

I hope to welcome the Minister’s decision on the airport at Waterford as soon as possible.

**Deputy Shane Ross:** It is everybody’s wish for Waterford airport to be a functioning, commercial and viable airport. That is our objective. We have to take many things into account when making a decision on this, including the long-term outlook, not just the short-term. We have to look at the Government’s regional policy and decide on that basis whether investment is worthwhile or not. We also have to take into account the somewhat unique situation where there are private investors in county councils who volunteer to produce money to put into an airport of that size and who take risks with their investments. We must also consider that county councils have great faith in the benefits this would bring to the region. However, we cannot take imprudent decisions which will not, in the considered view of independent reviewers, ourselves and of experts, offer benefits to the region. We do not want to create a white elephant.

We have pondered this issue for a long time and have shown good faith in the project by providing €375,000 on two occasions. We do not want to close the airport and will give it every chance to succeed. However, we will take a decision on a very sensible and prudent basis in the coming weeks.

**Electric Vehicles**

**Deputy Noel Rock:** New figures show that electric vehicle registrations increased significantly in January, with a total of 811 cars sold. That represents a massive increase of 680% on January 2018. The Society of the Irish Motor Industry, SIMI, said that the January figure is more than the total of sales for 2017, and in fact is over 60% of the total for the whole of last year. It is quite clear that this sector is growing, not only internationally but domestically. It is equally clear that, in terms of personal vehicle usage, electric vehicles are the way of the future. I am sure the Minister, and indeed the House, would agree with that statement. However, it is equally clear, based on recent reports and discussions I have had with people, that there is some concern around some of the incentives being put in place. For example, the tolling discounts
which were put in place to incentivise the uptake of electric vehicles, have lead to some confusion among existing owners of electric vehicles. Indeed, there is a complete lack of knowledge among perspective purchasers of electric vehicles.

How exactly is this scheme being advertised? A journalist from *The Irish Times* contacted Transport Infrastructure Ireland, TII, to get some clarity around how this scheme operates, only to be given incorrect information. While that is itself is not a problem - people make mistakes and we cannot necessarily blame one individual - it goes to show that there is a lack of clarity and consistency around the application of this scheme. The story, from Mr. Neill Briscoe, reads:

[Another] issue, possibly [more] worryingly, seems to be confusion in the ranks over exactly how the discount system should work. A representative from the TII told *The Irish Times* that: “Please note that if people were travelling during peak hours there were no discounts”.

That, however, according to the journalist and the regulations, is incorrect. The Department’s official rules for the scheme say: “At peak times the discount is reduced from 75% to 50% on the M50, and from 50% to 25% for petrol hybrid electric vehicles”. Consequently, there is a discount at peak times, despite TII saying otherwise.

If TII does not know how this operates, how can the public be expected to know? Is this issue recognised within the Minister’s Department? Does the Department have a plan to expand this scheme or to clarify it? It is quite clear that this is the way of the future, and that the number of users of this technology is going to go up and up. Some clarity and consistency on this matter would be most welcome. I have spoken to a number of people within the community, and the good news is that the majority - some 60% - of the more than 150 users who were polled on this are happy with the scheme. However, there is a significant minority who are confused by the inconsistencies of the scheme. There are currently five different toll tag operators who apply discounts. Some apply them in a live manner, at the moment a car passes through the tolls. Some apply them by way of a backlog, rebating moneys monthly based on arrears accrued. It is clear that among the toll tag operators, TII and the Department there is a complete lack of clarity and consistency. I would like to hear the Minister’s views on this, his plans for the scheme for the future and his own feeling about electric vehicles generally.

**Deputy Shane Ross:** I am glad the Deputy has acknowledged the great success of electric vehicles in general, even though he has specific, interesting criticisms about the way it is operating.

To give some background on the issue for the benefit of the House, this scheme was developed through the low emission vehicle taskforce, an interdepartmental group which aims to accelerate the take-up of low-carbon technologies in the road transport sector, and forms part of a wider suite of incentives aimed at supporting the national transition towards lower emitting vehicles. The reduced tolling regime was introduced to encourage private car commuters who regularly use tolled roads to consider switching to electric vehicles. It is estimated that there are approximately 400,000 heavy toll users in Ireland, and so reduced tolls act as a meaningful incentive for a large number of vehicle owners. I was happy to announce the launch of the scheme in July 2018, which is administered by TII on behalf of my Department. Under the scheme, battery electric vehicles and plug-in hybrid electric vehicles qualify for 50% and 25% toll reduction respectively, up to a maximum annual threshold of €500 for private vehicles and €1,000 for commercial vehicles. Greater off-peak reductions also apply to the M50 toll.
Information for electric vehicle owners on the simple and straightforward registration process is available online through the TII website and at eToll.ie. Vehicles participating in the scheme must be registered and approved by one of four toll service providers. All eligible vehicles require a toll tag to avail of the scheme. Since its introduction the electric vehicle toll scheme has proven very successful, with over 52% of all electric vehicles in the national fleet registered to avail of the incentive. That amounts to over 4,000 successful registrations. Based on the significant increase in electric vehicle sales in 2019, I expect the numbers availing of the incentive to rise further.

I am aware of a media article to which the Deputy referred and the concerns regarding the operation of the scheme. As advised in my recent response to a parliamentary question from Deputy Munster on Tuesday last, I understand that, to date, neither TII nor the individual toll service providers who operate the scheme have received any information, concerns or complaints from customers regarding the operation of scheme. If any electric vehicle owner is having issues registering for the scheme I would encourage them to contact TII directly and the matter will be investigated as a matter of urgency.

Maintaining the success of the scheme is important as we continue to encourage more and more people to switch to electric vehicles. As such, TII has already begun a review of the scheme. The electric vehicle customer experience will, of course, form an integral part of this review process. The transition to electric vehicles is fundamental to decarbonising the private car fleet. As such a generous range of incentives have been put in place to encourage their uptake. Incentives include purchase grants, vehicle road tax, VRT, relief, favourable benefit-in-kind rates, low motor tax and an extensive public charging network. I am pleased to see the positive impact that such incentives are having on uptake rates. We are beginning to see a marked increase in electric vehicle sales, to which the Deputy referred. In January alone, a total of 811 new full battery electric vehicles were registered. This compares with 104 vehicles for the same period last year. Similarly, plug-in hybrid sales are increasing, with 301 new vehicles sold in January compared with 109 last year. Electric vehicles accounted for over 3.4% of all new car sales to date in 2019. This upward trend is one I hope to see continue as EVs become a common alternative to conventionally fuelled cars.

In the short term incentives, including the reduced tolling regime we are speaking of today, play a vital role in guiding consumer choice towards lower emitting alternatives. This is a necessary step change as we move towards decarbonising the transport sector.

Deputy Noel Rock: I thank the Minister for his answer. One point that jumped out at me was his comment that, since its introduction, the electric vehicle toll scheme has proven “very successful” – those were the Minister’s words – with over 52% of all electric vehicles in the national fleet registered to avail of the incentive. This is free money, an incentive, yet only 52% of the people who are early converters have applied to the scheme. Generally speaking, these people are well connected in a small tight-knit community. Only 52% or one in every two of them has registered for a scheme that is meant to incentivise the public at large to convert to electric vehicles, turn doubters into believers and get more people buying electric vehicles. Does the fact that only half of the existing owners of electric vehicles have converted not indicate, as I outlined in my original statement, that there is a clear issue with the clarity, consistency in applicability, effectiveness and usefulness of the scheme? It seems to be generating a potentially a large expense without doing what it sets out to do. People are converting to electric vehicles in greater numbers. However, as the Minister outlined, several challenges face us, especially in terms of charging infrastructure. Does he believe the scheme, in which only one in two existing
vehicles owners participate, is operating as a true incentive?

**Deputy Shane Ross:** I thank the Deputy for asking the question a second time. If I did not adequately respond the first time, I will repeat myself and add a little. I do not know the answer to Deputy Rock’s question and nor does the Deputy as otherwise he would not be asking it.

**Deputy Noel Rock:** The Minister is here to answer it.

**Deputy Shane Ross:** I put it to the Deputy that it is possible that the scheme is not being properly marketed, but it could also be inertia – I do not know.

Deputy Rock started by saying the scheme was not working properly and read from an article in *The Irish Times*. The Deputy seems to disregard that those operating the scheme have received no complaints. Is it not strange that the operators of a scheme that is apparently not working have had no complaints from Transport Infrastructure Ireland? To date, neither TII nor the individual service providers who operate the scheme have received any information, concerns or complaints from customers regarding the operation of the scheme. If 48% of people who qualify are not applying, it could be inertia or it could be a matter of the scheme not being properly advertised. To respond to the possibility that the Deputy is right, I will convey his remarks to TII.

**General Practitioner Services**

**Deputy Dara Calleary:** I thank the Ceann Comhairle and his staff for allowing me to raise this issue this evening. Being a Galway man, the Minister of State is probably familiar with Kiltane and Bangor Erris, which is at the centre of the parish. There has been an excellent general practitioner serving that community for some years now. The superb staff there give a very good service. It was difficult to fill the vacancy when it arose some years ago but the GP has worked hard and built confidence with the community and he is providing a good service. We understand from the HSE that he has been offered another position in the west of Ireland and intends to take that up. As the Minister of State can imagine, members of the community are concerned that they will be left without GP services. There is an information deficit about what may happen at the end of February when the GP is due to take up the new position.

