



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Déardaoin, 14 Feabhra 2019

Thursday, 14 February 2019

Chuaigh an Ceann Comhairle i gceannas ar 10.30 a.m.

Paidir.

Prayer.

Ceisteanna - Questions

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Brexit Preparations

1. **Deputy Michael McGrath** asked the Minister for Finance the status of preparedness for all Brexit scenarios from a customs perspective; the steps being taken by his Department and the agencies under his remit; and if he will make a statement on the matter. [7511/19]

Deputy Michael McGrath: My question relates to Brexit and our preparedness for Brexit for all possible scenarios, particularly from a customs perspective. We had an update from the Minister at the Committee on Budgetary Oversight and from the chairman of the Revenue Commissioners at the Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach within the past three weeks. We are now just six weeks away from a potentially cliff-edge hard Brexit. I am looking for an update to the House on the state of preparedness from a customs perspective.

Minister for Finance (Deputy Paschal Donohoe): The continued efficient flow of legitimate trade through Ireland's ports and airports is a key priority for the Government. In this regard, the Revenue Commissioners have undertaken significant preparations to date, with work intensifying in recent months. With resource requirements, the Revenue Commissioners determine that an additional 600 staff will be required to manage the impact of Brexit. Those staff are to be deployed on a phased basis up to the end of December 2020. It is estimated that approximately half the staff will be assigned to import and export trade facilitation activities and half to national divisions that will be engaged in trade facilitation, customs control and

oversight activities, including at specific trade or case level. I am advised that Revenue has accelerated and expanded their recruitment and training schedules to meet the 29 March deadline, and will deliver the target of 400 additional staff in place by that point. The balancing complement of additional staff will be recruited during the rest of the year.

During 2018, the Revenue Commissioners chaired an interdepartmental group that was established to consider the adequacy of port and airport infrastructure and facilities post Brexit. The group considered both the central case and no-deal scenarios. Infrastructure requirements were necessary at Dublin Port, Rosslare Europort and Dublin Airport. Intensive work is under way to have the infrastructure in place by 29 March and this work is now being led by the Office of Public Works. Significant work has happened to upgrade our IT systems to have advanced systems in place. I am assured by Revenue that their IT systems will have the required capacity to manage the increased transaction levels which are anticipated in a no-deal scenario, and this will be in place by 29 March.

Allied to this work, Revenue have undertaken significant trader engagement by working closely with businesses, trade and representative bodies.

Deputy Michael McGrath: I thank the Minister for his reply. Will he confirm the number of additional staff Revenue has in place right now? He said that by the end of March, 400 staff are expected to be in place but six weeks out from Brexit can he confirm how many of them are in place? There will be a training requirement taking several weeks.

It remains a major concern that so many SMEs are not prepared for Brexit. The chairman of Revenue told us that they estimate some 70,000 Irish SMEs traded with the UK in 2017. We have had survey after survey telling us that many of them, regrettably, have not taken significant steps to prepare for what could be an enormous challenge. Perhaps the Minister could address that point in his response. Will he acknowledge that much of the work with regard to our ports is not significantly advanced, that they are not going to be ready and that this will be the reality as of the end of March?

Deputy Paschal Donohoe: On the first of the Deputy's three points, I do not have the information available on how many staff have been recruited. I will be able to get that information quickly and I will share it with him.

The second question was on engagement with traders. It is fair to say that many businesses still have a lot of work that needs to be done quickly in the case of a no-deal scenario. The Revenue Commissioners have now engaged with 85,000 traders, including 70,000 businesses in the SME sector.

The Deputy is also concerned about the readiness of our ports and airports in a no-deal scenario. We have done a significant amount to be as ready as we can. The Government made decisions on the planning processes that would be needed to deliver this. We know what needs to be done with regard to Rosslare Port, Dublin Port and Dublin Airport and we are doing all that can be done to ensure the right level of infrastructure is in place to deal with a no-deal risk.

Deputy Michael McGrath: I am aware of the correspondence that Revenue has sent to SMEs setting out the issues involved for them. This is a good opportunity for the Minister to give his perspective as to where things currently stand overall with Brexit. What is his sense of the likelihood of a no-deal scenario? We have discussed our preparedness as a country for that terrible scenario but, as the overall guardian of the economy at this point in time, what is

his perspective on the overall likelihood of a deal being done with regard to an extension to Article 50, or the worst of all cases a crash-out Brexit on 29 March? Will he update the House on that issue?

Deputy Paschal Donohoe: My assessment of the likelihood of a no-deal scenario is that it is a clear and distinct risk we are now planning for. In the past week, I met the Revenue Commissioners, the National Treasury Management Agency, NTMA, and the Central Bank to review where we are from a preparedness point of view, with a particular focus on how we will respond to challenges for the State, to our financial position and financial markets regulation. I am satisfied that all that can be done in those areas has now happened. I am not in a position where I can be a commentator on this, as the Deputy will appreciate, because I am a participant. I know that all will be done inside the parameters the Government has laid out to look to secure an agreement, but we clearly have a difficult period ahead in seeing whether that agreement can be secured.

EU Directives

2. **Deputy Pearse Doherty** asked the Minister for Finance if Ireland will oppose the legislative package of the European Commission, which includes the non-performing loans directive. [7513/19]

Deputy Pearse Doherty: Some of us are doing our best to defeat the vulture culture at home, but there is a danger that this EU directive will take the disastrous Irish experience and enshrine it as best practice throughout the European Union. My Sinn Féin colleague, Matt Carthy, MEP, has been ringing the alarm bells on this throughout Europe, but where does the Irish Government stand on the European Commission's proposal regarding the non-performing loans directive?

Deputy Paschal Donohoe: As the Deputy and Mr. Carthy, MEP, will be aware, the legislative package of the Commission and its objectives seek ways in which we can create a safer and more stable and resilient financial sector. Part of this was the implementation of revised capital requirements for banks under the capital requirements directive and the capital requirements regulation. This aspect of the package of measures, known as CRD IV, includes stronger prudential requirements for banks, ensuring they are adequately capitalised and less susceptible to liquidity issues.

Another part was the proposed directive on credit servicers, credit purchasers and the recovery of collateral.

It now appears likely that part of the directive dealing with collateral called "advanced extrajudicial collateral enforcement" will be separated out from the directive and considered at a later point.

The remaining part of the directive under active consideration would impose authorisation requirements on credit servicers similar to those imposed by the consumer protection Act 2015. It also provides that credit purchasers must appoint an authorised credit servicer to service their credit. Unlike the consumer protection Act 2018, it does not require such credit purchasers to be regulated or authorised by the Central Bank.

The directive is being considered at working group level in Brussels and final agreement has not been reached. My officials will represent our legislative stance, whereby the owners of credit, as well as the credit servicing firms, are regulated.

It is fair to say we did not agree with the directive as initially drafted and have sought multiple amendments to it. As we are further down the road with this experience, we are now working hard to secure changes to the proposed text.

Deputy Pearse Doherty: The issue of requiring the banks to hold additional capital for losses they may incur is one we support, but I wish to focus on the pro-vulture part of this directive. The best option for the Irish people - indeed, working people throughout Europe - is to throw out this proposal. Failing that, massive change is needed to ensure that any type of consumer protection, or indeed human rights protection, is weaved into it. The proposal represents the EU at its worst. It is simply about the needs of capital, and to hell with the ordinary people. This Parliament supported my No Consent, No Sale Bill, which represents an approach that has consumer protection, not bank protection, at its heart, its core. In Brussels speak, the directive is about establishing a second market for loan sales. In normal speak, this means making it easier and even more attractive for banks to sell mortgages or their loans to the vultures. As Mr. Carthy, MEP, has said, the directive amounts to a second bailout and is the wrong policy.

There is also a question of sovereignty because the directive throws a pro-vulture blanket across Europe. The Minister may be comfortable with this but we in Sinn Féin will resist it.

Finally, and I want the Minister's specific views on this, the proposal will also empower banks to seize customers' collateral through out-of-court recovery mechanisms and will result in borrowers, including mortgage holders, being pursued more aggressively by vulture funds and debt collectors. Is the Minister looking to oppose or seriously amend this?

Deputy Paschal Donohoe: The only culture I am interested in seeing develop throughout Europe is one that builds on what we have had in Ireland, where we have seen really important and significant progress in dealing with the issues of mortgage arrears and distressed debt, taking account of the huge trauma and difficulty it causes to citizens. Of course, what I will not hear from Deputy Doherty is the fact that we now approach the 20th quarter in which we have seen a decline in mortgage arrears. I will not hear from him that we now have another decrease in the number of accounts that are in arrears, including in long-term arrears.

As for this text and the debate that has taken place on it in ECOFIN and the Eurogroup to date, I have made clear that we need to be very careful that we do not put in place a text that leads to consequences that could be very difficult for those who are in very distressed situations. I am well aware of the experiences we have had in Ireland of this. I have been in the middle of this for the past 18 months and I am working hard through my officials to amend this text to look to get it to a better place.

Deputy Pearse Doherty: It is very difficult to take the Minister seriously when he says he is defending Ireland's interest when it comes to this issue because we know from past and very recent experience, and we know today, Valentine's Day, that the Minister is a vulture lover, as indeed are the rest of his Cabinet. He has sat on his hands and facilitated banks in which the Department has the majority shareholding selling off performing loans to the vultures and has thrown them to the mercy of those vultures.

The Minister did not answer the question I asked him. Going into the detail of this pack-

age of directives, there is, for example, a proposal for out-of-court recovery mechanisms. This means that vultures would in future be allowed to bypass the court system to repossess more aggressively the homes and properties of those who fall into arrears or who are finding it difficult to pay the entire sums of their mortgages at that point in time. This Minister and this Government have standing in this regard. We have heard previous Ministers say they believe vultures are a good thing. They opposed my legislation, which, thankfully, has passed Second Stage in the Dáil and is now on Committee Stage, and which will allow borrowers to determine themselves whether they support the sale of their loans to the vultures.

Will the Minister answer the specific question I put to him earlier? Is he opposed to the idea of out-of-court recovery mechanisms for vultures to secure collateral without going through the courts system? Is the Government seeking amendments to this? Will the Minister oppose it at European level or continue in his approach as a vulture lover?

Deputy Paschal Donohoe: Of all the Deputies I thought were going to mention Valentine's Day to me, I did not have Deputy Doherty at the top of the list. His card has not arrived to me yet, nor indeed has a card from anyone else, but the day is but young.

As for all the charges the Deputy has put to me, I point back to the balance we have sought to secure, which the Deputy will never acknowledge, of trying to protect the interest of homeowners in significant difficulty; the fact that we have made great progress in doing this in recent years; the work of the Insolvency Service of Ireland; and the effect of the personal insolvency legislation we have in place. We will never hear any acknowledgement of this from Deputy Doherty. I will acknowledge the concerns or worries that are there but the Deputy will never acknowledge progress that has been made.

To respond to the specific questions the Deputy put to me, I will not outline now what my negotiation approach will be in respect of this text. I am mindful, however, of the points the Deputy has raised because I have seen the difficulties this issue has created in Ireland and I do not want to see the worst difficulties we have faced develop elsewhere. I am very cautious about non-court or non-legal ways of dealing with these issues becoming the norm.

Corporation Tax

3. **Deputy Michael McGrath** asked the Minister for Finance if an independent assessment will be commissioned on the sustainability of Ireland's corporation tax receipts for the period 2020 to 2030, inclusive, in view of the rapid growth in corporation tax receipts and the concentration of those receipts; and if he will make a statement on the matter. [7512/19]

Deputy Michael McGrath: This question asks the Minister to commission a new independent assessment of the sustainability of Ireland's corporation tax receipts. As he well knows, we have had a boom in corporation tax receipts in recent years, but there are very serious questions about the sustainability of those receipts as part of the public finances at this time. I will come back in a moment and speak about the Coffey report of a number of years ago. This is a very direct question. We need to now carry out a new independent assessment to see how secure and stable this vitally important stream of revenue is.

Deputy Paschal Donohoe: There has been a very significant increase in our corporation tax receipts. This is an area on which there will be growing focus in the next few years because

of change that is very likely in the global tax landscape. Whether it be the work that is taking place in the OECD or changes that we may see as a result of global trade, it will be increasingly important that we form a new view regarding the sustainability of the receipts into the medium term.

On the direct question put by the Deputy, I want to find a way by which we can form a new view relating to the sustainability of these receipts. I need to reflect on how we can do this given the role of the Irish Fiscal Advisory Council and the work done by Mr. Seamus Coffey on this area. I am working on the best way to achieve sustainability in receipts and would welcome the Deputy's views.

Deputy Michael McGrath: It is important to look at what exactly Mr. Coffey said in his report in mid-2017, namely that “although it is impossible to be definitive, and the volatility in receipts will remain, the level-shift increase in Corporation Tax receipts seen in 2015 can be expected to be sustainable over the medium term to 2020.”

In 2015 we collected €6.9 billion in corporation tax receipts, an increase of over €2 billion on the previous year. Since then, the figure has risen to €10.4 billion, therefore receipts have increased by 50% since 2015. Last year we collected 22% more than anticipated, which was nearly €2 billion more than we expected. Receipts were €2.2 billion or 27% more than the previous year. The scale of increase since 2015 is quite spectacular. There must be caveats on any assessment - there will be assumptions, it is difficult to forecast this revenue stream - but there is now a key risk for the public finances in making permanent expenditure commitments on the back of what could prove to be a transitory, volatile and temporary tax receipt.

Deputy Paschal Donohoe: Mr. Coffey made his comments after a shift in corporation tax yield. As the Deputy will know well, between 2012 and 2014 corporation tax receipts came in at about €4 billion to €4.5 billion. Between 2015 and 2016 they moved between €6.8 billion and €7.3 billion. Across that two year period, there was a structural change in the level of corporation tax receipts. Mr. Coffey formed his views in the aftermath of that shift in tax yield.

To be fair, Deputy Michael McGrath and his party abstained on this unlike other parties which favour broadening the base in abstract but oppose every measure relating to how we do so. That is why we made a change in the VAT rate in the hospitality service sector. It is why we made the changes in stamp duty on commercial property. I am aware of this risk but as I have told the Deputy on other occasions, I have yet to face any Deputy in this House who argues that I should spend less. It is my job to manage that balance. I am aware of the risk and will figure out if there is a way by which we can address the need for the review that the Deputy has made this morning.

Deputy Michael McGrath: I reiterate that receipts in 2018 were 50% higher than in 2015, which was the period examined, which underlines the need for this review. What I hear from the Minister is that he accepts the principle of a review of the sustainability of the corporation tax receipts. I welcome that. It is progress. Fianna Fáil is very happy to engage with the Minister on this issue. The review should be external to the Department of Finance, by which I mean no disrespect to the Minister's officials. We should try to work together to agree on terms of reference. The Minister should consult with bodies such as the ESRI and, indeed, the Irish Fiscal Advisory Council, on the best way to go about this. It does not need to be a very expensive external professional services firm. There is probably expertise in the State's ambit and we should consult with those bodies on precisely what we need to examine. However, I take it that

the Minister accepts such a review in principle and I am offering to work with him and others to frame it and work through the best way of conducting such a review as it is a crucial question for the future of our economy and future prudent budgetary management.