This raises the wider issue of rural GP services. I note Deputy Harty is here with us. The Minister of State did not make it out to the GP protest outside the House yesterday but he will have heard the frustrations of GPs, old and young, on resourcing. This is a broader issue which I raised during Priority Questions with the Minister for Rural and Community Development, Deputy Ring, some weeks ago. It is not right that the Department of Rural and Community Development is giving everything to try to maintain services. The Minister of State at the Department of Health has to step up to the mark as well.

We should use Bangor Erris as a case study or pilot study. I reckon the time has come for the HSE to step in and provide surgeries and facilities in the same way that IDA Ireland provides advance factories. The HSE should provide, through a public service obligation, a subsidy towards the employment and retention of staff.

One of the reasons these communities are not as big as we would wish them to be is diminishing services. If we provided support in terms of premises and a subsidy towards the running
costs of GP practices in rural areas, we would attract GP services to rural communities and retain them. People would be willing to apply to provide the service. I appeal to the Minister of State to use this situation as a potential case study and to engage with HSE officials in Mayo. They are trying their best to try to resolve this issue. We need to give certainty to the people of Bangor Erris and Kiltane in respect of the long-term provision of GP services in that proud community, which needs this service. For a small investment, the Minister of State would find that we could come up with a model that might help to resolve some of our issues about providing GP services throughout the country.

I appeal to the Minister of State to go back to his Tuam and Galway roots, champion this issue at Government and work with various Departments. Let us try to do this and keep the current doctor in Kiltane and Bangor Erris. Let us allow him to provide the kind of service that he wants to provide to those in a community who trust him greatly.

**Minister of State at the Department of Health (Deputy Finian McGrath):** I thank Deputy Dara Calleary for raising this important issue. I assure the Deputy that I always go back to my Tuam and Galway roots. I also assure the House that the Government is committed to enhancing primary care services, including general practice services. This is central to the Government objective of delivering a high-quality, integrated and cost-effective health service. Our goal is to ensure that patients throughout the country continue to have access to GP services, and that general practice is sustainable in all areas into the future. It is imperative that existing GP services are retained and that the new general practice remains an attractive career option for newly qualified general practitioners.

The number of GPs on the Medical Council specialist register continues to increase. They have increased from 2,270 in 2010 to 3,723 as of 1 January 2019. The number of GPs holding General Medical Services, GMS, contracts has also risen from 2,098 in 2008 to almost 2,500 in 2019.

The Government is aware of workforce issues facing general practice, including the influence of demographic factors. In recent years, the Government has implemented a number of measures to improve recruitment and retention in general practice. GP training places have been increased from 120 in 2009 to 202 in 2019, an increase of almost 70% over this ten-year period. As stated in the programme for Government, the intention is to continue to achieve annual increases in the number of training places available.

Entry provisions to the GMS scheme have been changed to accommodate more flexible GMS contracts. The retirement age for GPs has been extended to 72 years. An enhanced support package for rural practices has been introduced with improved qualifying criteria and an increased financial allowance of €20,000 per annum. The Government is also committed to engaging with GP representatives on the development of modernised GP contractual arrangements - one of the points raised by Deputy Calleary. A talks process is underway between the Department of Health, the HSE and the IMO. Discussions are ongoing in an effort to bring matters to a conclusion. Agreement on the delivery on a range of service improvements and contractual reforms has the potential to facilitate a substantial increase in the resourcing of general practice on a multiannual basis. The HSE is fully committed to ensuring GP services continue to be provided to people in Bangor Erris, County Mayo. The HSE has confirmed that it will immediately advertise the GMS panel concerned and will explore all options available to ensure GP services continue to be provided in the area into the future.
The current GP will continue to provide services until the end of March. The HSE will ensure locum arrangements are in place following this to ensure patients continue to have access to a GP service, pending the appointment of a GP to take over the panel permanently.

**Deputy Dara Calleary:** I welcome the clarification in relation to Bangor Erris. However, the Minister of State’s response is completely removed from the reality on the ground. He spoke of increased places on GP training schemes. For the first time anyone can remember, there are vacancies on training schemes because people do not want to be GPs. It is no longer a desired option for so many people and those who do, do not want to be a GP in Ireland. GP practices are no longer viable in many areas, which the Minister of State would have heard yesterday. I know that there are communication difficulties in the Department of Health but surely the Minister of State must have heard the complaints. We hear this from younger doctors but one of the most disheartening things yesterday was to hear older doctors who have put their life and soul into building up practices and communities, now more or less broken and not recommending that people follow their path.

When this contract was last advertised it was difficult to fill because of the lack of supports. The Minister of State referred to the rural practice allowance, but it is not enough. We must look at this differently. By the time a premises is kitted out and staffed, €20,000 does not go far on a list of 500 people.

This must be looked at differently. This will have to be used as a pilot to put the facilities and services for GPs in place and give them an investment. Then we will fill the vacancies. There are vacancies in rural areas that cannot be filled, yet the Minister of State spoke of the numbers of GPs on the register increasing. That is no good to someone who cannot access a doctor because there is no doctor in his or her community.

Once again, I ask that the Government put together a package, using Bangor Erris as a pilot, to put the facilities in place and work with the existing GP. It might find that he is more than happy to stay there. I can assure the Minister of State that the community has enormous trust in both him and his staff and they want to keep him there.

**Deputy Finian McGrath:** I did hear the GPs yesterday and I meet GPs regularly. I am aware of the genuine issues that the Deputy raises.

I wish to reiterate the Government’s commitment to ensure that patients throughout the country continue to have access to quality GP services. The Department of Health, together with the HSE and the Irish College of General Practitioners, are committed to working together to improve recruitment and retention in general practice in coming years.

I will put the Deputy’s two proposals on the pilot study and working with GPs to the Minister, Deputy Harris.

The goal of the current phase of the GP contract talks is to reform and modernise the existing GMS contract. This will be key in making general practice a more attractive career to young doctors.

In the case of GP services in Bangor Erris, I wish to reassure the Deputy that the HSE is taking all necessary steps to ensure that a new GP is recruited as soon as possible and that the locum arrangements will be in place to ensure services to this community are retained while the recruitment process is underway.
Deputy Michael Harty: This is a very important question for the mid-west, particularly in the context of the controversies that are raging in so many areas of our health service. There is disquiet and frustration in the mid-west that the regional hospital, University Hospital Limerick, is first or second in the number of people waiting on trolleys for admission on a daily basis.

There are two proposals to address this. One is to build a permanent 96 bed unit at the regional hospital in Limerick. To my knowledge, that has not got to design stage. The other is an interim proposal to build a 60 bed modular unit at Limerick to try to deal with the trolley crisis that faces the hospital each day. On 5 November the Minister for Health announced in Limerick that funding had been committed for this urgent 60 bed modular block at University Hospital Limerick. The unit is expected to cost €19.5 million. There is every expectation in the mid-west, in Clare, Limerick and north Tipperary, that this would be completed by the end of this year.

University Hospital Limerick suffers extreme overcrowding. This is the result of reconfiguration almost ten years ago where beds were closed in Ennis and Nenagh but no replacement beds were provided in the regional hospital in Limerick. Since then the population of the area has expanded. The population is not only growing but also ageing and we know that it is older people who occupy beds for prolonged periods. We need this 96 bed unit to be provided on a permanent basis, but it is also necessary for the 60 bed modular unit to be provided as urgently as possible. The 60 bed modular unit is not a permanent solution but it is an important element in dealing with overcrowding.

Recently, doubt has been cast over whether the promised money will be produced and whether it will continue to be part of the capital plan. Recently the Minister of State, Deputy Pat Breen, expressed on local radio the hope that the money would be available but he could not confirm that it would be. This has caused great frustration in the mid-west. Two issues must be dealt with. When will the capital plan for 2019 be announced? Can the Minister of State confirm that it will contain the building of the 60 bed modular unit? What is the current status of the contract? When will tendering be made and when will contracts be signed? Construction is expected to take 300 days. If we are to have that by the end of 2019, construction must start immediately. When will the first patient be admitted to that block?

Then there is the issue of the 96 bed permanent unit. When will the funding be made available through the capital plan for that permanent 96 bed unit? How much will this cost? There is great controversy over how building projects such as this are tendered, procured, designed and built. Can the Minister of State confirm a costing has been placed on this 96 bed unit? What is the current situation in relation to design and planning and when does the Government expect the work to begin?

Deputy Finian McGrath: I thank the Deputy for raising this important issue. I am very well aware of the situation in University Hospital Limerick and have direct experience from a family point of view.

I welcome the opportunity to update the House on the capital development projects at University Hospital Limerick, UHL. UHL is a model 4 Hospital and provides major surgery, cancer care treatment and emergency care in the region, as well as a range of other medical, diagnostic and therapy services. All critical care services are located here and it has one of the busiest
emergency departments in Ireland with annual attendances of approximately 65,000 presentations and the only 24-7 emergency service in the University of Limerick Hospital Group. UHL is one of eight designated cancer centres.

A new emergency department opened at UHL in May 2017. The new facility is triple the size of the old emergency department and immeasurably improves the experience of patients in terms of their comfort, privacy and dignity. The new emergency department is equipped with a CT scanner, which is considered international best practice.