Deputy Paschal Donohoe: I accept, as I have before, the principle of the need to do this. The Deputy raised it with me some weeks ago at the Committee on Finance, Public Expenditure and Reform, and Taoiseach. On the kinds of pressures and challenges that could develop in the coming period, I can see developments which might strengthen our position regarding corporation tax and can see developments that may also challenge that. On things that might benefit our position relating to corporation tax in the future, I can see that the policy stability maintained by my party and that of Deputy McGrath around rate and the ability to determine the debate and our determination to protect that amidst all the other changes now taking place in corporate tax policy in other countries could offer the potential for the progress we have made in corporation tax receipts being sustained into the future. As against that, in recent years we have seen a very strong performance in key corporate sectors in the global economy. Some of those are now experiencing challenges and we can see a shift in the tone of global trade. For all of those reasons, particularly when 2020 will be shortly upon us, I think we should examine the objective to which the Deputy referred and I will be happy to work with him on how best to do this.

Departmental Consultations

4. **Deputy Mattie McGrath** asked the Minister for Finance the expenditure details for all consultancy or audit services provided to his Department by a company (details supplied) from 2015 to 2018 and to date in 2019; and if he will make a statement on the matter. [7562/19]

Deputy Mattie McGrath: There is great concern, and growing awareness, at the huge sums paid by Government Departments to outside firms. This question relates to PricewaterhouseCooper, PwC. I am asking the Minister to state how much that company has received from the Minister's Department between 2015 and 2018 and this year to date.

Deputy Paschal Donohoe: My Department engaged PricewaterhouseCooper, PWC, on one occasion between 2015 up to and including today's date in 2019. The gross cost of this engagement was €73,031.25.

The purpose of the engagement was to carry out a money laundering and terrorist financing national risk assessment. The aim of this assessment was to identify, understand and assess the money laundering and terrorist financing risks faced by Ireland. The findings of the national risk assessment have been used to inform the development and enhancement of Ireland's anti-money laundering and counter terrorist financing framework.

My Department publishes details of consultancy expenditure on its website on a quarterly basis.

Deputy Mattie McGrath: Last year, before any of the recent farce relating to the national children's hospital came to full public prominence, I submitted a parliamentary question to the Minister and his other Department, the Department of Public Expenditure and Reform. I was genuinely surprised to find that in one year alone, 2018, the Department spent €3.5 million on consultancy firms. According to that answer, PwC received €44,500 and now the Minister is

telling me that it is €73,000. There is a disparity when it comes to getting the correct answer to parliamentary questions. The Minister said it was €73,000, but the previous answer said it was €44,000, and that figure was for what the Department described as operational support and strategic advisory consultancy. Will the Minister accept that when the public hears these kinds of sums being thrown around for private consultancy firms it does nothing to persuade people that any meaningful value for money takes place at all?

Will the Minister also explain why there appears to be a huge overlap in relation to work being undertaken by different consultancy firms, in case the Minister thinks that I am picking on PwC, which I am not? For example, last year, the Department of Public Expenditure and Reform paid Gartner €182,000 for advisory services. It also paid Horizon Energy €230,000. What is all this money for? What is the Department getting for this sort of money?

Deputy Paschal Donohoe: I do not think that the Deputy even listened to my answer.

Deputy Mattie McGrath: I did.

Deputy Paschal Donohoe: I stood up and said that we have employed this company once between 2015 and today. This company has been employed for us on a single occasion. Instead the Deputy stands up and bases an answer on what he would like to hear-----

Deputy Mattie McGrath: No.

Deputy Paschal Donohoe: -----rather than the information I gave the Deputy. This company, across the time period to which I was asked to refer, has been used on a single occasion by my Department.

The Deputy will stand up day after day and lambaste the ability and competence of my officials to perform their work. When they seek to gain external support for the delivery of their duties, he lambastes that too. I reiterate my answer that the Deputy either ignored or chose not to hear a moment ago, namely, that the company was employed on one occasion by my Department in the period to which he referred.

Deputy Mattie McGrath: The Minister is the one who is lambasting. External firms are being paid and he stated that his Departments are not able to carry out a review. Surely, one of his officials could do it. Can they not add? In reply to a parliamentary question last year, the Minister informed me that it cost €44,500, yet he is now saying it was approximately €73,000. There is a disparity of €30,000. Who is coddling whom? The Department has spin doctors and everything else. I am not seeking any answers but rather the facts. I am quoting from a reply to a parliamentary question. There is an overlap of companies among multiple Departments which the Minister has not explained. Thankfully, the public are able to watch and scrutinise the debate.

Will the Minister indicate whether PwC has played any other consulting roles in respect of the children's hospital apart from the review which is under way and which costs €450,000? PwC has been engaged but that was not included in the Minister's reply. I am sure that the price has been agreed but given that the terms of reference have been extended, will the cost increase? The firm has no expertise in construction or what we wish to find out. It is merely papering over the cracks. The Minister is the one who is lambasting and covering things up through the use of spin doctors and everything else.

Deputy Paschal Donohoe: When the Deputy does not like my reply to him, he makes up what he thinks I said and uses that as the basis of his answer. At what point did I lambaste the competency of my officials in my answer? I made the point that the Deputy is the one who lambastes and that when we need specialist help in certain areas, we must acquire that help for the best value available.

I reiterate my answer to the Deputy, although I accept that he is disappointed by it. We have employed the company in question once and I have told the Deputy the cost. If there is a discrepancy between the answer we gave in the past and the answer I am giving now, it could be driven by two factors, namely, the possible difference between the period to which the answer refers and the period the Deputy raised, or the Deputy might be referring to another Department. Either way, if there is a gap between the answers, I will reconcile them and supply the information to the House.

Deputy Mattie McGrath: There is a gap between the figures of €44,500 and €73,000. It is a lot of money to ordinary Joe Soaps, although it might not be a lot to the Minister, his plethora of advisers or his competent officials. The Department employs external agencies and officials, but the Minister has provided alarming sums. He said the Department employed PwC only once. If he had said it employed the firm twice, perhaps he would have wriggle room. He stated that it was once in that period, however, and quoted a figure of €73,000, yet I was given a figure of €44,500. That is real money to ordinary taxpayers. This is an example of the Minister's flippant answers and the activities of the spin doctors the Department employs to try to pull the wool over people's eyes. We want transparency, openness and accountability but there is not a shred of that in the Department, as has been blatantly proven over and over again, not least in the case of the children's hospital fiasco.

I am not here to lambaste people; I am here for the truth. I represent the people of County Tipperary and the ordinary people throughout the country who struggle every day to pay their taxes. Meanwhile, the Government spends money like confetti at a wedding or snuff at a wake, as though it is all right because it can be blown away. Before the debate, I attended a meeting of the Joint Committee on Business, Enterprise and Innovation, which is considering scheduling time next week to debate the Revised Estimates thanks to this mess, or black hole, of a children's hospital. I am not accusing anyone of anything. Rather, I am seeking straight answers from the Minister but I am not getting them.

Deputy Paschal Donohoe: The Deputy rarely stands up without making an accusation against somebody. To which Department is he referring?

Deputy Mattie McGrath: The Minister's Departments. He has two of them but perhaps he cannot manage them both.

Deputy Paschal Donohoe: Which Department? The Deputy should answer the question.

Deputy Mattie McGrath: The Minister should answer the question. I have asked my question. I refer to the Minister's Departments.

Deputy Paschal Donohoe: Am I correct in stating that the Deputy is referring to the Department of Public Expenditure and Reform?

Deputy Mattie McGrath: I refer to the Minister's Departments.

Deputy Paschal Donohoe: Even this brief exchange might provide an explanation for the two different figures. The Deputy may be referring to another Department and not the Department of Finance. Notwithstanding the Deputy's references to confetti and snuff, I also represent and serve ordinary people and I am aware of the concerns they have about the use of taxpayers' money.

As stated, the Deputy will be disappointed to hear that the company has been employed only once by us and that it was for good work that needed to be done. If there is any difference between the figures I previously shared with the Deputy and the current figures, I will explain the reason to the House. I thank the Deputy for bringing it to my attention, even though I suspect he might be referring to another Department.

Visit of Sierra Leonean Delegation

An Leas-Cheann Comhairle: Before we proceed, I welcome the Minister of Foreign Affairs and International Co-operation of Sierra Leone, Dr. Alie Kabba. Céad míle fáilte romhat, a hundred thousand welcomes. I hope his visit will be fruitful and successful.

Ceistanna (Atógáil) - Questions (Resumed)

Ceisteanna ar Sonraíodh Uain Dóibh (Atógáil) - Priority Questions (Resumed)

National Treasury Management Agency Bonds

5. **Deputy Eamon Ryan** asked the Minister for Finance his plans for the further use of green bonds in public debt management and for the hypothecation of such funds for capital investment projects here. [7514/19]

Deputy Eamon Ryan: I welcome that we raised €3 billion from a green bond issued in the autumn. I understand that the bond will mature in approximately 12 years and that it was sold at a yield of 1.2% or 1.3%. Nevertheless, we need to scale up the initiative considerably. Our existing national development plan will bring us only one third of the way, at most, towards our climate target for 2030. There is a significant investment task for this country, which green bonds could help finance. I am keen to hear the Minister's plans in that regard.

Minister for Finance (Deputy Paschal Donohoe): I thank the Deputy for acknowledging the success of the initiative, which I appreciate. As he noted, it raised €3 billion. The bond, which matures in 2031, was sold at an initial yield of 1.399%, following a decision the Government made last July. The transaction was a further move by the NTMA to diversify its issuance, access a new category of investor and provide a new debt instrument to meet untapped investor demand. The accessing of these investors is important given the increased focus of investors and funds on environmentally sustainable investments. It is important that Ireland is one of the first sovereign states to meet this demand.

An allocation report will be made available to investors annually until an amount equal to the net proceeds of the Irish sovereign green bond has been fully allocated. The report will include the total amount allocated to eligible green projects, the total amount allocated per category and the remaining unallocated amount. In addition, an eligible green project impact report on the environmental impacts of the eligible green projects will be made available to investors on at least a biennial basis, subject to the availability of data. This could provide updates on the status of projects such as sustainable water, wastewater management and clean transport.

To respond directly to the final question which the Deputy asked, I am open to considering how we can continue this approach in the future. I will depend on the advice of the NTMA on the matter but it is fair to say the initial offering of the bond was successful. I am sure the NTMA and I intend to examine ways in which we can continue this activity in the coming years.

Deputy Eamon Ryan: I have some suggestions for ways we could use those bonds to invest in long-term projects that will yield a substantial return. Yesterday, I raised with the Minister for Transport, Tourism and Sport the possibility of a metro loop on the southside of Dublin. Rather than stopping the underground in Charlemont Street or Ranelagh, it could be extended to Terenure, Templeogue and Tallaght on the south west, loop around via Sandyford and University College Dublin and return to the city centre. While that sounds grandiose, it is what we need on the southside of Dublin to make public transport work. Despite all the public transport projects in the current plan, the National Transport Authority sent me a letter in which it predicted that there would still be a 30% increase in transport emissions in Dublin by 2040. We need, therefore, to think bigger and metro is just the sort of project that green bond could help finance.

We need to develop massive offshore wind resources, much of which can be done by the private sector through auctions but we should own the transmission grid to ship that power to the rest of Europe because we have a comparative advantage. It is a real opportunity. Long-term regulated transmission assets are the sort of funding for which green bonds are perfect.

Each of these projects would probably cost at least €5 billion. After the Minister's reply, I will provide two more examples of the way we should be thinking about investing, which goes far beyond what is outlined in the national development plan.

Deputy Paschal Donohoe: The answer I gave a moment ago hopefully indicated to the Deputy that we are open to using the issuing of bonds such as this to fund infrastructural activity that meets the needs for either clean transport or green energy. It will not surprise the Deputy to hear that I am concerned about specifying formally that any form of borrowing or tax revenue has to be directly linked into specific projects. The green bond, and the way we have structured it, has really pushed the envelope and the framework for doing this. It is clear that there is an investor demand for it.

On further investment of capital for transport projects, we are at a point where capital investment is increasing by almost 24% compared to last year, which is an increase of €1.4 billion. We have to be careful, if we want to make very significant increases in the future, that we not only consider how it would be funded and how we might borrow for it, but also whether we have the capacity actually to do the work.

Deputy Eamon Ryan: I am disappointed. We should not be saying that we cannot hypothecate. Green bonds do hypothecate: they have to go towards sustainable investments. The

market for those bonds is looking for exactly the type of project I am talking about. I remember Mr. Andrew McDowell coming here a couple of years ago and he was crying out to lend long-term for these bonds but lamenting the fact that there were no counter parties. We can provide the counter parties with specific projects.

I was on “Prime Time” the other night with Deputy Michael Healy-Rae to discuss retrofitting. I mentioned that, on private homes alone, we are probably looking at a €50 billion investment to get rid of fossil fuel heating systems. We have to go further with our public buildings and our social housing. It will require a massive, multi-billion euro investment. The savings from the reduction in fuel costs can help to cover it if a long-term loan is required. That type of hypothecation is the type of investment the market wants to invest in because it provides a future income stream. It is similar in forestry. We have to move towards a massive level of afforestation and continuous cover forestry. The difficulty is that forestry is a 50 year, 80 year or 100 year project. However, an income stream can be derived from the thinnings as the forest grows. That has a real value, and the market can put a price on it, which provides it with confidence. If there is confidence around those big capital, long-term projects then low-cost funding can be provided. The Minister has to hypothecate to make that happen. He should think big and think long-term.

Deputy Paschal Donohoe: It is a good thing that the Deputy is nowhere near the standards of Deputy Mattie McGrath, who decides what his answer is going to be before I give my answer. I said that the essence of a green bond is that it is directed at particular types of projects we want to go ahead with, and that these are some of the types of projects a green bond might be able to fund. We can then explain to investors how their money is being used, including in areas such as clean transport and environmental projects. My only area of difference with the Deputy on this issue is that I believe we should be very careful about saying that we are going to issue a bond to fund individual projects, because we have already seen and are well aware of the challenges that can arise when the funding of very specific projects is mooted and the delays that can happen on those projects as a result. What the NTMA and the Government have done is more sensible. We have laid out broad indicators of the kinds of projects we would like a green bond to fund without being specific about the projects themselves. When we go to issue another green bond in the future we will have to show we have made this work, which of course is a different form of market discipline. Indeed, it is a form of market discipline of which I imagine the Deputy approves.

Deputy Eamon Ryan: Can I have a further rejoinder?

An Leas-Cheann Comhairle: The Deputy has had two supplementaries already.