As the Deputy will be aware, there are two distinct proposals for the development of ward accommodation at UHL. The HSE is working towards appointing a design team for the 96-bed acute ward block there. The timeframe for the completion of the project will be informed by the work of the project team, which will be undertaken in conjunction with UHL and the HSE. The required capital allocation for the project is being reviewed in preparing the 2019 capital plan.

The Minister for Health recognises that hospitals are increasingly operating at or above capacity, with year-round demand pressures that are further challenged over the winter months. Increasing capacity is therefore a priority for the Government. Over the past 12 months, an additional 240 beds have been opened, including 17 short-stay beds in UHL. The HSE’s national service plan 2019 provides for a comprehensive capacity programme. This includes eight additional beds for UHL, five of which have already opened as part of the winter plan 2018-2019.

Last autumn, the Minister announced that a modular ward block would be built at UHL to provide interim accommodation. This 60-bed block will have three wards comprising 20 single-room occupancy with en suite facilities, two of which will be full isolation facilities and will provide care and treatment for patients from admission to discharge. The 60 single rooms will improve patient comfort, safety, privacy and dignity and assist with the management of infection control in the hospital. The additional 60 beds will also directly increase capacity, allowing patients access to an increased overall bedstock and improve patient flow across the hospital.

The Minister has set the construction of the UHL modular ward block as a priority. Following the publication of the national service plan for 2019, the HSE is currently finalising its capital plan or 2019 and funding will be provided to allow this important project to progress.

Deputy Michael Harty: When will the 60-bed modular unit be delivered? According to the Minister of State, capital funding will be made available. While we accept that, the capital plans for 2019 to 2021 are being reprofiled and we do not know whether that funding will be available. The 60-bed modular unit needs to be made available urgently. It cannot be put off until 2020 or 2021. I understand that it will be prioritised, but there are so many competing priorities in our health services that we are concerned this one will not be given sufficient priority to see it delivered in 2019, as promised by the Minister last November. We need clarity.

The mid-west has other urgent needs. For example, there was a proposal to build a 100-bed hospital to replace St. Joseph’s Community Hospital’s unit for elderly care on a greenfield site. What priority will that be given? It influences how people are discharged from our model 4 hospital in Limerick. That 100-bed unit was to be built and ready for occupation in 2021 as a priority, but we are now worried that it will be reprofiled off the priority list.

There is a plan to build two primary care centres in Ennis, which has never been lucky enough to get such a centre. When will they be delivered? There is also a proposal to move the
outpatient department from Ennis general hospital to a new location. Will that be reprofiled and put on the long finger? The hospital is unfit for purpose. When will the upgrading of equipment and theatres in Ennis be delivered?

There are many more issues in the mid-west than just the 60-bed modular unit or the 96-bed permanent unit. When will they be prioritised and delivered?

Deputy Finian McGrath: I take the Deputy’s point. I have been told that this development will be a priority. UHL is an integral part of the University Limerick Hospitals group, providing health services and care to the people of Limerick and the mid-west. The hospital provides quality patient care delivered safely by skilled and valued staff through the best use of available resources. This has been achieved through the commitment, hard work and professionalism of all its staff.

The Deputy discussed a number of other issues, including St. Joseph’s Community Hospital and sick patients. I will raise them with the Minister. This Government is committed to developing services and infrastructure at UHL. Funding will be provided in 2019 for these projects.

Report of Joint Committee on Children and Youth Affairs: Motion

Deputy Alan Farrell: I move:

That Dáil Éireann shall consider the Report of the Joint Committee on Children and Youth Affairs entitled ‘Tackling Childhood Obesity’, copies of which were laid before Dáil Éireann on 14th November, 2018.

As the Chair of the Joint Committee on Children and Youth Affairs, I am pleased to discuss the committee’s report on childhood obesity. I wish to express my sincere appreciation to the organisations and individuals who appeared before the committee and made submissions to it on this matter so that we might discuss their work, research, views and suggestions. Their input was vital in informing the committee’s work and ensuring we all had a thorough understanding of the challenges that childhood obesity was causing across our country. I also wish to thank my fellow committee members for their work on this report and, indeed, the committee secretariat for its work throughout the hearings and on this report.

The House will agree that childhood obesity is an issue that we must address with the utmost priority. We must work to ensure that our children - the future generation - have the strongest possible future. As part of that, we must act to ensure that we take action in the best interests of the health of every young person in our country.

Childhood obesity represents one of the foremost challenges we face in modern society. This is highlighted by data from the Growing Up in Ireland study, which are outlined within the report. The study found that one in four three year olds was overweight or obese while one in five five year olds and one in five seven and eight year olds were overweight or obese. By the age of 13, the figure rises to one in four children.

What was incredibly striking was the fact that 54% of parents of children who were overweight and 20% of parents of children who were obese reported that their children were about
the right weight for their height. This signals a significant issue whereby parents and guardians may be unaware of what being overweight or obese actually is. It highlights the importance of ensuring adequate information is disseminated in order to support parents and guardians in recognising when this is the case and what actions they can take to prevent their children from becoming overweight or obese in the first instance.

Having listened to many organisations that appeared before the committee to discuss the initiatives they were promoting to assist our younger citizens in becoming and remaining healthy, and having heard of the additional supports required to tackle childhood obesity levels, I believe that we must strive to cause societal change on this issue. By doing so, we will encourage people to break bad habits and increasingly normalise healthy lifestyles for our younger generations.

First and foremost, the committee has recommended that the Government should ensure that a whole-of-system approach is adopted in all policies that work to tackle childhood obesity. It is fundamental that joined-up thinking be utilised so as to allow us to devise the most effective and efficient strategies to support young people and their families in living healthier lives and addressing the challenges posed by being obese or overweight.

It is of the utmost importance that action be taken to address socio-economic inequalities. For a variety of reasons, the reality is that people who have some degree of socio-economic disadvantage also face a disadvantage when it comes to tackling obesity levels. As such, the Government should establish clear targets for reducing socio-economic inequalities, especially as they relate to childhood obesity, and put in place an evaluation framework to monitor progress. In addition, the Government should provide the necessary funding to support the identification of obesity hotspots which may allow for particular targeted measures to support those most vulnerable to the challenges and risk posed by childhood obesity. The committee has also made a recommendation that the Government should examine the possibility of expanding existing targeted interventions, and introducing new targeted interventions to address issues such as food poverty which adversely impact on those in lower socio-economic households. We have done this in a number of other areas and I do not see why we could not implement it in this field.

One particular area on which the committee sought to make recommendations was that of the youth work sector. Those who work in the youth work sector do great work to support some of our more vulnerable citizens. We must act to improve the supports available to the youth work sector to empower it in terms of the work it undertakes regarding obesity in children and young adults.

In this regard, the committee has recommended that the Government act to empower the youth work sector in strengthening its work “in enhancing the knowledge and skills of young people in relation to healthy eating and active living”. In addition to this, as outlined in recommendation 7 of the committee’s report, the Government should provide a programme of continuing professional development in physical activity for the youth work sector. This recommendation is in line with action 13 of the “Get Ireland Active” plan.

Physical activity is important, both in terms of general health and tackling childhood obesity, especially as a preventative measure. The committee believes that viewing the promotion of physical activity and sport as a key priority when it comes to the funding of projects using public money, for example, through the sports capital grants programme, would be very beneficial for young people.
By encouraging sporting bodies and organisations to interact with students in both primary and post-primary education, we will be able to increase the number of children and young people participating in sports and physical activity. Having had the Minister of State at the Department of Transport, Tourism and Sport, Deputy Griffin, in my constituency this morning visiting two projects which have benefited from sports capital grants, I am aware that there is a points system in the sports capital grants programme that incentivises sporting organisations to have a formal written arrangement with local schools. We should enhance that scoring scheme to give particular additional points to any sporting organisation that is targeting younger children and, most especially, those in socio-economically deprived communities.

On physical activity facilities within our schools, the committee believes that the Government should undertake a survey of all schools to ensure they have the necessary facilities to allow their students to partake in physical activity, and indeed to encourage them to do so. Having heard anecdotal reports on insurance liability concerns in some schools whereby certain curtailments on physical activity have been enacted, we, as a committee, would urge the Government to survey schools to determine the extent to which such insurance liability concerns are impeding the ability of students to partake in physical activity at their break and lunchtimes, and to address the matter urgently should it be a real factor for schools.

Physical activity is an important factor in tackling childhood obesity, but as many people may say, “You cannot out-exercise a bad diet”. Therefore, we must examine diet, nutrition and the implementation of no-fry zones. The committee has made recommendations relating to the introduction of no-fry zones nationally, particularly that the Government should consider both the implementation of such zones in the vicinity of schools and how best to enforce no-fry zone rules nationally. To do this, we must have one national definition of what constitutes a fast-food outlet, and while this may seem somewhat simple, it is a pivotal element in bringing in the no-fry zone concept. As I stated when launching the committee’s report, we can see from a study undertaken in Finland in 2005 that “the proximity of a fast-food outlet to a school can potentially lead to a 25% increase in the risk of a child being overweight”. We must recognise the important work which has been undertaken by groups, such as No Fry Zone 4 Kids Committee, in advancing the no-fry zone concept thus far, but now it is time for the House to introduce it on a national basis.

A number of further recommendations relating to healthy eating have been made by the committee within this report, especially the promotion and normalisation of the drinking of water over fizzy drinks. To achieve this, we must ensure there are adequate drinking water facilities in all of our schools. Vending machines are not an appropriate facility to be offered in any school. The committee heard reports that some schools may be dependent on the proceeds of vending machines. The Department of Education and Skills must act to ensure that this is never the case. Vending machines can be offered to schools and provide for healthy snacks. There are such things, they are popular, they sell and there is no particular reason they cannot be put in a school in the first place. That is something the committee recommended.

With regard to home economics, we have recommended that the Government consider introducing the subject as a compulsory subject for the junior certificate on a phased basis to ensure young people have the knowledge and skills to be able to make nutritious, healthy meals and develop and maintain a healthy diet.

In adequately addressing and preventing childhood obesity, it is vital that we address the marketing and advertising of junk foods and unhealthy foods to children and young people.
That is also something that will require definitions. While I am aware that certain restrictions on advertising are in place, these restrictions do not go far enough and are not comprehensive enough. Therefore, the committee believes that a number of improvements of new measures are urgently required in this regard. A more robust nutrient model is required in the context of the marketing and advertising of unhealthy foods to younger citizens. The World Health Organization, WHO, nutrient profile model for the European region may be a suitable model to utilise in this regard. The Government must also amend regulations for broadcast media and introduce a statutory code along the same lines for non-broadcast media, in conjunction with the Broadcasting Authority of Ireland, to ensure regulations which prevent the marketing of junk and unhealthy foods to children apply not only to broadcast and non-broadcast media aimed at children but also to all media of which a significant number of children may be availing.

Early intervention has also been identified by the committee as an important issue. In this regard, we believe the Government must act to increase breastfeeding supports substantially and increase necessary funding levels for these supports. The reason for this is that much evidence has indicated that children who are breastfed are significantly less likely to become overweight or obese.

I mention also the recommendations of the committee in the report on mental health. When discussing this topic with representatives from the W82GO weight management service at Temple Street Children’s University Hospital, the committee heard that, of the young people they had seen, 40% have significant and severe mental health problems, 75% have experienced bullying, with 11% experiencing severe bullying, and unfortunately a number of the children seen have a history of self-harm or suicidal intent. We always hear that physical health and mental health are intertwined and that one cannot have an impact on one without addressing the other. As such, we must ensure that supports are in place for children who may face weight difficulties as a result of mental ill health and for children who face mental health difficulties as a result of weight difficulties. In saying this, in this report we acknowledge that further work could be undertaken in terms of examining any links between childhood obesity, mental health, and body image.

As Chair of the Oireachtas Joint Committee on Children and Youth Affairs, I commend this report to the House, urge the Government to implement its recommendations in full, and reiterate my thanks to all who contributed to this worthy report over the course of a number of months in 2018 and to the committee members for their contribution to its completion.

**Minister of State at the Department of Health (Deputy Finian McGrath):** I will be speaking on this matter for the Minister of State, Deputy Catherine Byrne, who asked me to pass on her regrets that she is unable to be here today. On her behalf, I thank the House for this opportunity to discuss the report of the Joint Committee on Children and Youth Affairs on tackling childhood obesity and the important work that is going on in the Department of Health on this important topic under the aegis of the national obesity policy and action plan launched in late 2016.

The joint committee’s report emphasises the scale of this issue in Ireland at the outset of its comprehensive and in-depth report. The Growing Up in Ireland study is cited when the committee’s report states the proportion of children at different ages who are overweight or obese.
The annual Healthy Ireland Survey 2017 showed that 30% of young people aged 15 to 24 are overweight or obese. Being a healthy weight is no longer the norm. The Childhood Obesity Surveillance Initiative, COSI, is conducted by the national nutrition surveillance centre in UCD on behalf of the Department of Health and the HSE. Its last report draws on data from more than 17,000 examinations of primary school children in Ireland between 2008 and 2015. Among the key trends emerging is that the levels of overweight and obesity in children in first class in Ireland - children aged 7 and 8 years - appears to be stabilising. However, it is also evident that this stabilisation is not observed in children attending DEIS schools, and there is also a marked difference between girls and boys, with more young girls tending to be overweight and obese. While any positive direction in the trends is welcome there is certainly no room for complacency. The next report from the Childhood Obesity Surveillance Initiative is anticipated later this year. The Joint Committee on Health clearly acknowledged this in its detailed report when it concluded that, on the basis of the statistics and the various materials and submissions it received during its extensive hearings, the topic of childhood obesity warranted in-depth scrutiny of the issues associated with it.

With the publication of the committee’s report, the Department of Health will be submitting it to the national obesity policy implementation oversight group for its consideration. This national oversight group was established under the chair of the Department of Health. It is comprised of representatives from the Department of Agriculture, Food and the Marine, the Department of Children and Youth Affairs, the Department of Employment Affairs and Social Protection, the Department of Education and Skills, the Department of Housing, Planning and Local Government, University College Cork, the Food Safety Authority of Ireland, the Health Service Executive - including the national clinical lead for obesity, and Safefood. This oversight group from a diverse range of Departments and agencies represents the whole-of-Government approach to tackling obesity encapsulated in the national obesity policy and action plan. It is about joined-up thinking and how we respond to obesity and its underlying causes. I say this in the context of fully acknowledging and allaying the concerns reported on this aspect of dealing with obesity in the joint committee’s report.

The oversight group has been meeting since October 2017 for the purposes of providing oversight to the implementation of the national obesity policy and action plan. In submitting it to the oversight group and prioritising it on the agenda for its forthcoming meeting, the joint committee’s report will then be considered for the explicit purposes of, among others, aligning both sets of recommendations.

The consequences of child obesity are significant. Being overweight or obese carries with it an increased risk of several chronic diseases, including heart disease, type 2 diabetes and certain cancers. In addition to the physical health implications, there is also a significant reduction in quality of life, a reduced opportunity to contribute to society and reach potential, as well as mental health implications for some people. For children, obesity carries a stigma and may be linked with bullying.

We also cannot ignore the financial dimension to this challenge. In 2015 it was estimated that the total lifetime cost of childhood overweight and obesity in Ireland was €4.6 billion. This is the landscape of obesity that we must deal with and what our obesity policy seeks to address. We know that obesity is a complex problem with nutritional, activity-related, psychological, biological and social determinants. Consequently, any realistic solutions must be multifaceted and be implemented as part of a suite of measures. The policy acknowledges the importance of an integrated approach across Government to tackle the social determinants of health and well-
being, and in particular those which contribute to health inequalities in the population.

The policy is informed by the Healthy Ireland principles to ensure it is life-course oriented, with a focus on children and families; and prevention focused, with an emphasis on targeting inequalities. The policy contains concrete indicators to measure the success of its implementation. It set a short-term target of 0.5% per annum for a sustained downward trend in levels of excess weight in children and a reduction in the gap in obesity levels between the highest and lowest socio-economic groups by 10%. The development of the obesity policy involved a consultation with children and young people facilitated by the citizen participation unit of the Department of Children and Youth Affairs, and recruitment supported through the Irish Primary Principals Network as well as Comhairle na nÓg. The report of this consultation Healthy Lifestyles — Have Your Say was launched with the obesity policy, and the implementation of the policy commits to continuing to include the voices and contributions of children and young people.

I believe that every Member of this House acknowledges that individuals and families need to be supported to make informed choices in healthy eating and in being physically active so they can achieve and maintain a healthy weight. The obesity policy and action plan, strives to empower individuals, families and communities to enhance their own skills to improve their health. The national obesity policy prescribes ten steps that would be taken to prevent overweight and obesity. Under each step there are a number of actions, some of which have been identified for early implementation. I am pleased to report that we have already made progress in a number of areas that are directly relevant and of particular interest to child obesity. In addition to establishing the national obesity policy implementation oversight group, which I referenced earlier, the Minister for Finance announced in budget 2018 the introduction of a sugar tax on sugar-sweetened drinks. The policy objective of this levy is to reduce rates of obesity, as well as rates of dental deterioration particularly in young people. As the House is aware, the sugar-sweetened drinks tax regulations commenced on the 1 May 2018. It represents a positive step in our national policy to deal with the problem of obesity.

The national oversight group also gave early approval to the establishment of sub-groups on reformulation and on healthy eating as initial priority areas for action. The reformulation sub-group is technical in its work programme. Work is well under way in this regard on a roadmap for the reformulation of foods and drinks to reduce sugar and fat content. The work of this sub-group will primarily set targets on reformulation of food and drink. It will also make recommendations on addressing the reduction of portion sizes and on monitoring and validation procedures. One of the priority actions under step 3 of the national obesity policy and action plan was to establish a forum for meaningful engagement with industry on best practice initiatives towards a healthy food environment. With this in mind, a workshop between the reformulation sub-group and food sector stakeholders took place last September. This workshop provided an opportunity for detailed engagement with key food sector stakeholders on the challenges and opportunities of reformulation in the interest of promoting the health and well-being of the population. Another similar engagement has been scheduled for late February.

New healthy eating guidelines and food pyramid resources have been published and widely disseminated including to all primary and post-primary schools. New nutrition standards for schools, with an initial focus on school meal programmes, funded by the Department of Employment Affairs and Social Protection, have also been developed. These nutrition standards were published in September 2017. The nutrition standards were developed by the Department of Health with the assistance of Safefood and the Health Service Executive, in co-operation
with the members of the school meals programme in the Department of Employment Affairs and Social Protection and the Department of Education and Skills. Work has commenced on developing healthy eating guidelines for the 1 to 5 year old age group, which will be a valuable resource for parents and carers in the future.