Ceisteanna Eile - Other Questions

Corporation Tax

6. **Deputy Michael McGrath** asked the Minister for Finance if consideration will be given to establishing another review on the sustainability of corporation tax receipts along the lines of the Coffey review; and if he will make a statement on the matter. [7370/19]

Deputy Michael McGrath: This question is very similar to a previous priority question so I do not intend to press the issue. However, I would like to take the opportunity to raise a related point. The Minister, in his earlier answer, said that there were evolving issues that could result in downward pressure on corporation tax receipts and other issues that could result in receipts getting even stronger. What does the Minister make of Deputy Commissioner Moscovici's remarks during the week to the effect that Ireland and "other headstrong states", as he said, prevented the digital tax proposals from coming into effect? Can he confirm that it remains the Government's position that taxation decisions should require unanimity and that we do not support a move to qualified majority voting in respect of corporation tax, which might have an impact on receipts?

Deputy Paschal Donohoe: Before I refer back to the comment the Deputy made, it is the case that my position is unchanged in terms of how taxation decisions are made within the European Union. I have been at the forefront of making this case over the last 18 months. The difference now is the growing number of countries which feel the same way about how taxation decisions are made: they are now aware of the need for that case to be made. Ireland has been involved in making that case for quite a while.

On Deputy Commissioner Moscovici's description of Ireland, I may have been headstrong but I have been defending our national interest on this issue over the last year and a half. I believe that the way in which the digital economy is taxed will change. Ireland has to be a part of that journey and we have to be constructive in that regard. The safest way that can happen is on a global basis, through the Organisation for Economic Co-operation and Development, OECD. I repeat to the Deputy what I have said on previous occasions here and in other fora; if Europe takes its own path on this issue there will be consequences and I am concerned that Ireland will be at the fore of experiencing those consequences. We should approach this in the same way we approached the BEPS process and be willing to make changes that at times can have consequences for us, but make sure that it is done in a co-ordinated way with global partners, ensuring that it tries to minimise a trade risk. That is the safest journey for Ireland to take.

Deputy Michael McGrath: Can the Minister provide a comment on recent reports that the OECD is moving ahead, perhaps faster than expected, with its own proposals around taxing the digital economy? I am aware that Pascal Saint-Amans has made some remarks, and it has certainly been reported that OECD plans are more advanced than we had understood them to be. Can the Minister confirm whether his Department and officials have been working in an intensive way in recent weeks and months at OECD level? Can he provide an update on that matter? Is the Minister expecting the OECD to bring forward fleshed-out proposals in this space sooner rather than later?

Deputy Paschal Donohoe: The timeline the OECD is now meeting is a revised timeline that was put in place last year. The Deputy may recall last summer, in the aftermath of an informal meeting of European finance ministers, when the OECD committed to revised timelines and said that it would seek to pursue this work in what it said was an inclusive format and seek to publish a roadmap to cover this year. I believe those revised timelines will be met. My officials have been participating in these discussions over the last number of weeks. It is likely that the OECD will begin to publish different options regarding how it believes this issue can be progressed. There are many, many differing views within the OECD on how this issue can be dealt with.

Credit Union Lending

7. **Deputy John Curran** asked the Minister for Finance the steps he is taking and the progress made in establishing a mechanism that would allow and facilitate funds from an organisation (details supplied) to be invested in social housing; and if he will make a statement on the matter. [7150/19]

An Leas-Cheann Comhairle: Question No. 7 is in the name of Deputy John Curran, and Deputy Michael McGrath has been nominated.

Deputy Michael McGrath: This question concerns the Irish League of Credit Unions, ILCU, which has put in place a mechanism which would enable funds held by the ILCU to be put to good use for social housing through approved housing bodies. Can the Minister provide an update on that to the House?

Deputy Paschal Donohoe: This is a question that has been asked, and answered, many times. I last answered it in the Dáil last October and my colleague, the Minister of State, Deputy English, also answered it during oral parliamentary questions a few weeks ago. Each time, it has clearly been stated that the Government is not and has never been committed to establishing a special purpose vehicle, SPV, on behalf of the organisation mentioned by the Deputy. There has been extensive engagement by my Department and the Department of Housing, Planning and Local Government with this organisation since 2015. Following analysis of its two proposals and meetings with the organisation in question, both Departments stated in writing that the second of the proposed models, the establishment of an SPV by credit unions, was the most suitable. In July 2016, Rebuilding Ireland separately committed to establishing an innovation fund to support the development of innovative financial models. It has been repeatedly clarified both in writing and indeed in answers to parliamentary questions that this commitment was not to establish a State-owned SPV, but rather to provide funding to help develop a sector-led approved housing body SPV.

In respect of supporting credit unions in the provision of funding for social housing, the role of the Government and the Central Bank is to ensure there is an appropriate legislative and regulatory framework. In this regard, the Central Bank has now revised the credit union investment regulations to enable credit unions to invest in social housing via an SPV.

Deputy Michael McGrath: In summary, the Minister is saying this is not an issue for his Department or the Department of Housing, Planning and Local Government. There is no ongoing body of work being undertaken in this space. My understanding of what the Minister of State, Deputy English, said was that by the end of the first quarter of this year, work would be completed to facilitate the SPV that we have spoken about. The SPV would be developed, as I understand it, by the Irish Council for Social Housing and the objective was to facilitate the use of funding for the development of social housing by approved housing bodies. The Departments have a role in facilitating that. The Minister of State was certainly giving a commitment that work will be done in the first quarter of 2019. I would be grateful if the Minister could clarify that matter. Will the SPV, if and when it is established, meet the regulatory requirement of the Central Bank in respect of credit unions?

Deputy Paschal Donohoe: In response to the Deputy's second question, it will have to meet the regulatory requirements of the Central Bank in respect of the operation of credit unions. It will have to do that. In respect of the work of the Minister of State, Deputy English, which the

Deputy touched on, maybe it is the case that the Minister of State was referring to specific areas of housing policy but I would have to check that. Certainly from our point of view, we now believe there are no barriers remaining to the set-up of this fund. The responsibility and initiative now needs to come from elements in the credit union movement to see if they actually want to go ahead and do it, which I believe they do. For the Deputy's interest, on Tuesday afternoon I met all the credit unions in the Department of Finance and had what I think they felt to be a productive meeting on a lot of different matters. I meet them collectively in the Department on a relatively frequent basis and hope to meet them again in that format, where we had all unions and representative bodies together.

Deputy Eugene Murphy: This is really important. Our credit unions have a track record up and down the country in respect of supporting communities. It is vital that we ensure that this process comes to a conclusion as quickly as possible. Would the Minister be able to indicate when we will be able to get this up and running so that credit unions can have the money made available to support housing?

Deputy Michael McGrath: To be clear, what I think the Minister is saying is that there is no ongoing work within his Department or the Department of Housing, Planning and Local Government of which he is aware which forms part of this objective of developing an SPV. As far as the Minister is concerned, the framework is there for the credit union movement to go ahead and do this. That is what I am hearing. I would imagine this issue was discussed during the Minister's meeting on Tuesday. Could the Minister clarify whether the issue was discussed then? Perhaps he could ask his officials to look at what commitments the Minister of State, Deputy English, has given that it would be completed in the first quarter of 2019 and revert to us on that.

Deputy Paschal Donohoe: In response to Deputy Eugene Murphy's question, I cannot ensure this will happen because if part of our economy, credit union or banking sector decides it wants to participate in this, we can only do so much. In response to Deputy Michael McGrath, from the point of view of the Department of Finance, we now believe that we have done all we can to facilitate the set-up of such an entity. It now rests with those who have been calling for this entity to see if they want to go ahead and do it. The matter was not raised with me at the meeting on Tuesday. It was not brought up. On the point about the Minister of State, Deputy English, maybe I can explain what that deadline was. My understanding is that the Department of Housing, Planning and Local Government has now provided funding to the Irish Council of Social Housing to help see if it can develop the framework to which the Deputy referred. The Irish Council of Social Housing is now aiming to complete that project by the first quarter. Maybe the Deputy is referring to the work the Irish Council of Social Housing is doing rather than the Department of Housing, Planning and Local Government or my own Department. I reiterate to both Deputies that we now believe we have done all we can. The matter did not come up again on Tuesday. If there is an opportunity to be grasped - and there may well be - it now rests on those who have identified it to see if they can do it.

Tax Code

8. **Deputy Robert Troy** asked the Minister for Finance if the report on the impact of the increase in betting tax to date will be accelerated in view of the reported impact this measure is having on the sector. [7339/19]

Deputy Robert Troy: During the Finance Bill, the Minister gave a very clear commitment to the House that in the first quarter of this year he would undertake a review of the impact of the increase in betting tax on that industry. Where stands that review now?

Deputy Paschal Donohoe: The increase in the betting duty rate from 1% to 2%, and the betting intermediary duty rate from 15% to 25%, came into effect on 1 January. At this point in the year it is still too early to draw any conclusions on the impact of these increases. Receipts from betting duty represented less than 1% of all excise receipts in 2017 and this is likely to be the case in 2018. In addition, there is no VAT applied on betting transactions. During the debate, I outlined why I consider the betting sector needs to make a fair contribution to the Exchequer.

During the course of the Finance Bill process I agreed to review an alternative proposal put forward by the betting sector, and I acknowledge that small independent bookmakers may have difficulty competing with larger bookmakers. My officials are now considering this proposal. We are considering whether it is compatible with a core element of EU rules, and will set out our analysis of this and options in respect of it in papers of the tax strategy group, which should be published in July.

Deputy Robert Troy: While I welcome the fact the Minister is undertaking the review, that he is waiting until July to publish it is simply not good enough. Ten shops have already closed since 1 January. That is 50 jobs lost since then. Nine of the ten shops are independent bookmakers, not multinationals but small, family-owned businesses. There are about 50 other small, independent bookmakers hanging on by their fingertips. They have been able to manage through their banks and financial backers to negotiate a package to keep them trading at a loss until the end of the first quarter because the Minister gave a clear commitment to the Dáil during the Finance Bill that this would be done in that period, not July. Given that his officials are re-examining the proposal, will the Minister accelerate the publication of that data with a view to considering the necessary amendments to protect small family businesses, as promised, by the end of the first quarter this year?

Deputy Paschal Donohoe: The specific commitment that I gave, as the Deputy will, I hope, remember, is that we would consider the issue quickly at the start of this year, which we are doing. As he will be aware, we are experiencing a trend at the moment where we are seeing change within independent bookmakers because of changes that have happened in consumer behaviour and because of the growth of larger companies here. I will check with the officials regarding where this work stands. As I have said to the Deputy, we are now assessing whether this alternative proposal could be compatible with EU rules and following up on what he said, I will get a further update on it.

Deputy Robert Troy: I welcome that because I am not being alarmist. Ten shops have closed because of this measure that the Government introduced, three in my own constituency Edgeworthstown, Athlone and Rochfortbridge. They were all small family businesses which had no option but to close their doors. The Minister is now saying that he will look into this, on foot of what I have asked him to do, to accelerate the publication, and hopefully, take on board what the industry is saying, because in fairness it has offered an alternative. It is not looking to have this reversed with no alternative in place. It has proposed an alternative that will give the Minister more than what he hoped his measure would introduce.

Deputy Paschal Donohoe: We did try to find alternative ways of doing this last year. We

engaged with the sector and we worked in last year's tax strategy group process but I recall the debate we had in the House about this on the Finance Bill and I said that we would look to see if an alternative and credible way was to be found of doing this. As the Deputy might appreciate, I am surrounded by sectors who are always claiming that they have different ways of raising even larger amounts than any change that we make in any budget or Finance Bill. They will always make the case that there is a better way of raising more money that is less harmful to them. I said in the debate on the Finance Bill that we would consider another proposal. I have acknowledged the work under way on this but I will see where that stands and get an update on it from the Department.

Crime Prevention

9. **Deputy Brendan Smith** asked the Minister for Finance the additional measures he plans to implement to counteract cross-Border smuggling and illicit trade in fuel, tobacco and drink products; and if he will make a statement on the matter. [7242/19]

Deputy Brendan Smith: I have been constantly tabling parliamentary questions to the Minister and his colleague, the Minister for Justice and Equality, about the need to deal with the criminals involved in illicit cross-Border trade and smuggling. The issue goes back over many decades. In one reply, the Minister referred to the resourcefulness of those involved in those forms of criminal activity. It is an area that the Revenue Commissioners and all organs and agencies of the State, along with their counterparts in Northern Ireland, need to be constantly diligent about and to constantly review the measures in place to deal with such criminality. It is having a significant impact on legitimate businesses and the State is losing large-scale revenue annually due to this illegal trade.

Deputy Paschal Donohoe: I acknowledge the fact that the Deputy has raised this issue with me in many different debates. The threat that fuel fraud and the illicit alcohol and tobacco trades pose to legitimate business, consumers and the Exchequer is clear and I am assured by the Revenue Commissioners that combatting such criminality continues to be a priority for them. Steps taken by Revenue to combat the illegal fuel trade include the introduction of stringent new supply chain controls and reporting requirements and a rigorous programme of enforcement action. In addition, Revenue and Her Majesty's Revenue and Customs undertook a joint initiative to introduce a new marker for use in marked fuels, which came into operation from April 2015. Revenue has also conducted random national sampling programmes in the years 2016 to 2019 to assess the extent of fuel laundering. The industry view is that the actions taken have been successful in curtailing fuel fraud.

Illicit trade in alcohol can occur through the diversion of untaxed alcohol onto the market, through the production of counterfeit alcohol and through smuggling from countries with lower taxes. Revenue takes appropriate action where illicit activity is detected, and this action is informed by intelligence on criminal activity and risk-based examination of commercial traffic and stock in retail premises.

Revenue and An Garda Síochána work closely together in acting against fuel, alcohol and tobacco crime, and co-operate closely with their counterparts in Northern Ireland. I am satisfied that their work has achieved a great deal. I will consider any additional proposals for legislative change to be brought forward by Revenue to enhance its capacity in the future.

Deputy Brendan Smith: It is important that Revenue and the Minister's Department constantly evaluate the effectiveness of the different measures in place because those criminals, including paramilitary gangs in some instances, have significant resources and the State can never underestimate the resourcefulness of those people involved in criminal activity. I fully appreciate that the new marker system has had some success but I am told locally in the Border region that fuel fraud has started to increase again. I would like the Minister to ask the Department officials to check that with the Revenue Commissioners to ensure that the marker system is as effective in 2019 as it was in the latter part of 2017 and 2018.

We do not want sludge dumped in our fields, streams and rivers. That threatens the provenance of our primary agricultural production systems. It is important that our environment and landscape is not subjected to this sludge being dumped at will by those criminals.

Deputy Paschal Donohoe: I agree entirely with the Deputy. The view the Revenue Commissioners have given me, which may interest him, is that the problem of fuel fraud has been massively reduced. Revenue's current assessment is that it has made a lot of progress to almost eradicate the issue. The Deputy may well have a different view and may be aware of more recent developments in this. I will pass those concerns to the Revenue Commissioners, which are very active in the area.