A voluntary code of practice for food and beverages promotion, marketing and sponsorship has also been developed involving representatives from the food industry, the advertising sector, statutory agencies, and various Government Departments. Work is under way to operationalise it. Pertinent to this is that the Broadcasting Authority of Ireland has now commenced a review of the effectiveness of its current children’s commercial communications code. The Broadcasting Authority of Ireland operates under the jurisdiction of the Department of Communications, Climate Action and Environment.

The code was introduced in 2005 to set down the rules applying to television broadcasters in respect of commercial communications that promote products, services or activities that are deemed to be of particular interest to children or which are broadcast during and between children’s programmes. Commercial communications include advertising, teleshopping, product placement and sponsorship. The code was updated in 2013 to introduce rules on foods which are high in fat, salt and sugar. The Broadcasting Authority of Ireland has advised the Department of Health that it is anticipated that the review of effectiveness of this code will be completed by July 2019. Once the review of the effectiveness of the code is completed, the authority will consider what revisions to the code are desirable and undertake a public consultation.

The HSE’s Healthy Eating Active Living programme is supporting work in the education sector, as well as with parents, families and communities to deliver a more co-ordinated approach to prevention and early intervention in child obesity. This includes a five-year communications campaign called START, which is being delivered in collaboration with the HSE and safe food with a focus on supporting parents make healthy choices around food and activity. A first clinical lead for obesity, Professor Donal O’Shea, was appointed in 2017 to provide a model of care for children and adults and oversee its implementation. Health assessments, including weight checks, were introduced in the GP under-six contract. The HSE is also implementing a national breast-feeding action plan which is very important and relevant to this topic. Under the broader Healthy Ireland agenda, a number of other major initiatives support the obesity policy.

The obesity policy acknowledged the key role of physical activity in the prevention of obesity, while the broader benefits of a more active population are set out in the national physical activity plan. Being active is vital for healthy growth and development and has emotional, social and cognitive benefits for children and young people, as well as benefits for their physical and mental health and wellbeing. The national physical activity plan is one of the key developments arising from Healthy Ireland. It was approved by Government and launched in early 2016. The implementation of the plan is well under way in collaboration with the Department of Transport, Tourism and Sport and a range of other stakeholders, including the Department of Education and Skills. The Healthy Ireland 2018 communications campaign aimed to encourage people to make a small, healthy change under three themes, namely “healthy eating”, “physical activity” and “mental well-being”. We are working with a range of national and local partners to deliver a range of communications and citizen engagement activities. The Healthy Ireland fund, which was initiated in 2017, has supported a range of actions at both national and local level, many of which are targeted at children and which aim to support the obesity policy and the physical activity plan.
The Government agreed to establish a Healthy Ireland office in the Department of Health to build on the progress to date and further strengthen cross-Government collaboration on the implementation of Healthy Ireland. This development will bolster our collective efforts to implement key policies, including the obesity policy, aimed at improving the health and well-being of our population. I thank Deputy Alan Farrell and the joint committee for their great work on this issue.

Deputy Maureen O’Sullivan: I acknowledge the work of the joint committee and its staff in producing the report. While I am not on the committee, my lifetime of working with young people means I am very interested in the report. The Minister of State referred to hot spots. His contribution on behalf of the Minister of State, Deputy Catherine Byrne, confirmed the issue in acknowledging the difference for students in DEIS schools as well as for girls. I was glad he acknowledged the role of youth clubs and youth projects and the work they have done. The Minister for Children and Youth Affairs, Deputy Zappone, is using funds to make an effort to target areas of great need and to target services for young people outside the normal 9 a.m. to 5 p.m. hours. That is important.

Progress is being made on water. One certainly sees more young people with bottles of water than with fizzy drinks, albeit those continue to be consumed. In the north-east inner city, the programme implementation board, PIB, has introduced a range of fitness activities. There are fitness events taking place at different times of the day in different locations. I acknowledge that work. When I spoke about CAMHS in last week’s debate, I pointed out that issues of anxiety, depression, suicidal ideation, aggressive behaviour and violence, which presented at second level when I was teaching are now presenting at primary level. While the Minister of State referred to a programme at junior certificate level, it has to start for much younger children. These issues are starting much younger and food and diet have a role to play.

Childhood obesity is almost a contradiction in terms. I think of childhood as a time of activity and outdoor play with a great deal of physical exercise. Perhaps, I am simply being nostalgic as a child of the 1950s and 1960s, but that kind of childhood went on into the 1990s. However, the pace of life is changing and that is affecting children. There are more cars on the street and children are dropped right to the doors of their schools. Increased traffic and on-street parking means parents are less likely to let children go out to play in urban areas. I remember holidays when children would go out at 9 a.m. and return home only at night when they were feeling hungry. That has changed. There is also an increase in the kinds of activity in which people remain seated, whether it involves the Xbox, iPad or whatever. There is more of that now, which is also a contributing factor. There is also a fear factor. Parents do not want to let their children out unsupervised to run around the streets. All of that plays into what we see with obesity.

There has also been a change of atmosphere and activity levels in schools and on playgrounds. We had a visiting delegation from a Nordic country at one of the primary schools in Dublin Central. Its members were astounded that the children in that primary school could not run, climb trees or take part in any kind of physical activity during break time. That brings us to the issues of litigation and insurance claims, to which the Minister of State referred. I am from a generation when such claims simply were not made. A long time ago as a child, I broke both arms, fortunately not at the same time. It was my fault and my parents knew that. It was nobody else’s fault and there was no question of an insurance claim.

We are also seeing changes in food and the way disposable income is being spent on fast
food from takeaway outlets. While busy lives mean an increase in the consumption of that kind of food, it is horrible to see young children coming out of the local supermarket with a breakfast roll and a can of Coke in the morning.

This is the context in which we are looking at childhood obesity. It is not possible to change it without looking at all of the issues. That brings us to the idea of prevention rather than reaction and that means awareness raising. Some of my voluntary work has involved addiction prevention and education. What has come across in our engagement with young people in the north inner city is that one cannot talk about drugs and alcohol in a vacuum. One has to bring in all of the other aspects, including physical and mental health. That brings in body image and food. Young people can be challenged to look at food and what they are eating. They can be challenged to ask where it is coming from. Home economics is an important school subject. I acknowledge the demands on the curriculum, but even a basic form of home economics and food awareness would be useful. Schools have a role to play. We have a new wellness programme in schools and that could be a venue for this type of education. I cannot understand, however, how matches played by school teams are not included in the physical activity part of the programme. Sports day is included, which I suppose is because it includes everyone. Team sports must be built in and recognised within the wellness programme.

Parents have an obvious role and awareness must be built with them. I heard one of our famous restaurant chefs on the radio yesterday discussing the need for a change in diet to one based to a greater extent on plants and fruit. He made the point that a recent shop consisting of €19 worth of fruit and vegetables produced enough meals for nine days. A change of attitude can be brought about. It was frightening to hear some of the statistics the Minister of State cited. He said that, by 2030, Ireland was scheduled to have one of the highest obesity rates in Europe. That is ironic because it is at a time when children in other countries are starving and dying as a result of hunger and malnutrition.

Alongside obesity we have other illnesses associated with food, including anorexia and bulimia. It is part of the big picture regarding how people feel about themselves and the need to change this. We also know about the economic costs and what could be saved if we can tackle this. It is about lifestyle choices, behaviour and patterns. Thinking back to when I was a teacher, the children who were overweight and obese were targets for bullying but good looking children and children who were doing a lot of activity were equally so. It is a strange situation.

There is a need for an holistic approach. We are speaking about quality of life. It is about making choices and knowing how to make healthy choices. It is also about knowing the consequences of making unhealthy choices. This applies to drugs, alcohol, food, exercise, gambling and relationships, including sexual relationships. The joined-up thinking also involves dealing with all of these issues young people face and giving them the critical awareness and skills to make healthy choices.

Deputy Denise Mitchell: I commend the committee on its report on tackling childhood obesity, in respect of which it did a great deal of work. I also thank the various groups and organisations that came before the committee. The publication of the report is a major step forward in addressing an issue that is a ticking time bomb in terms of public health. Right now, one in four children is overweight or obese. What is even more worrying is that the majority of parents of overweight children do not particularly recognise their child is overweight. We are seeing the normalisation of the issue. Only one in five children in the State gets the recommended 60 minutes of physical exercise per day. The long-term effects of this are devastating
for the children who, as they get older, may end up with type 2 diabetes, heart issues and other long-term conditions. This puts a massive strain on our healthcare system.

Prevention is better than cure. The recommendations of the report offer some very simple ways to ensure that children are educated about their diets and that advertising targeted at children by junk food companies is restricted. We also need to look at where fast-food outlets are located and ways in which we can encourage healthy eating and physical activity. While physical activity is important, one cannot outrun a bad diet. We are seeing the constant push of junk food on our children via broadcast media, visual media and, in particular, social media. This is why I want to press home the importance of recommendations Nos. 14 to 18, inclusive.

Prior to Christmas, I attended a talk hosted by the Irish Heart Foundation at which Dan Parker, a former top advertising executive from Britain who worked with McDonald’s and Coca-Cola, spoke about the cynical tactics used by junk food companies to target products at our children. To be honest, it was an eye-opener. What I took away from it was that the only way to tackle the constant pushing of junk food and unhealthy drinks on our children is through legislation. Voluntary codes simply do not work. In fact, the existing voluntary codes will be a year old next week and we still have no monitoring body in place or guidance developed. This shows that we need statutory regulation.

Among the other recommendations the issue of vending machines in schools stood out. It is bizarre that home economics students are taught about healthy eating but as soon as they walk out of the classroom and go down the corridor they come to a vending machine selling junk food. I know some schools state they rely on the money generated by these machines but that is wrong. No school should have to rely on the takings of a vending machine. This is something we need to look at.

On the issue of takeaways deliberately locating beside schools we have seen no-fry zone campaigns, and there was a successful one in Wicklow. It is a good initiative. The problem is we do not have clarification on what is junk food and we need this clarification as a matter of importance.

This is a great report. If it is implemented properly it will go a long way towards tackling the crisis of childhood obesity. I hope it does not end up on a shelf gathering dust.

Deputy Fiona O’Loughlin: I commend the Chairman, Deputy Farrell, and all the members of the committee on the work they did in producing this excellent report. I also commend my Fianna Fáil colleagues, Deputies Rabbitte and Lisa Chambers and Senator Clifford-Lee, who have also done a great deal of work on the report.

The recommendations in the report are hugely important and, to a certain extent, mirror some of the recommendations made last year by the Joint Committee on Education and Skills of which I am Chairman. It is good to see both committees investigating something that is so important and to see that independently, and with different sets of stakeholders coming before them, they came to the same conclusions.

As we know, there is a global problem with childhood obesity. This was apparent from the evidence given to both committees. The evidence very much highlighted the prevalence of obesity in Ireland and the potential for a future health epidemic. I would go so far as to say we already have a health epidemic. We know from research that one in four of three year olds are overweight. This is quite shocking. We could go so far as to say they are obese but it is not a
word we like to use about children. Sometimes we must own a problem as it is. We also know from research carried out that obese children are five times more likely to become obese adults and have a much higher risk of health problems. It is not just about being fat. It is also about the huge possibility of developing osteoarthritis, obesity-related cancers, type 2 diabetes and cardiovascular disease. Almost one third of all of children in Ireland are now overweight and the country ranks 58th out of 200 in the context of its proportion of overweight youths.

The most recent statistics compiled by the NCD risk factor collaboration demonstrate a tenfold increase in the rate of obesity among Irish boys between 1975 and 2016 and a ninefold increase among Irish girls. This is frightening. The problem absolutely has to be tackled at an early age. The issue can only be tackled with a change in attitude in society and a multisectoral approach for any strategy to have the desired effect in the long term. It cannot be just with one Department. There must be a cross-departmental approach to this, in addition to any other initiatives on and parental involvement in this issue from when children are at a young age.

In the context of the report the Joint Committee on Education and Skills brought forward, I am of the view that schools play an absolutely vital role in promoting healthy lifestyles, healthy eating and nutrition and in the provision of physical education to prevent obesity before it becomes established. This is where schools have PE halls and programmes but, as we know, there are schools in every constituency that do not have PE halls. I do not have to go too far from where I live in Newbridge to the Curragh post-primary school that has no PE hall.

To deal with a problem which it is estimated costs this State €1 billion annually - that is the cost to the taxpayer of dealing with obesity and treating individuals who are overweight or obese - it is essential that ongoing and sustainable school programmes, teacher training and training for communities and parents are in place to reverse obesity trends.

I turn now to some of the recommendations made by the Joint Committee on Education and Skills, which tie in with and reinforce this work of the Joint Committee on Children and Youth Affairs. We have also referred to the introduction of an outright ban on vending machines that dispense unhealthy food and drinks in schools. That has to happen. There is no way unhealthy food and drinks should be available for sale in school canteens, shops or vending machines. I have spoken to representative from schools about this issue and many of them state it is a badly needed source of income for the schools.

We all accept capitation grants should be increased to enable them to support schools in their work. It is an appalling set of circumstances that leads to schools trying to raise income from vending machines giving fizzy drinks and the wrong type of food. Consideration should be given to exploring whether revenue generated from the sugar tax should be used for initiatives aiming to promote a healthy weight and active lifestyle for all. Break times should be targeted to improve children’s activity. The provision of fixed playgrounds in primary schools is also essential. I again do not have to go too far in my constituency before finding the example of Ballyshannon national school. Extensions to deal with the increasing number of pupils in the school means it does not have appropriate playgrounds for children to play. Some schools are also telling their students they should not run during playtime because of difficulties with insurance.

That is not right. The schools building programme, as I mentioned, should prioritise physical education facilities to encourage physical education activity within our schools. Promoting safe walking and cycling has to be built into school programmes. Local authorities and the De-
department of Housing, Planning and Local Government should be ensuring funds are allocated for that. I have visited four national schools in my area in the past two weeks, namely, Lackagh, Twomilehouse, Scoil Na Naomh Uilig and Scoil Mhuire junior, Newbridge. I intend to visit Killina national school in Carbury next week. Children in those areas have major problems walking or cycling to school safely. That has to be a priority and funds have to be allocated to address that issue.

Looking to the future, lands and green spaces around schools should be protected for use by schools for sport and exercise, as well as for the construction of playgrounds, gyms and other exercise facilities. Returning to the curriculum, one of the recommendations our committee made was that home economics should be compulsory up to junior certificate, at least. Cookery skills and nutrition should be a part of the core curriculum in order that children can lead healthier lifestyles, not only themselves but their families and their own future families.

We all know parents learn from their children. Following that thought process, we need to have more parenting courses on nutrition and dietetics in order that parents can support our young people. Our committee, together with the Joint Committee on Children and Youth Affairs, is greatly concerned about the prevalence of childhood obesity in Ireland. The practical recommendations put forward by the Joint Committee on Children and Youth Affairs today should be incorporated, together with the recommendations from the Joint Committee on Education and Skills, in the Government’s plans for tackling childhood obesity.

Many of the measures recommended can be taken within schools and within communities, youth clubs and other youth organisations. I came across a statistic that Ireland is on course to be the heaviest nation in Europe by 2030, only 11 years away. Is that the measure for which we as a country want to be known? We have set targets for our education system to be one of the best in Europe, if not the world. That is laudable and noteworthy. Do we, however, want our children to be the most obese and, consequently, unhealthiest by 2030? We absolutely do not. We need a cross-departmental approach to this crisis. I look forward to working with the Joint Committee on Children and Youth Affairs to see how we can co-operate to make sure the recommendations we jointly make can be implemented at governmental level.

Deputy Anne Rabbitte: I also want to be associated with the positive commentary this evening. I compliment Deputy Farrell on chairing the Joint Committee on Children and Youth Affairs for the weeks and months it took to do its work. I also compliment all the committee members, who really put their hearts and souls into this report, along with the people who came before us week in and week out. Some days, we had double and treble sessions because we wanted to include so many people. We also must acknowledge the great amount of work done by the clerk to the committee and her team. It was necessary to gather a phenomenal amount of information to compile such a comprehensive report.

It can be seen from the recommendations that we delved into many spheres while compiling this report. We examined the areas of family, education, physical activity, public health and communication and advertising. We did not take a blinkered approach in this report but a helicopter view. Certain aspects stood out for me. One of those was vending machines, to which Deputies O’Loughlin, Mitchell and Farrell all have referred. I was astounded to hear vending machines made up an income stream for schools. I could not believe that was part of the income stream which helps to plug the gaps where schools cannot afford to keep basic functions going, yet that was stated to us.
What I found interesting in the presentation from the Department of Education and Skills is noted within the report on page 38:

The position of the Department of Education and Skills is that it does not intend to instruct schools to end the practice of having vending machines. As I mentioned in my opening statement, the Department has issued healthy lifestyle guidance to schools. Part of that is about schools having healthy eating policies and looking after the well-being of students so a school in having a vending machine needs to balance that.

Balance that with what? That statement made no sense whatsoever. There is no money message or anything else like that from this side of the House. I would like to ask the Department, therefore, could it please issue a circular stating vending machines are going to be banned? That is a positive step that could be done straight away at no cost to the Exchequer. It would bring about, however, a great improvement in the well-being of the children in those schools.

Teachers of home economics were another important group of people to come before the committee, as well as the people who travelled down from St. Angela’s College in Sligo. It is wonderful to hear the Joint Committee on Education and Skills came up with exactly the same proposal. I refer to ensuring home economics was provided to least the level of the junior certificate cycle. That would be so welcome. When the people from St. Angela’s were before us, they went so far as to explain they have gone into national schools in Sligo. They told us how they were able to meet the requirements of health and safety by using equipment that could be rolled in and out on a trolley.

They could then use the equipment in speaking about making good smoothies or pancakes, while still ticking all of the boxes required under health and safety etc. The representatives from St. Angela’s also told the committee how they went out into the community in their area to deliver healthy eating plans. We must consider the wealth of knowledge possessed by teachers of home economics and how powerful a grouping they are. They are a resource that really needs to be tapped into in every community. They are in every community and school.

A positive outcome would be if it was made mandatory for young people up to junior certificate level. It is a wonderful skill to have.

On sports and physical activities which were covered in recommendations Nos. 5 to 7, inclusive, I do not mean to reiterate the contents of the report, but we all know that a certain number of schools do not tick those boxes. We can do something within local government, however, in planning to tick the boxes of physical activity.