To give a sense of the kind of enforcement activities the Revenue Commissioners are now involved in, on 29 January last, officers at Dublin Port seized more than 11,000 litres of alcohol with a retail value of €500,000. This included more than 10,000 litres of whiskey and 800 litres of alcopops. I accept that my examples do not relate to the Border, which is the subject of the Deputy's question, but they show the sophistication of what is now under way and the success of the Revenue Commissioners. He may be aware that last November Revenue officers seized 8 million cigarettes that had arrived in Dublin Port.

Deputy Brendan Smith: I thank the Minister for his response and I do not doubt the good work of the Revenue Commissioners in any way. I take this opportunity to compliment many Revenue officers who dealt with very hostile situations in the past. People stood up to those criminals and thugs. We also want to protect legitimate business.

I compliment the Retailers Against Smuggling group, which continues to try to create public awareness of the damage caused by everyone who knowingly buys those illicit products. I commend their work on that. I speak to SMEs and they tell me of the difficulty they have competing with product coming illegally. In many instance, people pricing for jobs, tendering, etc., are undermined by product being brought in illegally. We have to be constantly vigilant in this area and diligent in ensuring that the message continues to go out that this will not be tolerated under any circumstances. I compliment the offices and agencies north and south of the Border that have had to deal with criminals on back roads or in remote farmyards. It is never the easiest task. Their work must be supported to the maximum level possible for the good of society and our State. Of course, people unknowingly buy inferior products at times.

Deputy Paschal Donohoe: I thank the Deputy. It is great to hear about the initiative to which he referred. As he stated, there must be somebody who is willing to buy the products. In some instances, consumers may well be buying products without being aware of their origin. In others, this is not the case. I am interested in finding out a little bit more about the work to which the Deputy referred, if he has any information he can share with me about the retail group and the work it does. It sounds like a valuable initiative.

The Deputy acknowledged - and I want to do so again - the work that has happened on both sides of the Border. The work done by Revenue here and HM Revenue and Customs in Northern Ireland and the UK is an invaluable example of the co-operation that takes place between both jurisdictions. It is really important to me and to the chairman of the Revenue Commissioners and his team that we sustain this co-operation, particularly as we move into a post-Brexit environment. Co-operation between our legal and enforcement agencies is to the immense mutual benefit of all of us and we have to find ways in which it can be maintained.

Film Industry Tax Reliefs

10. Deputy Richard Boyd Barrett asked the Minister for Finance if a progress report will be provided on his plans to ensure the requirement to provide quality employment and training as a condition for receiving section 481 tax relief will be met by the film producers receiving the relief and, in particular, his acknowledgement that compliance with this condition should require, as a minimum, compliance with the legal protections for workers; the sanctions or penalties which will be imposed on recipients of or applicants for the tax credits that breach the rights of workers or that fail to provide the required quality employment or training; if the penalties will include immediate disqualification from entitlement to the section 481 relief; and if he will make a statement on the matter. [7278/19]

Deputy Richard Boyd Barrett: As the Minister knows, I have raised the issue of the connection between section 481 tax relief and rights for workers and trainees, and the condition attached to this relief to the effect that the film production companies to which it is given should provide quality employment and training. The Minister has stated, rightly in my opinion, in reply to previous questions that it should be defined, as a minimum, as compliance with the law on workers' rights and employment legislation. Will the Minister give us an update on how we will ensure this is happening and ensure compliance with the rights of employees is actually being applied the film industry?

Deputy Paschal Donohoe: Revenue is bringing forward the regulations necessary to support the amendments to which the Deputy refers. The Deputy met officials to discuss these matters and I can confirm that relevant Labour Court interventions raised have been considered as part of these preparations. Officials from Revenue have also been working with the Department of Business, Enterprise and Innovation on the employment obligations of the producer company and qualifying company for section 481 claims. The regulations must be made with my consent and that of my colleague, the Minister for Culture, Heritage and the Gaeltacht. Officials from both Departments are reviewing the drafts of these regulations.

Deputy Richard Boyd Barrett: I genuinely welcome the progress and the engagement but I am keen that we make this watertight. One question I want to ask is whether sanctions will be applied. I have the details of one of the cases to which the Minister's attention has been drawn. It involves a ruling on four or five items of legislation. A complaint was made by a trainee assistant film director to the Workplace Relations Commission against Christchurch Productions. In all cases, the production company was found to be in breach and a fine was imposed. I have been informed that fine has never been paid. As I understand, the producer behind the company is still getting section 481 tax relief. If this is the case, what is the point of having these rules and regulations? What is the point of having conditions attached to film relief if we continue to give it out? I know the Minister is examining this but we need to move to a situation where it

is made absolutely clear to these producers that they will not get a cent more of public money unless they comply with the law. There should be a serious question over whether they get any money if they have been shown to be in breach. I do not understand why this would not happen.

Something that needs to be clarified is the relationship between the producer company that gets the money and the special purpose vehicle, SPV, because often the producers will state the SPVs have nothing to do with them and they are not the employer and have no obligations. When they try this line of argument, the Minister needs to state that if they are in receipt of money from the Government, they are responsible for the employees.

Deputy Paschal Donohoe: I have already acknowledged to the Deputy, when debating the Finance Bill, my belief that there should be a link between the State making resources available to a particular company through tax expenditure for the provision of employment and being confident that such employment is provided and that there are no repeated issues regarding the nature of the employment and its compatibility with our laws. Where I differ with the Deputy - and he and I have debated this previously - is that I believe the sector, by its very nature, has different employment practices. My sense is we should have different expectations regarding what people's careers can look like and the nature of the employment because, by its definition, it is project to project. Broadly speaking, I want to ensure section 481 is in operation and that I can be confident it is not being used in such a way that is incompatible with the laws of our country. This is why I have taken an interest in this, which the Deputy has acknowledged. I have touched on the work under way by officials in the Departments of Finance and Culture, Heritage and the Gaeltacht to see whether we can find a way of getting a balance on these issues. I hope we can make progress on it.

Deputy Richard Boyd Barrett: Construction is project to project but the law applies. The legislation relating to fixed-term work applies. Developers cannot dodge their obligations to employees on the basis that it is project to project. Animation is project to project but there is some security in it. It is also an audiovisual industry and companies are in receipt of section 481 but these problems do not arise. In the context of live action film, a plea is being made by the recipients of large amounts of public money that the industry is exceptional and that these laws cannot apply to them. They need to be told that they do apply, that the law is the law and that there is no derogation. Perhaps the Minister will confirm there is no derogation for film, as I understand it, regarding the fixed-term work legislation. It needs to be made absolutely clear to the people who receive public money this is the case, that other employment legislation applies and that the definitions of who is an employee and employer must apply to them also. They cannot state the law does not apply to them.

Deputy Paschal Donohoe: The issue of how employment law is applied in various sectors is, as the Deputy might appreciate, a matter for the Minister for Business, Enterprise and Innovation and, therefore, I am not in position to answer the Deputy's question. As already stated, where we differ is that I do not believe the availability of tax relief for projects is likely to address all of the issues he has raised. It appears that there are issues regarding the nature of the industry and the application of employment law that need to be dealt with elsewhere. What I am trying to do is ensure the availability of this relief is tied to ensuring that it achieves the objectives it is designed to achieve. The officials have not yet come back to me with the draft regulations but they will do so soon. I hope to be in a position then to sign the regulations into law and see how they are implemented.

Insurance Costs

11. **Deputy Jonathan O'Brien** asked the Minister for Finance when the working group on the cost of insurance will complete its work. [7353/19]

12. **Deputy Brendan Smith** asked the Minister for Finance when he plans to implement additional recommendations of the insurance working group; if his attention has been drawn to the concerns in many sectors about increased insurance costs; and if he will make a statement on the matter. [7243/19]

Deputy Brendan Smith: As the Minister is well aware, the cost of insurance is a huge burden on customers, be they businesses, charities or sports clubs. People continue to face insurance premiums far in excess of what is justified or fair. According to the most recent figures from the Central Statistics Office, CSO, that I have seen, while premiums decreased in 2017, they have increased considerably, by more than 30%, since 2012. It is very important that the recommendations of the independent working group are implemented as soon as possible. Some have been acted upon but many of the key recommendations have not been legislated for or the relevant regulation provided for. I hope the Minister will be able to indicate to us that additional measures will be implemented as soon as possible.

Deputy Paschal Donohoe: I propose to take Questions Nos. 11 and 12 together.

I was listening to what the Deputy said. I will give him a brief answer. Of course I am aware of the strain to which the Deputy is referring. The problem of rising premia in respect of motor insurance in particular was the main impetus for the establishment of the cost of insurance working group, chaired by the Minister of State, Deputy D'Arcy. The working group is continuing to implement the recommendations of the 2017 report on the cost of motor insurance and those of the 2018 report on the cost of employer and public liability insurance. Both of these reports contain action plans.

The seventh update was published last November. It shows that 63 of the 78 different deadlines relate to actions which have now been completed. It is envisaged that the next quarterly progress update will be completed by the end of this month. It will concentrate on outlining the definitive position in respect of all the recommendations of the motor insurance report as the last of the deadlines within its action plan passed at the end of 2018.

With regard to the other report, the vast majority of the total of 26 actions which were due for completion have now been accomplished. I remain confident that any outstanding action points will be completed within the coming months, along with the three remaining action points whose deadlines are set for various quarters of 2019.

Deputy Brendan Smith: I thank the Minister for his reply. My understanding is that one of the key recommendations of the report was the establishment of a national claims database. Legislation to establish that database was to be enacted more than 12 months ago. What is the up-to-date position in respect of that recommendation? One other recommendation that has been brought to all of our attention, particularly by those advocacy and representative organisations concerned about the cost of insurance for motorists, businesses, householders, sporting clubs, voluntary organisations and so on, is the establishment of a Garda insurance fraud unit. Many people have made well-based proposals and arguments that give the very strong message that this would be the single most effective deterrent to fraudulent claims. There is no sign of

that single Garda unit being established more than two years after the discussion on its possible effectiveness began.

Deputy Joan Burton: Is the Minister aware of the extreme distress and financial uncertainty being caused to a wide variety of businesses and ventures, particularly those involving adults or children engaging in any kind of physical activity, to the point where such businesses and ventures are being destroyed? I am inundated with messages from people saying that this coming year may potentially be their last year in business. It seems this is being managed with the same degree of competence as the children's hospital. There is now a further level of uncertainty arising from Brexit. It is widely expected that additional charges will be put on the policies of people who are moving between an EU jurisdiction and a jurisdiction with whatever status Northern Ireland will have after Brexit. The working group is working away but it is not addressing an issue that will close down significant numbers of businesses, particularly in rural locations.

Deputy Paschal Donohoe: I will respond to the three questions that have been put to me. Deputy Brendan Smith asked where we stand on the national claims information database. The legislation for this database was enacted in December. Work is now under way to get it up and running. The legal and legislative work in this regard has now been completed. The Deputy's second question was on the dedicated Garda fraud unit. The Minister of State, Deputy D'Arcy, met the Garda Commissioner, Drew Harris, at the end of last year. The Commissioner is now considering how An Garda Síochána will respond to the report and to its recommendation that An Garda develop a specific investigative capacity in this area.

On Deputy Burton's question about our competence in this area, I am aware of the issue that this poses for smaller businesses and consumers. Earlier on I outlined that we have honoured the majority of action steps to which we have committed. More than 71 recommended actions have now been taken. While I am not in a position to give the Deputy information about the insurance policies of small and medium-sized companies, motor insurance premiums have reduced by 22.1% since their peak in July 2016. That is not information which I am supplying, but information which the CSO released last December.

Fiscal Policy

13. **Deputy Maurice Quinlivan** asked the Minister for Finance if a move away from unanimity on tax matters at EU level will be opposed; and if he will make a statement on the matter. [7310/19]

28. **Deputy Thomas P. Broughan** asked the Minister for Finance his views on the call by the EU Commission for the Government's views on the streamlining of EU decision-making by removing national vetoes in some areas of taxation policy and ending unanimity on taxes. [7155/19]

Deputy Maurice Quinlivan: As the Minister will probably know, the EU Commission is not shy about letting us know that it sees Brexit as an opportunity to ramp up its agenda of federalisation, particularly in respect of tax issues. Will the Minister reassure us that he rejects the latest Commission attempt to remove the veto of this country, and of every other country, over tax matters?

Deputy Paschal Donohoe: I propose to take Questions Nos. 13 and 28 together.

I dealt with this matter earlier on but I will reaffirm that I will not be changing my position or that of the Government in respect of taxation policy within the European Commission and European Union. I am at a loss to understand Sinn Féin's view of the European Union. On the one hand it acknowledges and lauds the support it offers in respect of the great challenge we face in ensuring that there is no return to a hard border on our island while on the other hand I consistently hear a continued approach of attacking the European Union and seeing anything it does in a very hostile light. I heard this approach from Deputy Pearse Doherty only a few moments ago. To answer the Deputy's question again, I will not be changing the view of the Government with regard to how we handle decision-making on tax matters. Many other countries within the European Union feel the same way on the matter.

Deputy Maurice Quinlivan: Politically, the Minister may or may not agree that the EU without Britain will be seen as an EU in which weight has shifted towards the federalist agenda. The Minister needs a strategy to ensure national sovereignty is respected. The Government's position, which is to let the OECD deal with the matter, is considered by many to be a tactical consideration based on the presumption that the OECD will never do anything, or at least nothing significant, to enact change anytime soon. The Commission's target is the infamous passerelle clause which, as the Minister knows, was introduced by the Lisbon treaty. This is a means of removing the veto. As the Minister will be well aware, once the veto is gone it is gone for good. From a sovereignty point of view there can be no question of facilitating any removal of our veto through the passerelle clause. Does the Minister expect any formal proposal to use this clause in the coming period? Will he be definitive here and now that Ireland's answer will be "No"?

Deputy Paschal Donohoe: I agree with the Deputy that the equilibrium within the European Union will change as the United Kingdom departs. The Government has acknowledged this on a number of occasions. What used to be our largest and most significant ally on a number of policy matters will no longer be around the table. The Deputy is correct in that regard. We have now redoubled our efforts to secure a group of countries with which to work on areas that matter to us. I have been at the heart of this within the finance Minister community. I have been working hard with my Dutch, Nordic, and Baltic colleagues with regard to areas of common concern. We are now seeing more countries come forward and explain why they, for different reasons, do not support a change in the decision-making process on tax policy. Those countries have reaffirmed their views as recently as this week.

Written answers are published on the Oireachtas website.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Dara Calleary: On the day that is in it, I send good wishes and love to everybody in the Chamber. Those of us on this side of the House sent a Valentine's card to the Tánaiste and the Government. Unfortunately, we gave it to the Minister for Health so it might be a few months before they get it but I am sure they will eventually get it.

Small businesses throughout the country are not receiving any love from their insurance companies. I caught the end of the Minister for Finance's interaction with Deputy Burton. Small businesses, farms, marts and festivals are being hammered by increasing insurance costs, particularly business insurance costs. I do not know if the Tánaiste heard it but I would encourage him to listen to Tuesday's edition of "Today With Sean O'Rourke" over the weekend. That edition focused on play centres in particular and the hit they are taking. One case in Navan involves a lady called Linda Murray who runs a centre employing 12 people that hosted 20,000 children last year. Her costs have gone from €2,000 in 2012 to €16,000 in 2018 without a claim. She is being advised that she cannot get a quote in 2019. The insurance companies in this sector are beginning to pull out because Ireland is seen as such an outlier by the insurance industry. If she was operating in the UK, she would get a quote - one that would be much lower. We are talking about 12 jobs in a business that has been operating for seven years, involving very hard work, and that has a very high reputation. Some 20,000 children in Navan are being completely discommoded. Similarly, the Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach and the Joint Committee on Agriculture, Food and the Marine are being told about marts throughout the country having to close. Community events such as street festivals are affected. Some 75 community festivals alone have shut down in the past few years because of increased insurance costs.

Meanwhile nothing is happening. Yes, there have been reductions in the cost of motor insurance because motor insurance is trackable and accessible but when it comes to this kind of insurance, there is a mystery behind it. Business owners cannot see why their costs are increasing and what kind of claims are being settled. Meanwhile the Government, once again, has its head in the sand. On "Today with Sean O'Rourke" the other day, the Minister of State at the Department of Finance, Deputy D'Arcy, acknowledged that the level of claims in this country was the problem but this has been known for 19 or 20 months since it came forward in the report. Yet it was only yesterday that the Minister for Justice and Equality wrote to the Chief Justice to ask him to do something about it. In the meantime, 75 festivals, marts and small businesses throughout the country have gone to the wall. What is the Government going to do about it? Does it understand the seriousness of the situation facing small businesses? Once and for all, can the Government stand up for small businesses against the might of the insurance industry?

The Tánaiste: I thank the Deputy for his good wishes on the day that is in it. We have not exactly been feeling the love from Fianna Fáil this week but perhaps-----

Deputy Louise O'Reilly: You can always rely on their love.

Deputy Paschal Donohoe: We will not get any from you. Hope springs eternal.

The Tánaiste: It is early in the day but I will pass on Deputy Calleary's good wishes to the Minister for Health. That is appreciated. On the serious issue of insurance, I emphasise that we in government are very aware of the financial strain that the cost of insurance is placing on some consumers and many businesses. Indeed the problem of rising premiums in respect of motor insurance in particular was the main impetus for the establishment of the cost of insurance working group chaired by the Minister for Finance. The working group is continuing to implement the 33 recommendations from the 2017 report on the cost of motor insurance and the 15 recommendations from the 2018 report on the cost of employer and public liability insurance, to which Deputy Calleary did not refer but which certainly exists. Both of these primary reports contain action plans that set out agreed timelines for implementation as well as a com-

mitment that the working group will prepare regular updates on its progress. The seventh such update was published last November and shows that of the total number of 78 separate relevant deadlines within the action plans of the two reports set up to the end of quarter three of 2018, 63 relate to actions that have been completed.

There is more work to do but it is not true to say that nothing is happening in this area. It is envisaged that the next quarterly progress update will be completed by the end of this month and will concentrate on outlining the definitive position relating to all the 33 recommendations from the cost of motor insurance report as the last deadlines in its action plan passed at the end of 2018. In respect of employment and public liability insurance, the vast majority of the 26 action points, which were due for completion during 2018, have been accomplished. I remain confident that any outstanding action points will be completed in the coming months along with the three remaining action points with deadlines set for various quarters throughout 2019.

I am familiar with the pressure outlined by Deputy Calleary regarding many individual businesses, be they marts or other businesses. The Government will continue to monitor how we, through change policy and changes of approach, can continue to ensure that we have a competitive insurance offer in Ireland for small businesses in particular. We have an action plan that is being implemented and we will continue to update that.

Deputy Dara Calleary: That is no comfort to businesses throughout the country that are facing extraordinary rises - hundreds of percent - in premiums, including nightclubs, restaurants, community events such as festivals and play centres. People have been made redundant because they cannot pay for insurance or get a quote. While the Government is coming up with these action plans, insurance companies are refusing to give quotes. On “Today with Sean O’Rourke”, the Minister of State at the Department of Finance, Deputy D’Arcy, outlined that he had a plan A. He was unable to progress that; it was delayed. Plan B was delayed and now he is on plan C. Much of the delay was because legislation is not being pursued.

If there is urgency, one concrete action the Government can take and take quickly is publishing a new book of quantum. When will the new book of quantum that might bring some sort of discipline and order to injury awards, which are four times higher in this country than they are in the UK, be produced? An award that might be £10,000 in the UK is €40,000 here. This is costing jobs and closing down businesses. When can we expect the book of quantum?

The Tánaiste: It is important to say that while I recognise there are significant pressures in some of the areas raised by Deputy Calleary, it is also important to recognise the progress that has been made in other areas. If we were here two years ago or last year, we would have been talking about the cost of motor insurance-----

Deputy Joan Burton: Tell that to the people who are closing down.

The Tánaiste: What we have seen over the past two and a half years is a 22% reduction in the cost of motor insurance. We now need to deliver the kind of results for small businesses that we have managed to deliver for motor insurance. That is what we intend to do. That is why we have an action plan. Motor insurance was phase one, we are now looking at public liability insurance and businesses and we are determined to deliver the kind of results that we have seen in the motor insurance sector in the broader commercial sector as well.

Deputy Dara Calleary: Book of quantum.

The Tánaiste: I will have to come back to Deputy Calleary about that but I will do so happily. I will speak to the Minister concerned, who is the Minister of State, Deputy D'Arcy, and revert to Deputy Calleary about the book of quantum.

Deputy Louise O'Reilly: I offer my good wishes given the day that is in it. They will probably be a bit superfluous to requirements since there is already so much love in the Chamber between the two parties of Government. In the wake of the CervicalCheck scandal, the buzz word about this place was "confidence". However, the revelations of the past few days regarding cervical screening do nothing but undermine confidence in a system that can barely afford further controversy. The Tánaiste should not take my word for it. The Irish Cancer Society has expressed worry about the delays. At a meeting of the Joint Committee on Health yesterday, officials from the Department of Health said that no capacity analysis had been conducted regarding the ability of the CervicalCheck programme to carry out extra smear tests once the free tests had been announced by the Minister in April 2018. This has resulted in a backlog of 78,000 tests and in some women waiting up to 27 weeks for their results. Imagine that wait. It is disgraceful.

I happen to believe that offering free tests to women who wanted them, given the calamity we witnessed last year in respect of CervicalCheck, was the right thing to do but the Minister should have ensured that the capacity was there to deliver. It is patently clear now he did not do that. It is yet another shocking example of the shambles of a system this Minister presides over and it is further evidence that he is not up to the job of leading our health service.

Given the scale of the CervicalCheck crisis, the very first thing the Minister should have done before offering free smear tests was to make absolutely certain that the volume of additional tests could be dealt with within the medically indicated timeframe. The position of the Department of Health is that it was impossible to quantify the uptake in respect of repeat smear tests. This is nonsense. It is a relatively recent scandal. I am sure the Tánaiste will recall the public outcry and the interest in this subject at the time, so it is little wonder that 90,000 women availed of the offer of a free repeat test. We all now know about the Jade Goody effect, which, in 2009, gave rise to an increase in the number of women seeking tests in the wake of the death of that young woman. It is no wonder that it happened here. In fact, it is entirely predictable that it would happen here. However, what we got instead was a soundbite when no work had been done in advance.

We need to be able to trust the Minister for Health, the Department of Health and the HSE to respond appropriately and intelligently in a crisis. What work was undertaken since these backlogs were reported as far back as August of last year? Why has the backlog grown so continuously almost month on month? Is it the case that no effective action was taken? If action was taken, why are these actions not working to reduce the waiting times? Furthermore, what work is being undertaken at this time to ensure this backlog is cleared urgently and that tests are carried out within a recommended timeframe? What is the new revised deadline for the roll-out of the HPV test since two deadlines have already been missed?

The Tánaiste: The Deputy is right in one thing - the CervicalCheck screening process does not need another controversy. It has been a real challenge for the Government, the Department of Health and the HSE to deal with what was an extraordinary scandal a little less than a year ago. At all times, the Minister and the Government have responded in a way that has tried to put women's interests first. I am glad that it was confirmed at the health committee yesterday that the Minister, unlike what has been stated by some in this House, was not advised by his

officials not to proceed with-----

Deputy Louise O'Reilly: I did not say that.

The Tánaiste: That was not the case the Deputy made but it was a charge the leader of Fianna Fáil made this week.

The Minister was not advised by his officials not to provide free out-of-cycle tests for women on a temporary basis in order to try to provide confidence and reassurance. That is what happened. Undoubtedly, the response to that, as the Deputy has outlined, was significant as people sought reassurance, and that has put more pressure on the system. The HSE and the Department of Health are responding to that by looking for increased lab capacity to be able to deal with that significant increase, which is a combination, by the way, not just of an increase as a result of out-of-cycle free smear tests on the advice of GPs but also an increased uptake of the test generally. Therefore, the system has been put under a lot of extra strain. It is not easy to put expanded or new contracts in place with the labs concerned. What the HSE is now doing is prioritising the stabilising of CervicalCheck to get us back to where we should be, which is between four to six weeks of a wait as opposed to 24 to 26 weeks, which is not acceptable. That needs to be and is the priority now. The way in which we are responding to that is to look for and source increased capacity so we can get these waiting times down.

In the context of the switch to HPV testing, we are committed to this and international best practice would support that decision. Some countries have already moved to HPV testing but Ireland will be one of the first movers. We have committed in this year's budget to facilitating that transition and the preparation and scoping that is necessary to do that efficiently is under way. We also have to factor in the need to prioritise the stabilisation of the existing screening process, which we are doing. I am not in a position to give the Deputy an exact date. Those questions were asked yesterday at the health committee. As soon as we have a date we can commit to, of course, we will inform the House straight away.

Deputy Louise O'Reilly: I am a woman who uses that service. I can say on my behalf and on that of women I have spoken to that the Tánaiste is not filling me with any confidence. The wait time is now 27 weeks, which, as the Tánaiste stated, is not acceptable. The shaking heads, sighing, shrugging and all of that is not going to help. I asked him what concrete steps are being taken. In advance of making the offer, it is now clear that no steps were taken to ensure there was additional capacity despite the fact the need for additional capacity was absolutely predictable. We got a soundbite but no homework done in advance and no follow-up work done to date. There is no date for the HPV testing and, again, that has been long-fingered. It is another issue of women's health that has been put on the back-burner, which is not acceptable.

On the news yesterday, we saw a young woman who is waiting for the return of her test results. She was told that had she had the capacity to pay, it would have been turned around in two weeks. Is the Government doing anything concrete to ensure that this backlog is cleared as a matter of urgency and priority? What does the Tánaiste say to those women who have not jumped the two-tier recovery bus and who do not have the money to go private and jump the queue?

The Tánaiste: The introduction of HPV testing is not being long-fingered but it is going to be done properly in order to ensure that transition works and that we do not add any further uncertainty in regard to CervicalCheck in the future. This decision is not going to be rushed.

The work is already under way to make sure this transition happens in a way that is seamless and that works. We are not in a position to give an exact date as to when that will happen. We are in a position to say the money is there to do that this year, and there is a process under way and a team working on that to make sure it is done.

What we are doing to focus on a backlog and waiting times that are far too long is to increase capacity, where that is possible. It is not a straightforward thing to increase lab capacity overnight. Decisions had to be made in response to what was a crisis at the time, where-----

Deputy Louise O'Reilly: It was a soundbite.

The Tánaiste: It was not a soundbite. Some 90,000 women-----

Deputy Louise O'Reilly: It was a soundbite. None of the work was done in advance.

The Tánaiste: The Deputy stated that 90,000 women availed of that out-of-cycle smear test.

Deputy Louise O'Reilly: And 78,000 of them are waiting.

The Tánaiste: That is not as a result of a soundbite. That is as a result of a service that was being provided by GPs. That has put pressure-----

Deputy Brendan Howlin: It was not delivered.

Deputy Louise O'Reilly: There are 78,000 of them waiting.

The Tánaiste: If the Deputy is not going to listen-----

Deputy Louise O'Reilly: The Minister is not answering the question.

An Ceann Comhairle: Order, please, Deputy O'Reilly.

The Tánaiste: That was a real commitment which resulted in real demand and real tests. It put the lab system under pressure and that has resulted in a delay in the turnaround times. We know that. The priority is to get those times down, which is what the HSE is focusing on.

Deputy Mick Wallace: The cost of the children's hospital is out of control. I laid out last night what I see as being at the root of the problem. How many variations have there been since this contract was awarded? What is the value of the different variations? How many more variations might the Government be expecting? The procurement process should have delivered the correct form of contract but it did not happen. The Government has used a fixed-price contract and for that one must have a well-defined scope of works or the claims will come. We do not have a well-defined scope of work because, as I said last night, it is almost impossible with a complex engineering project such as a hospital, so the claims are coming, and we are only starting. We needed a bespoke civil engineering remeasurement contract but we did not get it. As I said last night also, in that situation the contractor does the work, it is measured and one pays accordingly and lets the quantity surveyors sort out the differences. The contractor looks at what avenues he has to make extra money.

The Taoiseach passed a comment about the low balling of contracts. He was a little on the naive side with his comment. I would argue that right now for BAM it is like picking apples in an orchard and that is a big problem for the Government. The legal firm is the adviser on

how one procures and amends the tender documents and it has a duty to alarm its clients of the consequences of using standard documents such as those in the capital works management framework because they can only facilitate a fixed-price contract and they do not suit a job such as this one. That gives unbelievable potential to the contractor to get extra money as it goes. The legal firm is a construction specialist. It is not true that it does not know. It should know. That is part of its job. It did not have to rely on the capital works management framework, which the Department of Finance gives it. It had other options. I am seriously concerned with its performance and I think its professional indemnity should be considered. This is not good enough and it will cost the Government too much money. At this stage in the contract the Government has the potential for termination at will. It excludes loss of profits.

An Ceann Comhairle: I thank the Deputy.

Deputy Mick Wallace: The cost of calling a halt is in the contract. We have not reached the point of no return. We are really only starting. The extra cost we are looking at now will be far exceeded in time if the Government continues along this road. The Government needs to stop and retender.

The Tánaiste: I note the Deputy's very constructive engagement on this issue in the House and the obvious experience he has in the construction industry which makes for a very helpful contribution. A process is under way now to fully evaluate what happened. Mistakes were made. There was a gross underestimate of the-----

Deputy Mattie McGrath: It is the wrong site.