I endorse a suggestion made at the committee related to Transport Infrastructure Ireland, TII, upgrading roads in communities, particularly off national routes. I made reference to the N63 in County Galway where TII was upgrading approximately 3 km of the road. I asked why, in the name of God, the road could not be lit. TII built a path, but it did not install lighting. It is a prime example. When we are rolling out critical infrastructure that will be in place for many years, it should be rolled out in an holistic fashion in order that everybody can use it day or night with safe access. That needs to happen because unless we start to examine tackling obesity in the round and Departments stop operating in silos, we will not address certain aspects because we will not have the funding to provide a hall in every small village. In Abbeyknockmoy, if the lighting had been installed, people would have been able to walk approximately 5 km from one area to another. Children could cycle or walk, while older people or those with disabilities
could be out and about, but that cannot happen when the lights are turned off in the evening. There must be both a whole-of-government and a whole-of-community approach to how we tackle obesity.

One problem I noted was related to advertising. I am very much on the record in respect of “The Big Big Movie”. The Minister of State spoke about hitting fats, sugars and soft drinks, as well as target audiences. There is a target audience at 6 p.m. on a Saturday when families sit down together. It is prime advertising for a fast food outlet to advertise to and target young children who are watching whatever the latest movie is. That is wrong. In 2019, therefore, I will introduce a Bill on broadcasting and public health advertising that will examine critically how target marketing at young people for fast food will be addressed. The need for the Bill follows the publication of the report because, as Deputy Mitchell eloquently noted, voluntary codes do not work and companies do not adhere to them. As legislators, we must say we have given them the benefit of the doubt and the opportunity, that they have not taken it on board and that, therefore, we will come down heavily on them and pass legislation to address the matter.

Another issue that concerned me was related to weighing, which was the subject of many of the conversations during the committee sessions. Some of my conversations may have been taken out of context, but I wanted weighing to be a part of the entire approach. When I discussed weighing, I was referring to the measurement of flexibility, mobility and weight and meant that we should gather data, which we do not do. Children are weighed in third class and when they are under the age of six years. One amazing aspect that emerged from the committee report was that we did gather data in third class, although we did not discuss it. We should, however, gather data consistently because how else will we plan for the future? How can we plan and how will we know what our needs are if we do not gather these data? I am not specifying where the data should be gathered, but we need to have a conversation on the collection of data.

I do not mean to criticise the report because I am glad that it addressed the issue. It states:

The JCCYA notes that the evidence presented by witnesses suggests that there are divergent views with regard to the weighing of children. Given this divergence of views, the JCCYA is not in a position to definitely conclude that the introduction of such a practice is warranted. On this basis, the JCCYA suggests that the Government should actively explore the means by which data could be collected in this regard, while ensuring that best practice based on clinical advice is taken into account.

That sums the issue up well and leaves the conversation open. It means that there is capacity and scope to discuss it further. I am happy with the report, the production of which was a fruitful and worthwhile exercise. I, too, would like to see its recommendations implemented, rather than being left on the shelf.

Deputy Thomas Byrne: I welcome the report of the Joint Committee on Children and Youth Affairs which follows other reports and debates at other committees, including the Joint Committee on Education and Skills, of which I am a member. I can speak with some authority on the subject, although perhaps not specifically about childhood obesity. Six years ago I was 4 stone heavier than I am now. I took some measures to reduce my weight in the past few years which were necessary in my interests and those of my family. All of us in society need to examine what we are doing. People ask me what the secret is or what worked for me and the answer is simple: eat less and move more. If we try to put that into practice on our plates and
in planning, we can make a difference.

The real reason the issue of childhood obesity is so important is that there is some evidence, although it is not conclusive, that obesity is not reversible or at least that it becomes increasingly difficult to reverse the longer it continues. While there are stories about people who have done well, it is very difficult to do it. In the case of children who are obese, as well as adults, it can be a death sentence, or at least a life sentence of suffering from high blood pressure and various diseases that flow from it. People need to be made aware of these issues in the starkest possible terms. Obesity can kill and kills many people in various ways. I am forever grateful that I copped on to the problem.

I was not the sportiest person in the world while in school or growing up. My father played soccer in the League of Ireland; my wife has played for four counties and - thanks be to God - my kids play sport all the time. The most important gift we can give to kids is letting them play. While I fully agree that there is a need for far more physical education facilities in schools and the deficit is outrageous, we should allow kids more time in the yard to move around and take classes outside when the weather is good. Even in our own case, we could take phone calls from constituents while walking up and down Molesworth Street, rather than sitting at a desk. That can make a difference and I try to put it into practice. It is disgraceful that in some urban areas, including parts of my constituency, there are schools and places to which one cannot walk or cycle. It is outrageous that there are schools with 400 or 500 children to which nobody can walk because they are on busy roads in suburban areas and often there are no footpaths. Furthermore, there is no proactive effort by the Department of Education and Skills or the Department of Health to insist on cycling buses, for example, such as exist in Amsterdam and other European cities. I saw them featured on news programmes.

Deputy Anne Rabbitte: They exist in Galway city.

Deputy Thomas Byrne: Yes, that is where I saw them recently. I also saw them in Amsterdam three years ago and thought it was unbelievable that there were approximately ten kids on a bicycle. It was tremendous, although Amsterdam is geared up for cycling and, therefore, a different kettle of fish.

There are effective ways to tackle the problem. We must get real. That also applies to adults. I do not mean to blow my own trumpet, but, like many Deputies, I am an educated person who went to college, earned a professional qualification and a foreign professional qualification. Six or seven years ago, however, I found that I was utterly clueless and uneducated about food, as many Irish people are. For example, I never considered the number of calories in fruit juice, but now I never move down the fruit juice aisle. It is amazing what a simple change like that can do. There is no need to drink fruit juice and children should never drink it. One might recall the tiny glasses of orange juice one might have had with one’s breakfast years ago. Where have they gone? People now drink large glasses of orange juice which are full of sugar and calories and making the country fat. People do not eat enough peanuts, peas, chickpeas, beans and so on. They are not part of our diet, but we must incorporate them into them. People do not eat enough vegetables. Farmers grow all the broccoli, cabbage, carrots and other good foods that we need, but we do not eat enough of them. I have given my little bit of wisdom. We must educate ourselves as parents and citizens, and we must take responsibility and show a good example. We must stop this pattern as there are people who are destined for a life of ill-health because of it. All of us in society have a responsibility for the deaths that will result from the obesity epidemic. People die all the time from it and will continue to unless society as
People speak about alcohol being a reason for obesity but it is not a factor in childhood obesity. The main issue is eating too much food so we must get real about portion size. A child’s meal in Burger King is enough for an adult’s snack. It is the truth. I go to Burger King the odd time - it is a rare occurrence - and I order a child’s meal because it is big enough for a bit of lunch. We must start educating ourselves about such matters. I find calorie counters useful and I strongly urge anybody who is interested to consider calorie counting and apps such as MyFitnessPal that help add up what a person eats on a daily basis. It is what works for me, and I have been counting what I eat for the past six or seven years. My weight has gone down, predominantly, although it is a constant battle.

I just wanted to give my own pearls of wisdom and encourage others to do what has worked so far for me. It is a constant battle and I want to reassure those who find it hard. It is a difficult process but we can do certain things to make it easier. We need to talk more about the topic as well and give reassurance to people that when they fail, they can get on an upward path again. We should, with our children, eat less food but enough while moving much more. Let our children free on housing estates and towns. When I was eight I was allowed to go to the supermarket on behalf of my mother. That does not happen now and kids are not allowed out. There may be valid reasons for this but we must give a bit more freedom to our children during daytime hours so they can be out and about and moving. It would help address the obesity epidemic.

Minister of State at the Department of Health (Deputy Finian McGrath): On behalf of the Minister of State, Deputy Catherine Byrne, I thank Deputy Alan Farrell, the proposer of this motion, for his valuable contribution to the debate. I commend him on his work and leadership of the Oireachtas committee. A number of important points were raised.

Deputy Maureen O’Sullivan mentioned disadvantaged schools and food and diet issues, a lack of childhood activity and the modern fear factor as compared with when we were younger and children were allowed to play outside more freely. Nowadays there are more safety concerns on people’s minds.

Deputy Denise Mitchell raised important concerns, particularly the idea that prevention is better than cure. She mentioned junk food and fast food outlets while emphasising recommendations Nos. 14 to 18, inclusive, in the report. I agree completely and we cannot allow a report like this to lie on a shelf. I take the Deputy’s point and the idea is something that must be strongly supported.

Deputy Fiona O’Loughlin stated that obesity is a global problem, although there is a major crisis affecting children aged between one and three, with 25% of them being overweight. It is a startling figure so we must deal with nutrition issues, and the Deputy also mentioned parenting classes.

Deputy Anne Rabbitte rightly commended the clerk to the committee on the magnificent work in putting this report together. She also strongly emphasised family education in public health, and she pointed out the problems with vending machines. She highlighted a whole-of-community approach. These were very important points and I look forward to seeing the Deputy’s legislation on broadcasting matters.

Deputy Thomas Byrne gave an account of his practical experiences, and it is important to hear from people who have made the effort. He spoke about personal responsibility and physi-
We must develop the Deputies’ points and I thank everybody who was directly involved in the debate.