The Tánaiste: -----cost of building the hospital. When the estimate was corrected, there was a dramatic change in the overall predicted and estimated cost of delivering the hospital. When we got clarity on the figure, the Minister brought a series of recommendations to the Government to make a decision on to how to proceed. I think he made the right decision to do that. What Deputy Wallace is focusing on, understandably, is how we got there, how we learn lessons from that and how we change systems in the future for project management or tendering processes for big projects such as this one. The Government is listening-----

Deputy Mattie McGrath: It never listened-----

An Ceann Comhairle: Shush.

The Tánaiste: -----to ensure that we learn lessons from the mistakes that were made. We have asked an independent firm, PwC-----

Deputy Mattie McGrath: It has no expertise.

An Ceann Comhairle: Deputy McGrath should please not interrupt.

The Tánaiste: Of course it has expertise, Mattie.

Deputy Mattie McGrath: Not in this area.

The Tánaiste: What I respectfully suggest is that we, as politicians, have limited expertise in this House to make the right judgment calls in relation to this project. Our job as legislators and policymakers is to put structures and systems in place that ensure underestimates such as this do not happen in the future. By and large, when one looks at many of the other big projects

that have been delivered, our systems have worked. I refer to the N17, the N18 from Gort to Tuam, the N11, the N7, the north docklands sewerage system and the Phoenix Park tunnel. I could go on. There are lots of projects on time and within budget because the systems have improved significantly from seven to ten years ago when many projects went over budget. Something has gone wrong in relation to the estimation of cost of the children's hospital. We intend on getting to the bottom of that and learning lessons from it, and we will change systems where necessary in response to that to make sure it does not happen in the future. Of course we will take on board the constructive criticism, concern and suggestions that are made in this House. I do not think it is helpful to start naming individual firms in this House and to start apportioning blame before we have the full, clear picture of what happened. I will certainly not get into that space.

Deputy Mick Wallace: The Tánaiste is talking about learning lessons for the future, but I would like him to learn them for the present because I would argue that if the Government stops now, which it is allowed to do according to the terms of the contract, and retenders, it could save itself in the region of €500 million. The Government should opt for a remeasurable contract rather than stick with a fixed-price contract which will cost a lot more than €1.7 billion. I have already said that I do not expect the overall cost to stop at €2.2 billion.

I know value for money is a concern for the Government. I checked the Government's public spending code. One of the questions it asks is whether the Government is doing the right thing, namely, spending money to achieve the right objectives. I would say "Yes" because the Government is looking to provide a hospital that is required. The second question relates to doing it right, namely, spending money as efficiently as possible and avoiding waste. I would say "No" the Government is not doing it right. I accept that we will learn lessons for the future, but let us learn them for now. The Government can save itself a lot of money by stopping the project now and going for a retender. I am not interested in looking for heads either, but I ask the Tánaiste to look at the legal process and the conflict of interest between the board and the legal firm involved.

An Ceann Comhairle: I thank the Deputy.

Deputy Mick Wallace: I would look at the performance of the legal firm because it is crucial to what we have ended up with.

The Tánaiste: We have undertaken a process now that will examine those issues and we will come back with a report to the Government which we will publish. Following that, we can have a debate in this House in terms of the actions we should take on the back of that.

We have two challenges. First, we must get a children's hospital built. The current health infrastructure for children in this country is not good enough. Most parents in this House will know that if their child has required specialist paediatric care. We must improve the infrastructure. We will build one of the most advanced children's hospitals in the world. We are committed to doing that.

Deputy Mattie McGrath: It is in the wrong place.

The Tánaiste: There have been numerous false dawns in terms of trying to get that done.

Second, we ensure that we get value for money. We must recognise that a significant mistake was made in this process when costs and quantities were being estimated. Those mistakes

have been corrected and we now have a more expensive project. As far as I am aware, in terms of the advice to the Government, nobody is suggesting that by retendering we would get this done for less money.

Deputy Mick Wallace: The Government would.

The Tánaiste: It is important not to make suggestions here without backing them up.

Deputy Mick Wallace: The Tánaiste should please check it.

The Tánaiste: Yes. My understanding is that the advice to the Government is that retendering the project at this stage, to deliver the same project, would not result in a significant saving of money.

Deputy Mattie McGrath: When you are in a hole, stop digging.

Deputy Róisín Shortall: I wish to raise the role of the head of the Office of Government Procurement in respect of the children's hospital.

I ask the Tánaiste to respond to the issues I am raising rather than giving a rationale for a new children's hospital. Nobody is denying the need for a new children's hospital, but there are important issues at stake here on which we need answers.

I want to raise the issue of this person's role and the statements that both the Taoiseach and the Minister, Deputy Donohoe, made on the record of this House. On Tuesday of last week, when asked if the head of the Office of Government Procurement, OGP, alerted the Minister for Finance, Deputy Donohoe, to the children's hospital's escalating cost overruns, the Taoiseach replied: "If somebody is on a board, his or her fiduciary and legal responsibilities are to that board and the correct line of accountability is from the chairman of that board to the line Minister, not individual board members acting on their own part." We now know that this statement was not true. These constraints do not apply as the board in question is not a company. It is a development board. The Taoiseach needs to correct the record of the House as what he said was simply untrue and misleading. I ask the Tánaiste to convey those concerns to the Taoiseach and request that he does that at the earliest possible date.

In respect of civil servants who are members of the boards of non-commercial State bodies, circular 12/10 applies and is very clear:

Where there is a significant public policy issue at stake or a disagreement within the board on a major public policy issue, the civil servant should request the Chairman to notify the Minister or, failing that, notify the Minister himself/herself.

Under protocol outlined in the circular, the Minister must be notified without delay where:

- (i) There are serious weakness in controls that have not been addressed despite being drawn to the attention of the board or the Chairman;
- (ii) There is a significant strategic or reputational risk to the body that is not being addressed;

Yesterday evening the Minister confirmed that circular 12/10 applied. He said: "According to the circular that the head of the OGP was subject to, it was his role to ensure that the parent Department responsible for the project was being informed of what was happening and that was

happening.” Either the official did what he was supposed to do and alerted the Minister or he did not. If he did not adhere to the circular, that is a serious matter. If he did, it is important that we know exactly when he did inform the Minister. Was that information provided without delay, as was required of the official, and can we have the detail of that? Can we also have information on the actions of that official in respect of his own Minister, Deputy Donohoe? Presumably, if he was aware of this escalating problem with the children’s hospital, he would have notified his own Minister.

The Tánaiste: The Deputy has asked quite a lot of detailed questions. I will try to respond to them. First, Mr. Paul Quinn is the Government chief procurement officer and head of the Office of Government Procurement. Mr. Quinn was appointed in a personal capacity to the National Paediatric Hospital Development Board for a five-year term in 2013 by the then Minister for Health, the now Senator James Reilly. He was reappointed in 2018 by the current Minister for Health, Deputy Harris. 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 own code of governance, have a 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, established reporting and governance arrangements for the project through which the board provided regular updates to it on the project. The Department of Health has already set out those governance arrangements in detail along with the timeline of when the board alerted it to the cost escalation and when the Department of Health subsequently communicated the new cost projections to the Government and the Department of Public Expenditure and Reform. In other words, there were agreed codes of communication, both on the National Paediatric Hospital Development Board and also between that board and the accountable Department, that is, the Department of Health. From my notes those codes and that process were followed.

Deputy Barry Cowen: The Taoiseach was right, then.

Deputy Róisín Shortall: I thank the Tánaiste. I was quoting from the circular. It specifies what is required of an official who is appointed as a board member in a body such as this. Under that protocol the Minister “must be notified without delay” where “There are serious weakness in controls that have not been addressed”. It was quite apparent to anybody involved in the children’s hospital that there were serious weaknesses in the controls. That was apparent from early 2018. Last night, the Minister, Deputy Donohoe, told us the official in question was doing what he was supposed to be doing and was notifying the Department and the Minister. When did he notify the Department and the Minister that this was the case? He was required to do it without delay. Maybe we could have clarification on when exactly he was told and whether or not he notified his own Minister, in this case, the Minister, Deputy Donohoe, given that Minister’s responsibility.

The Tánaiste: I thank the Deputy. The point here is that he was on the board. He had a code of practice by which he was governed on that board. He was also accountable to the sponsoring Department, which was the Department of Health. There was a line of communication between the National Paediatric Hospital Development Board and the Department of Health. He had an obligation to play his role in that as a board member who was accountable to the Department of Health. That was the line of communication.

Deputy Róisín Shortall: When did he do what he was supposed to do?

The Tánaiste: There was not a separate line to the Department of Public Expenditure and Reform-----

Deputy Róisín Shortall: Sure.

The Tánaiste: -----which would not have been appropriate given the role of the Department of Health as the parent Department for this project.

Deputy Róisín Shortall: When did he notify the Minister for Health, Deputy Harris?

An Ceann Comhairle: I thank the Tánaiste. That concludes Leaders' Questions.

Deputy Mick Barry: The Tánaiste should answer the question.

Deputy Róisín Shortall: The Tánaiste has completely evaded the question. When did he notify the Minister for Health, Deputy Harris?

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

An Ceann Comhairle: Some 24 Members have indicated that they propose to ask questions on promised legislation.

Deputy Dara Calleary: On 20 September I raised the issue of the drug called Spinraza with the Tánaiste. It was subsequently raised by my party leader, Deputy Micheál Martin, and Deputies Lisa Chambers and Curran. Some five months have passed and the 25 children I referred to that day are still waiting. They do not have time to wait. It has been approved in 20 EU countries. The latest country to approve it is our neighbour, Scotland. When will we give information to the 25 families, who do not have time to wait?

Minister of State at the Department of Health (Deputy Jim Daly): I informed the Dáil last week that a decision would be made by the HSE senior leadership team at the end of this week. We await that decision.

Deputy Louise O'Reilly: As things stand, value added tax, VAT, on health supplements will be charged at the rate of 23% throughout the State starting in March. When Sinn Féin raised this issue during the debate on the Finance Act 2018, the Minister agreed to examine it in the context of the tax strategy papers later this year. We know that the Revenue Commissioners are sitting on an expert report on this issue yet the increase is going ahead in March. This is not really joined-up thinking. One part of the State is to look at the issue later in the year and another part refuses to say what its report says. In case the Government is not aware, though I imagine its members probably are, this major change will affect many thousands of users of supplements as well as workers in that industry. Will the Government provide some leadership on this issue? Will it suspend the planned increase, sit down with Revenue, bang heads together until there is clarity, if that is what is required, and engage in dialogue with those who are affected?

Minister for Finance (Deputy Paschal Donohoe): I hope the Deputy is aware that the Revenue Commissioners are completely independent of the Government and the Department of Finance. We do not play a role in directing Revenue on how to interpret law.

Deputy Brendan Howlin: The Government creates the law.

Deputy Louise O'Reilly: Will the Government sit down with the Revenue Commissioners?

Deputy Paschal Donohoe: The Revenue Commissioners have concerns on how law is implemented and interpreted in this area. As the House well knows, how the Revenue Commissioners decide to apply that law is their prerogative.

Deputy Brian Stanley: Change the law.

Deputy Paschal Donohoe: I am working with my own Department on the matter because I am aware of the concern around this issue. I will not be blurring the space between this House, the Government and the Revenue Commissioners. There are many in this House who should know the consequences if we go down that path.

Deputy Brendan Howlin: The programme for Government states that it will support our veterans for the public service and outstanding contribution they have made to the State. A few weeks ago, we marked the centenary of the First Dáil and we go on to mark the anniversary of the War of Independence. In that context, it is a source of national shame that our veterans, who know more than most the power of our national flag, have resorted to sleeping on the streets of Dublin in green, white and orange sleeping bags. The Organisation of National Ex-Servicemen, ONE, is taking this step to raise awareness of the huge difficulties being faced by former servicemen and servicewomen. ONE is seeking funding to ensure it can operate and provide the supports they need. What is being done to secure the issues they have addressed, particularly a military psychiatrist? The Minister of State with responsibility for defence is in the Chamber. Will he undertake now to meet with ONE members to address their legitimate concerns that I believe would be supported by everybody in this House?

Minister of State at the Department of Defence (Deputy Paul Kehoe): I thank the Deputy for the question. I wish to inform the House that I meet ONE regularly. I have increased its funding in the past 12 months by 108%.

Deputy Brendan Howlin: How much is that in cash terms?

Deputy Paul Kehoe: From approximately €40,000 up to €100,000. I have spoken to ONE on this specific issue. This is an awareness campaign. I am not aware of any veteran who is homeless on the street. I have asked if that is the case, they will get whatever assistance is required.

On the military psychiatrist issue, we have submitted a proposal to the Department of Public Expenditure and Reform and I hope to have that issue concluded shortly.

Deputy Mick Barry: The programme for Government talks of working to make our older years better years. It is a noble sentiment but let us look at the reality on the ground. Would the Tánaiste care to comment about the fact that the largest drugs company in the entire world, which dodged \$35 billion in US taxes when it relocated to Ireland in recent years, is trying to downgrade massively the pension entitlements of its Irish workforce, in other words, the very same workers who made many of the super profits for Pfizer in the first instance?

Deputy Donnchadh Ó Laoghaire: As the Tánaiste will be aware, strike action due to be carried out tomorrow at Pfizer, which employs approximately 600 people in our shared constituency, has been deferred and referred to the Workplace Relations Commission, WRC. The

issue relates to changes in pension schemes and profitable companies - and this is not the only one - moving from defined benefit schemes to defined contribution schemes. Three Opposition Bills on this matter were brought forward but parked while Government brought forward the social welfare and pensions Bill 2017. Where is that Bill? There has not been any progress on it since then. Is it the case that the Government is giving big companies time to get their house in order before the law is changed?

Deputy John Brady: Pfizer is just one example of a major problem we have with occupational pensions in this State which has been ignored by successive Governments over many years. We need protections for employees. These are basic protections. At the very least, employees should be able to depend on a pension pot when they reach pension age, something they have been paying into for their entire working lives. Protections are included in the general scheme of the social welfare and pensions Bill 2017 but we have not seen a final version of that legislation. Three Opposition Bills, one of which was brought forward by Sinn Féin, were parked while the Minister brought forward the general scheme of the social welfare and pensions Bill in 2017. Those Bills included protections for employees in respect of defined benefit schemes. Can we get clarity on where it is and when it will be brought forward to put these protections in place for these schemes?

The Tánaiste: On the industrial dispute between some SIPTU workers and Pfizer, I am glad to say the WRC has invited both parties back in for discussions. There is a Labour Court recommendation that was put together on this issue, which the company and management accepted and the workers decided not to accept, which is their right. I hope that talks can take place in the WRC and get a positive outcome. Pfizer has been an extraordinarily good and positive employer in Ireland and has invested hundreds of millions of euro in our economy. This is an issue that needs to be resolved but I am confident that the industrial relations machinery of the State can be effective in this case, and I am glad that both sides are engaging.

Deputy Donnchadh Ó Laoghaire: What about the Bill?

The Tánaiste: I do not have an exact date for the Bill.

Deputy Donnchadh Ó Laoghaire: The Minister for Employment Affairs and Social Protection is sitting beside the Tánaiste.

An Ceann Comhairle: I call Deputy Mattie McGrath.

Deputy John Brady: The Minister is sitting beside the Tánaiste.

An Ceann Comhairle: Deputy Mattie McGrath has been called.

Deputy John Brady: I am sorry but the Minister is sitting there. She could at least answer the question.

Deputy Mattie McGrath: The public are growing weary of all the waste, the cost overruns and everything else. I call on the Tánaiste to put in place an immediate review of the expenses in the Department of Public Expenditure and Reform, especially relating to press secretaries and advisers. Information provided to me in responses to parliamentary questions has shown that €6.5 million has been spent in the past two years as a result of Ministers employing special advisers and media advisers - in other words, spin doctors - yet the Government is telling the nurses it cannot pay them. Some €6.5 million is being spent by the Tánaiste's ministerial col-

leagues sitting beside him on spin doctors, press secretaries and advisers. It is an outrageous sum of money. I want the Tánaiste to carry out a review and instruct the personnel officers in the Department of Public Expenditure and Reform to issue a policy to the effect that these cannot be appointed willy-nilly whenever they wish, bring in their friends in the press and cosy up to them.

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

Deputy Mattie McGrath: It is ridiculous.

Minister for Rural and Community Development (Deputy Michael Ring): The Deputy should give back the €40,000 he gets as an Independent.

Deputy Mattie McGrath: The Minister was only after spin when he was in opposition.

Deputy Michael Ring: Give back the €40,000 you get as an Independent.

An Ceann Comhairle: Minister, please.

(Interruptions).

Deputy Mattie McGrath: You make €100,000.

Deputy Michael Ring: Sit down. You had your chance to come over here and you would not take it.

An Ceann Comhairle: Minister, you are bringing-----

Deputy Mattie McGrath: I would not go.

Deputy Michael Ring: You were a coward. You were like my dog at home - always scratching.

An Ceann Comhairle: Minister, please, you are bringing the House into disrepute.

Deputy Mattie McGrath: I would not go near ye. It is all supply and no confidence.

(Interruptions).

Deputy Mattie McGrath: I am asking you to give back the €100,000.

Deputy Michael Ring: I am asking you on the floor of the Dáil today to give back the €40,000 you get on top of your salary.

A Deputy: Ask the Independent Alliance to give up their €40,000.

Deputy Michael Ring: Give back the €40,000.

An Ceann Comhairle: Could we hear the Tánaiste?

The Tánaiste: All I will say is that the Deputy's attempts to make headlines today seem to have backfired.

Deputy Mattie McGrath: Will the Tánaiste answer the question?

Deputy Louise O'Reilly: He is not answering any questions.

The Tánaiste: There are clear guidelines in regard to salaries. The Deputy knows that.

Deputy Róisín Shortall: I appreciate the Tánaiste cannot be across every issue but I raised important issues this morning and he did not provide answers. Will he undertake to get those answers from both the Minister for Health, Deputy Harris, and the Minister for Public Expenditure and Reform, Deputy Donohoe? Also, I raised the issue of the Taoiseach misleading the House. Will he convey my views here and the request that he correct the record?

The Tánaiste: I accept that the Deputy asked detailed questions earlier. I do not have a date today, which is what she asked for, in respect of a specific question but I will talk to the Minister about that. I will convey to the Taoiseach the contribution she made as well.

Deputy Eamon Ryan: The Minister is sitting beside the Tánaiste. He could have indicated that date in an aside.

On an issue for which the Tánaiste does have responsibility, on Tuesday in the Dáil, the Taoiseach said he would be looking to try to reassure the UK Government that the backstop and the accompanying customs arrangement would not trap them into that customs arrangement forever and a day and said they would be looking for some mechanism to avoid that. Can the Tánaiste confirm whether he believes that would be through any change to the withdrawal agreement, a codicil to it or in the political declaration in which the Irish Government, through the European negotiators, is looking to try to give that reassurance? Can he assure this House regarding from where that reassurance for the British Government may come?

The Tánaiste: The Government has made it clear, as the EU has, that the withdrawal agreement that was agreed by the British Government, along with all other EU governments, will not be reopened but, of course, we want to try to be helpful in clarifying the issues around the potential use of a backstop, which, after all, is an insurance mechanism that none of us wants to use. If it is to be used, we all want it to be temporary so that it can be replaced by something that is more permanent, which people may be more comfortable with. There was an effort to provide reassurance to the British Parliament with two quite comprehensive letters from President Tusk and President Juncker to reinforce those points a number of months ago and it did not seem to have much effect. Ultimately, the problem is in London and we have yet to have any detailed proposal on how the concerns of the parliament in Westminster can be responded to. Those proposals have to come from London.

Deputy Denis Naughten: A Programme for a Partnership Government gave a commitment to establish a second air ambulance base in the southern part of the country to take pressure off the excellent service that is being provided at Custume Barracks, Athlone, and to allow that service to provide for more emergencies in the west and the midlands. A new service is about to commence at Cork Airport. Could the Tánaiste provide an update on when this emergency service will go live?

Deputy Jim Daly: That was mentioned this morning at a meeting in the Department of Health. Negotiations are continuing with the HSE. Some details are still being ironed out, so we do not have a specific starting date yet.

Deputy Denis Naughten: The Minister of State might come back to me on it.

Deputy Carol Nolan: Gabhaim buíochas as ucht an deis labhairt. I know the Tánaiste was involved with the draft guidelines on wind farms. When can we expect these new guidelines? I have been contacted by a number of concerned residents in communities in Laois and Offaly. There is great concern and the noise levels are of particular concern in connection with a wind farm at Garbally near Banagher. Could a moratorium be imposed until we get these guidelines? We need to be fair to communities and when tackling climate change, the Government cannot just impose something that does not respect the voices of communities and their concerns.

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): The noise issue that the Deputy raised is important and it led to the delay because there was a change internationally last year, which led to a change in the directive that came from Europe. We have incorporated that into the draft guidelines and, as I said last week in the Chamber, they will go out for public consultation next week or the week after for a short period. While they are out for public consultation, planning authorities will have to take cognisance of them. They should all be finalised, therefore, within about a two-month period.

Deputy Robert Troy: A number of years ago the Government published a national sexual health strategy, which is a framework for the sexual health and well-being of the population. A key goal of this strategy was to have equitable, accessible and high quality sexual healthcare across the regions. In the midlands, more than 6,000 full-time students attend Athlone Institute of Technology, yet no sexual health clinic is located in Athlone. I have asked the Minister for Health by way of parliamentary question to address this and to honour the commitment in the Government's national framework. Funnily enough, the person who was asked to reply to this parliamentary question was a nurse based in Athlone, not the Minister. I understand the Tánaiste may not be able to answer this today but will he give a commitment to review the Government's national sexual health strategy with a view to ensuring that the midlands is not left without high quality and accessible sexual healthcare, particularly given the fact that 6,000 full-time students are attending Athlone Institute of Technology?

Deputy Jim Daly: I am happy to get an update on that for the Deputy and to forward same to him.

Deputy Margaret Murphy O'Mahony: My offices in west Cork are being inundated lately with queries about broadband and people are being directed to a plan with a high speed broadband map. Much of west Cork is dotted in either light blue or amber, which indicates on the plan what will happen but there is no timeframe given. Could a realistic timeframe be put on this plan rather than just indicating what will happen? We need to know when it will happen. Broadband is no longer a luxury and large parts of west Cork have no coverage.

Deputy John Brassil: On the same issue, I refer the Tánaiste to page 46 of A Programme for a Partnership Government. It is worth reading out the paragraph because it shows the abject failure we have had in this area. It reads as follows:

One of the biggest challenges facing rural Ireland is to bridge the digital divide with urban areas. To remedy this situation for at least the next 25 years, we will guarantee the delivery of next - generation broadband to every household and business in the country. No town, village or parish will be left behind under the National Broadband Plan. Once the contract is awarded the rollout phase will begin immediately and, in conjunction with commercial investment, 85% of premises in Ireland will have access to high speed broadband.

It goes on to state that the targeted date for awarding the contract is June 2017. This is February 2019. When will this broadband contract be signed and rolled out, given it is almost two years later the Government's proposed schedule in A Programme for a Partnership Government?

Deputy Bernard J. Durkan: The national broadband Bill is listed. Will it be possible to bring the Bill to the House in order to generate discussion and debate on what is an important issue?

Deputy Brian Stanley: It has been outlined that a commitment was given that the tender process and the contract were targeted for June 2017. Page 46 of A Programme for a Partnership Government states: "...the new Government will work with the winners to accelerate the roll out of the infrastructure next year". That was 2018. This was first announced in 2012 and it is having a great effect on farmers, students and the self-employed. In my constituency alone, 12,721 households in Laois are waiting for this while in County Offaly, 12,420 households are waiting. There are 11,600 people commuting out of Laois every day to work outside of the county. Many of them would not have to do so if they had a broadband service and many self-employed people also tell me that. What in the name of God has happened to the national broadband plan? Where is it? When the former Minister, Deputy Naughten, resigned-----

An Ceann Comhairle: We will find out now if the Deputy lets the Tánaiste answer.

Deputy Brian Stanley: -----he said it was only ten days from being signed up. He said there was ten days of work left on this contract to complete it. Here we are in the month of February so what has happened to it?

An Ceann Comhairle: What has happened Tánaiste?

The Tánaiste: What has happened is that we have a new Minister in this Department who is preparing to bring recommendations to Government. There are three-----

Deputy Brian Stanley: We heard that a year ago.

The Tánaiste: The Deputy did not hear a year ago that there is a new Minister in the Department. This will be a significant spend by the State when it happens and we need to make sure that we are getting value for money and that the controls are in place to ensure that we protect the interests of the State in terms of expenditure. We need to make sure it works. The former Minister, Deputy Naughten, did an extraordinary volume of good work preparing the way for getting this done and I want to recognise that. My understanding is that the Minister, Deputy Bruton, is now close to being in a position to bring a recommendation to Government, which will involve a significant decision by the Government if we choose to proceed.

Deputy Jackie Cahill: I would like to raise the issue of out-of-hours GP services. Tipperary is a very big county and, between 10 p.m. and 8 a.m., only two GPs are available for this service, one in Clonmel and one in Nenagh. Unfortunately, we are hearing of a greater number of examples where the service is not up to the level that would be reasonably expected by sick people throughout the county. Can I have a commitment from Government that additional resources would be put into this service in Tipperary?

Deputy Jim Daly: Intensive negotiations are, hopefully, coming to a conclusion on the overall issues with the GP contract. Some of these issues will be addressed in that but I will

certainly take note and pass back the Deputy's concerns regarding the Tipperary out-of-hours service as well.

Deputy Eugene Murphy: Two years ago I, along with my colleagues, Deputies Troy and Rabbitte, on behalf of our party introduced a Bill to amend the Electricity (Supply) (Amendment) Act 1934. It basically related to control of the water levels of the River Shannon. There has been no movement on the Bill in the two years since it was introduced. On the basis that we all accept that climate change is happening and that enormous difficulties and challenges will arise in the coming years - they have already arisen - can the Tánaiste give a guarantee that the Bill will be brought before the House in the coming weeks?

The Tánaiste: That is a Private Members' Bill and there is nothing to stop Fianna Fáil bringing it forward in its Private Members' time.

Deputy Michael Moynihan: Some of us have raised the issue of community employment, CE, supervisors and particularly the Labour Court decision in 2008. Deputy Calleary has been leading on the issue for some time. Industrial action is due to be taken by some supervisors from next Monday but a letter has been issued by the Department of Employment Affairs and Social Protection which states that the Department will "review the funding allocated to your organisation having regard to the industrial action taken". That language is completely off the rails in 2019. What is the Government's intention regarding CE supervisors' pensions? Do not repeat the line that was given yesterday that they are not State employees. There was a Labour Court decision on the matter and full funding for their payments comes through the Department. What decision has been taken on it? Does the Minister stand over the language in the letter from the Department to the chairpersons of community employment groups, who are volunteers?

Deputy Willie Penrose: CE supervisors play an important role in the administration and supervision of the schemes. Strike notice has been issued for next Monday by the Fórsa and SIPTU trade unions. The schemes are vital for both urban and rural communities throughout the country. There was a Labour Court recommendation and the former Minister for Public Expenditure and Reform, Deputy Howlin, had prepared a way to deal with this, as Deputy Calleary and others are aware. We know it will not be pensions for everybody, but there was a way. A head was put in place with the then Minister with responsibility for the environment but it fell down somewhere between the tracks. The Minister should revive that and speak to the unions involved. She will find them willing partners. This can be resolved, but the Minister cannot sit on her hands and send out bureaucratic replies. They will not work.

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): There are two separate matters here. First, in response to Deputy Michael Moynihan, nobody would stand over the letter that was issued - I will not say it was in error but it was without consideration or thought - last week-----

Deputy Michael Moynihan: It was from the Department.

Deputy Regina Doherty: -----from my Department. The day the letter was brought to my attention, which unfortunately was not before it was issued, I refuted the allegation in it. I made a statement that there will be no review on foot of any pending actions next Monday-----

Deputy Dara Calleary: Will the Minister write to all the chairpersons again?

Deputy Regina Doherty: I did that yesterday. To ensure that I would give due credit and regard to the people who carry out our CE work, which is a very valuable service throughout every county, I wrote to them yesterday giving them assurances that there will be absolutely no review of their funding, capitation, training or otherwise on foot of any action their employees take.

The difficulty, however, is that the supervisors are the host companies' employees, not State employees. We recognise the Labour Court ruling that was issued a number of years ago between the employees and the employers, to which the State was not a party, and we are endeavouring with the Department of Public Expenditure and Reform to work with the unions. Many meetings have taken place over the last six months to try to find a solution, but none has yet been found. However, we will not give up until we find one.

Deputy Mary Butler: Recently, the Department of Employment Affairs and Social Protection contacted approximately 70,000 pensioners who are affected by the pensions anomalies brought about by the then Minister for Social Protection in 2012. Many pensioners have lost out to the tune of €30 per week. Is there a timeline for when these people will have a decision? I accept it is on a case-by-case basis but when can they expect to receive their back money if they are owed it?

Deputy Regina Doherty: I thank the Deputy for raising this as I am pleased to be able to outline a timeline. The first tranche of people who will receive an increase and a pension payment backdated to last March will start receiving them next week. Of the 79,000 people involved there was a cohort where we knew why they had gaps in their service or career contribution history and we were able to fill those gaps with other information from the children's records we had. Those people will get their payments from next week. The regulations were signed this week. There is a cohort of people who have gaps on which we do not have information and we have invited them by letter to apply either online or through the paper application to fill in those gaps. That will enable us to increase their pension payments where possible. That exercise is ongoing and I hope to be able to finalise it by the end of the first quarter, which was the scheduled timeline.