I referred in my earlier contribution to the START communications campaign, a five-year public health awareness campaign to set families on the path to a healthier future. It was launched in late 2017 and the campaign involves safefood, the HSE and Healthy Ireland. It was developed with the input of parents, health professionals and community leaders, and it acknowledges that there are many factors in the solutions to tackling excess weight and obesity, with each sector having a role to play in this very important health issue. Underpinned by the A Healthy Weight for Ireland obesity policy and action plan for 2016 to 2025, the campaign has been designed around four key themes to deliver a system-wide approach to tackling excess weight and obesity in society. These are providing families with practical advice and support to help build confidence in making positive changes to their lives; delivering a consistent approach across all relevant sectors, including schools, crèches, hospital and GP surgeries; supporting sustainable communities and tapping into existing community health programmes; and tackling the environment as a driver for change through key policy initiatives.

Ultimately, what we do in our homes, schools and communities to help build healthy habits for children and families is vital to childhood obesity prevention efforts. These healthy habits are critical to helping children who are a healthy weight now remain a healthy weight and those who are overweight or obese to achieve a healthier weight as they grow. The key healthy habits are reducing portion sizes, eating plenty of fruit and vegetables every day, managing treat foods so they are not consumed every day, replacing sugary drinks with water, making being active fun every day, having less screen and encouraging more sleep. We are all guilty of having too much screen time.

I spoke previously about the targets for fighting excess weight and obesity in the national obesity policy and action plan. It has five-year targets, including a sustained downward trend of an average of 0.5% per annum as measured by the Healthy Ireland survey in the level of excess weight average across all adults; a sustained downward trend averaging 0.5% per annum as measured by the Childhood Obesity Surveillance Initiative, COSI, in the level of excess weight in children; and a reduction in the gap in obesity levels between the highest and lowest socio-economic groups by 10%, as measured by the Healthy Ireland and COSI surveys. Additionally, the preparation of a progress report on the implementation of the national obesity plan is continuing so it can be considered by the obesity policy implementation oversight group.

Furthermore, there will be development of an annual bulletin or scorecard to evaluate progress in the national obesity plan dissemination of results has also been initiated. My Department has requested the Health Research Board centre for diet and research at University College Cork to develop a framework for this annual bulletin scorecard. This evaluation will primarily consider progress made in implementing the various actions in the national plan. The Department of Health anticipates this framework will be finalised in this quarter, allowing for a robust qualitative assessment of progress in implementing the national obesity policy and action plan to be compiled and published later this year and on an annual basis thereafter.

On behalf of the Minister of State, Deputy Catherine Byrne, I commend the members of the Oireachtas Joint Committee on Children and Youth Affairs on their important and insightful work in producing a report on tackling childhood obesity under the Chairman, Deputy Alan Farrell. The Department of Health was pleased to be invited to the committee’s hearings and make a presentation on the work under way to deal with obesity. I thank Deputies for their
contributions on this important matter. I reassure the House that tackling childhood obesity continues to be a priority for the Government.

Deputy Alan Farrell: I thank all Deputies for their contributions. I acknowledge the Minister of State’s commitment that this report will go before the national obesity policy implementation oversight group for consideration. My first suggestion is that group’s name should be shortened, as it is a bit long. Perhaps it could be abbreviated.

This is an epidemic and its scale of difficulty, presented to us as policymakers, is quite daunting. One of the biggest issues we have, given the manner in which our Departments are created, is that this is a multi-departmental matter, as it involves the Departments of Education and Skills, Children and Youth Affairs and Housing, Planning and Local Government. The fact this children and youth affairs report is being responded to by a Minister of State at the Department of Health exemplifies this. This needs to be co-ordinated and if that co-ordinator is to be the national obesity policy implementation oversight group, that is fine and I would be happy with that, particularly if it touches on the matters dealt with in the debate. Deputy Rabbitte’s proposed legislation is an example. I welcome it and look forward to supporting it.

7 o’clock

In response to Deputy O’Loughlin’s contribution on the ban on vending machines, which was given from the perspective of the Oireachtas Joint Committee on Education and Skills, how simple it would be to issue a circular, yet that has not been done. I appreciate the ink is still wet on this report which was published in November. While I accept the financial consequences of that for schools, boards of management make decisions every day about what to spend their money on. Schools in disadvantaged communities which rely on such income can request additional sums from the Department of Education and Skills on the basis of disadvantage, irrespective of whether they are DEIS schools. It is important to highlight that.

One of the most sobering figures cited in this debate was that obesity costs this State approximately €1 billion per annum. That is not exclusively childhood obesity but it is a rather sobering figure. Think what we could do with €1 billion. It is an extraordinary sum of money.

Deputy Thomas Byrne’s contribution was tremendous. It was terrific to hear someone who has gone through challenges and used it to his family’s benefit. That type of personal story and contribution happened throughout our hearings. They are very important in the formulation of policy.

A societal change has occurred in recent decades. I grew up on the coast road in Malahide. My school was in Malahide village, just over 1 mile away. I used to walk to school from the age of approximately eight, when I was in first or second class. My seven year old son is in first class and I would not dream of letting him walk to school. I am not sure why society has changed, whether it is a matter of child protection, roads, safety, cars driving faster or what. Perhaps that is a conversation we should have.

We need to consider the infrastructure around the school. We are building a new primary school across the street from a secondary school, one of the biggest in the country, with a footpath that is probably no wider than the aisle in this Chamber. It has lampposts and signposts on it. There are 1,250 secondary school students who walk to it; it is beside a GAA club. The primary school, which will have 1,000 students, will be located there and the footpath is substandard. We are actively discouraging people from walking. Deputy Byrne and, I think, Deputy
Mitchell mentioned this. The planning application for the primary school has an exclusion to stop the builders moving in and out of the site during school times but right beside it is another building site that has no exclusions. This sort of approach, with a nonsensical lack of connectivity or joined-up thinking, is unfortunately prevalent in all Departments. It is not intentional but it needs to be remedied to tackle this very important issue.

I accept Deputy Rabbitte’s comment on weighing. I am sure she remembers our discussions on whether to put it into the report and whether what we did was an adequate solution. It is probably not but, as politicians, we know how important it is to collate data on all sorts of different metrics and while some, perhaps for political correctness, suggested that we should not do this, I disagree with them. There is a bit of the nanny state in that but I am fine with it because ultimately it is for the betterment of society.

The Minister of State acknowledged that the sugar tax has had a profound effect on the sales of sugar sweetened drinks. Most, if not all, of the producers of full sugar drinks have now reformulated their product and are selling a sugar-free version. Previously that was referred to as a “diet” version but now everything is “zero” or “free”. That is positive but the key for schoolchildren is water faucets, even in the classroom if necessary, where they can go up, press a button and have a little drink of water and the parents can be content that there are no vending machines selling sugar sweetened drinks. There are no soft drinks permitted in the primary school that my two boys attend. They are allowed only water. That is a good thing. My child has been in the school for three years so this predates my time on the committee but it is a good initiative and should be rolled out to all schools.

Deputy O’Sullivan made a really valuable contribution, especially as she represents a community which is, broadly speaking, disadvantaged. I had the privilege of visiting one of her youth clubs at the invitation of Healthy Ireland. I was very happy with what I saw: young people from a disadvantaged community actively engaging in healthy eating and lifestyles, with physical activity, right bang in the city centre. Their biggest complaint was that they had insufficient green open space in an urban environment. The Minister of State represents a bit of the city and a bit of suburban Dublin and is very fortunate in having plenty of open space in his constituency. There is not that space in the inner city. It could and perhaps should be provided. I know Dublin City Council is doing great work on some of the Georgian squares on the northside, which I welcome but perhaps more needs to be done. I hope the council will take cognisance of the remarks made during the committee hearings and this evening.

General purpose rooms in primary and secondary schools are critical. So many schools do not have adequate facilities. There was an estimate from Deputy O’Loughlin’s committee that €1 billion was required to invest in general purpose or physical education halls for schools around the country to either bring them up to standard or deliver them if they did not have them. Perhaps the €1 billion we spend on the maintenance of obese people could be used for such purposes.

I did not mention St. Angela’s College. I thank Deputy Rabbitte for doing that. It is important to acknowledge the work of the college, the contribution its representatives made to our debate and the manner in which they made it, which was probably the most heartening aspect of it. They were thorough professionals, really nice people to deal with. They took a simple approach, talking about bringing a cooking ring into a classroom with a portable fridge to teach children about food. Deputy Byrne mentioned it too. That is an invaluable sort of endeavour that should be rolled out throughout the State.
Those in Wicklow who have done extraordinary voluntary work on the “no-fry zone” did a very good job of lobbying the committee members to make sure the no-fry zone was included in the report, and to roll it out. One of the councillors in my local council in Skerries, Tom O’Leary, tabled a motion with a Green Party representative to ensure that the no-fry zone was introduced into Fingal. It is not quite there yet but these are simple things that can be implemented. Definition is critical but if a fast food outlet is not permitted by statute to open within 300 m or 400 m of a school, it will not apply for planning permission and local authority members and the general public will not be up in arms when the applications are made.

I reiterate my thanks to the committee members and all who made contributions to this report, including the Minister of State, Deputy Finian McGrath, for his response to it.

Question put and agreed to.

The Dáil adjourned at 7.10 p.m. until 2 p.m. on Tuesday, 12 February 2019.