Deputy Seán Crowe: On Valentine's Day in 1981 many young people went out to enjoy a good night, but 48 did not come home. Their families are protesting outside the House at present. For 38 years they have been seeking answers despite various inquests and so forth. They believe they have new information and they are seeking justice after this long time. Are there plans for a new inquiry? Would the Tánaiste or the Taoiseach meet with the families? They are getting older but the pain continues. I appeal to the Tánaiste to consider meeting with them given what day it is and also to seriously consider holding an inquest.

Deputy Denise Mitchell: The families and loved ones of the 48 people who died in the Stardust fire believe they have vital new evidence. Last November, hundreds marched to the Office of the Attorney General where they handed in 48,000 signatures demanding a reopening of the inquest. The families and survivors believe they have not had truth or justice. Will the Government commit to supporting the Stardust Relatives and Victims Committee in its call for reopening the inquest?

Deputy Dessie Ellis: The Stardust Relatives and Victims Committee is once again protesting outside the gates of Leinster House. Today is the 38th anniversary of a most horrific tragedy which resulted in the deaths of 48 citizens. Families of the victims have been badly let down

by this and previous Governments. There will never be closure until questions on what happened on that night are addressed properly. Will the Tánaiste meet with the families? Will he consider and support their demand for a new inquest? These families and their supporters will not go away until they get answers.

Deputy John Lahart: A previous Taoiseach, former Deputy Bertie Ahern, did a great deal of work on this, as did Deputies Haughey and Darragh O'Brien, over a number of years. Last year a commission was established under a former judge but, as has been said, this has not satisfied the families of some of the victims. I echo the requests that the Tánaiste or the Taoiseach consider taking this a step further to ameliorate the families' concerns and try to close this circle once and for all to their satisfaction. We remember the victims in a special way on this St. Valentine's Day.

Minister for Justice and Equality (Deputy Charles Flanagan): I acknowledge this important occasion, which is the anniversary of what was perhaps one of the greatest tragedies to occur in this city. I am happy and satisfied at all times to receive any new information that the committee or any individual wishes to share with me. I had the opportunity to meet with the representative groups of victims and survivors on a number of occasions. I understand an application has been made to the Office of the Attorney General on the possibility of reopening the inquest. I am not privy to the detail of that, nor should I be. However, I am happy to convey the Deputies' concerns directly to my colleague, the Attorney General, immediately following this intervention.

An Ceann Comhairle: That concludes Questions on Promised Legislation. My apologies to the four Deputies who have not been called.

Air Service Agreement with Hong Kong: Motion

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I move:

That Dáil Éireann approves, under Article 29.5.2° of the Constitution, the terms of the Air Services Agreement between the Government of the Hong Kong Special Administrative Region of the People's Republic of China and the Government of Ireland, a copy of which was laid before Dáil Éireann on 7th February, 2019.

Question put and agreed to.

Nurses, Midwives and Paramedics Strikes: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Ruth Coppinger on Wednesday, 13 February 2019:

That Dáil Éireann:

notes that:

14 February 2019

— nurses and midwives have taken industrial action to end wage restraint, lack of pay parity and against the working conditions they are faced with;

— there is a crisis in recruitment and retention of nurses and midwives as a result of pay and conditions they are faced with;

— like all workers, nurses and midwives have seen a massive rise in the cost of living, such as childcare, rent and housing generally;

— there is considerable support and solidarity for nurses and midwives as a result of ordinary people's direct experiences of the health service;

— paramedics have taken strike action seeking recognition of their union, the National Ambulance Service Representative Association (NASRA);

— there is enormous wealth in our society and yet our health service is being starved of resources, resulting in nurses and midwives being underpaid;

— €270 million was used to pay Anglo Irish Bank junior bondholders in December 2018;

— BAM Ireland, the construction company that is building the new children's hospital, saw its turnover rise by 28 per cent in 2017 to €465 million, while its pre-tax profits for that year were €15.9 million; and

— Ireland's richest 300 people have €79 billion in wealth;

believes that:

— there is a need to reverse austerity measures that have hit the health service;

— there is a need for a national health service that is free at the point of use and under the democratic control of working class people;

— a victory for nurses and midwives in this strike would be a victory for all workers and our health service;

— strike action by nurses and midwives has demonstrated the effectiveness of strike action in seeking just and necessary pay increases and improvements to working conditions;

— the recommendations from the Labour Court on 11th February, 2019, which are supported by Government, fall short of the demands of nurses and midwives in their dispute; and

— if this offer is rejected, the Irish Congress of Trade Unions must give full support for the nurses so that the struggle can be brought to a quick but satisfactory outcome; and

calls on the Government to recognise NASRA as the representative union of their members and to accede to the full pay demands of nurses and midwives.

Debate resumed on amendment No. 2:

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

“notes:

— the industrial action already taken by nurses and midwives in recent weeks;

— the decision of the Labour Court to intervene in the dispute is in the public interest; and

— the acceptance by the Government of the Labour Court recommendation; and believes that:

— while respecting the requirement on nursing unions to ballot their members, the recommendation represents a fair and balanced solution to the dispute which is consistent with the Public Sector Stability Agreement; and

— an important opportunity exists to enhance the status and significance of nursing and midwifery through collaboration and dialogue, and through the implementation of Sláintecare.”

- (Minister for Health)

An Ceann Comhairle: In accordance with Standing Order 73(2), it is not possible, due to a technical glitch, to conduct this division by electronic means. Members should now proceed to the lobbies, where the division will be taken manually.

Amendment again put:

<i>The Dáil divided: Tá, 51; Níl, 80; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>	
<i>Barrett, Seán.</i>	<i>Barry, Mick.</i>	
<i>Breen, Pat.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Brophy, Colm.</i>	<i>Brady, John.</i>	
<i>Bruton, Richard.</i>	<i>Brassil, John.</i>	
<i>Byrne, Catherine.</i>	<i>Breathnach, Declan.</i>	
<i>Canney, Seán.</i>	<i>Broughan, Thomas P.</i>	
<i>Cannon, Ciarán.</i>	<i>Browne, James.</i>	
<i>Carey, Joe.</i>	<i>Buckley, Pat.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>Burton, Joan.</i>	
<i>Coveney, Simon.</i>	<i>Butler, Mary.</i>	
<i>D’Arcy, Michael.</i>	<i>Byrne, Thomas.</i>	
<i>Daly, Jim.</i>	<i>Cahill, Jackie.</i>	
<i>Deasy, John.</i>	<i>Calleary, Dara.</i>	
<i>Deering, Pat.</i>	<i>Casey, Pat.</i>	
<i>Doherty, Regina.</i>	<i>Chambers, Jack.</i>	
<i>Donohoe, Paschal.</i>	<i>Chambers, Lisa.</i>	
<i>Doyle, Andrew.</i>	<i>Collins, Joan.</i>	

<i>Durkan, Bernard J.</i>	<i>Collins, Niall.</i>	
<i>English, Damien.</i>	<i>Connolly, Catherine.</i>	
<i>Farrell, Alan.</i>	<i>Coppinger, Ruth.</i>	
<i>Fitzgerald, Frances.</i>	<i>Cowen, Barry.</i>	
<i>Flanagan, Charles.</i>	<i>Crowe, Seán.</i>	
<i>Griffin, Brendan.</i>	<i>Curran, John.</i>	
<i>Harris, Simon.</i>	<i>Doherty, Pearse.</i>	
<i>Heydon, Martin.</i>	<i>Donnelly, Stephen S.</i>	
<i>Humphreys, Heather.</i>	<i>Ellis, Dessie.</i>	
<i>Kehoe, Paul.</i>	<i>Ferris, Martin.</i>	
<i>Kyne, Seán.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Lowry, Michael.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Madigan, Josepha.</i>	<i>Fleming, Sean.</i>	
<i>McEntee, Helen.</i>	<i>Funchion, Kathleen.</i>	
<i>McGrath, Finian.</i>	<i>Gallagher, Pat The Cope.</i>	
<i>McHugh, Joe.</i>	<i>Grealish, Noel.</i>	
<i>McLoughlin, Tony.</i>	<i>Haughey, Seán.</i>	
<i>Mitchell O'Connor, Mary.</i>	<i>Healy, Seamus.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Howlin, Brendan.</i>	
<i>Murphy, Dara.</i>	<i>Kelleher, Billy.</i>	
<i>Murphy, Eoghan.</i>	<i>Kenny, Gino.</i>	
<i>Naughten, Denis.</i>	<i>Lahart, John.</i>	
<i>Naughton, Hildegard.</i>	<i>Lawless, James.</i>	
<i>Neville, Tom.</i>	<i>MacSharry, Marc.</i>	
<i>Noonan, Michael.</i>	<i>McConalogue, Charlie.</i>	
<i>O'Connell, Kate.</i>	<i>McDonald, Mary Lou.</i>	
<i>O'Dowd, Fergus.</i>	<i>McGrath, Mattie.</i>	
<i>Phelan, John Paul.</i>	<i>McGrath, Michael.</i>	
<i>Ring, Michael.</i>	<i>McGuinness, John.</i>	
<i>Rock, Noel.</i>	<i>Mitchell, Denise.</i>	
<i>Ross, Shane.</i>	<i>Moynihan, Michael.</i>	
<i>Stanton, David.</i>	<i>Munster, Imelda.</i>	
<i>Zappone, Katherine.</i>	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Catherine.</i>	
	<i>Murphy, Eugene.</i>	
	<i>Murphy, Paul.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Brien, Jonathan.</i>	
	<i>O'Callaghan, Jim.</i>	
	<i>O'Dea, Willie.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Reilly, Louise.</i>	

	<i>O'Rourke, Frank.</i>	
	<i>O'Sullivan, Jan.</i>	
	<i>O'Sullivan, Maureen.</i>	
	<i>Ó Broin, Eoin.</i>	
	<i>Ó Caoláin, Caoimhghín.</i>	
	<i>Ó Laoghaire, Donnchadh.</i>	
	<i>Ó Snodaigh, Aengus.</i>	
	<i>Penrose, Willie.</i>	
	<i>Pringle, Thomas.</i>	
	<i>Quinlivan, Maurice.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Ryan, Brendan.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Scanlon, Eamon.</i>	
	<i>Shortall, Róisín.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smith, Bríd.</i>	
	<i>Stanley, Brian.</i>	
	<i>Tóibín, Peadar.</i>	
	<i>Troy, Robert.</i>	

Tellers: Tá, Deputies Seán Kyne and Tony McLoughlin; Níl, Deputies Mick Barry and Ruth Coppinger.

Amendment declared lost.

Deputy Stephen S. Donnelly: I move amendment No. 1:

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

“notes that:

— the Irish Nurses and Midwives Organisation’s Executive Council and the Psychiatric Nurses Association have suspended industrial action, following a recommendation from the Labour Court;

— the Labour Court recommendation makes progress across all areas of concern to the nursing unions, including the key areas of safe staffing and addressing recruitment and retention problems; and

— the agreement by both sides that the resolution to the dispute must be found with the framework of the Public Service Stability Agreement;

welcomes proposals for:

— enhanced practice in nursing and midwifery with the development of a new Enhanced Nurse Practice salary scale;

— guaranteed multi-annual funding to maintain safe staffing levels;

- increased education and training opportunities;
- an expert review of the nursing profession to be undertaken in the medium term; and
- the addressing of other issues of concern to the union side as part of the resolution of the dispute; and

calls for all sides to the dispute to be given time to consider the recommendations without interference.”

Amendment put:

<i>The Dáil divided: Tá, 99; Níl, 35; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>	
<i>Barrett, Seán.</i>	<i>Barry, Mick.</i>	
<i>Brassil, John.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Breathnach, Declan.</i>	<i>Brady, John.</i>	
<i>Breen, Pat.</i>	<i>Broughan, Thomas P.</i>	
<i>Brophy, Colm.</i>	<i>Buckley, Pat.</i>	
<i>Browne, James.</i>	<i>Collins, Joan.</i>	
<i>Bruton, Richard.</i>	<i>Connolly, Catherine.</i>	
<i>Burton, Joan.</i>	<i>Coppinger, Ruth.</i>	
<i>Butler, Mary.</i>	<i>Crowe, Seán.</i>	
<i>Byrne, Catherine.</i>	<i>Cullinane, David.</i>	
<i>Byrne, Thomas.</i>	<i>Doherty, Pearse.</i>	
<i>Cahill, Jackie.</i>	<i>Ellis, Dessie.</i>	
<i>Calleary, Dara.</i>	<i>Ferris, Martin.</i>	
<i>Canney, Seán.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Cannon, Ciarán.</i>	<i>Funchion, Kathleen.</i>	
<i>Carey, Joe.</i>	<i>Healy, Seamus.</i>	
<i>Casey, Pat.</i>	<i>Kenny, Gino.</i>	
<i>Chambers, Jack.</i>	<i>McDonald, Mary Lou.</i>	
<i>Chambers, Lisa.</i>	<i>McGrath, Mattie.</i>	
<i>Collins, Niall.</i>	<i>Mitchell, Denise.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>Munster, Imelda.</i>	
<i>Coveney, Simon.</i>	<i>Murphy, Paul.</i>	
<i>Cowen, Barry.</i>	<i>O'Brien, Jonathan.</i>	
<i>Curran, John.</i>	<i>O'Reilly, Louise.</i>	
<i>D'Arcy, Michael.</i>	<i>O'Sullivan, Maureen.</i>	
<i>Daly, Jim.</i>	<i>Ó Broin, Eoin.</i>	
<i>Deasy, John.</i>	<i>Ó Caoláin, Caoimhghín.</i>	
<i>Deering, Pat.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>Doherty, Regina.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>Donnelly, Stephen S.</i>	<i>Pringle, Thomas.</i>	

<i>Donohoe, Paschal.</i>	<i>Quinlivan, Maurice.</i>	
<i>Doyle, Andrew.</i>	<i>Smith, Bríd.</i>	
<i>Durkan, Bernard J.</i>	<i>Stanley, Brian.</i>	
<i>English, Damien.</i>	<i>Tóibín, Peadar.</i>	
<i>Farrell, Alan.</i>		
<i>Fitzgerald, Frances.</i>		
<i>Fitzpatrick, Peter.</i>		
<i>Flanagan, Charles.</i>		
<i>Fleming, Sean.</i>		
<i>Gallagher, Pat The Cope.</i>		
<i>Grealish, Noel.</i>		
<i>Griffin, Brendan.</i>		
<i>Harris, Simon.</i>		
<i>Haughey, Seán.</i>		
<i>Heydon, Martin.</i>		
<i>Howlin, Brendan.</i>		
<i>Humphreys, Heather.</i>		
<i>Kehoe, Paul.</i>		
<i>Kelleher, Billy.</i>		
<i>Kyne, Seán.</i>		
<i>Lahart, John.</i>		
<i>Lawless, James.</i>		
<i>Lowry, Michael.</i>		
<i>MacSharry, Marc.</i>		
<i>Madigan, Josepha.</i>		
<i>McConalogue, Charlie.</i>		
<i>McEntee, Helen.</i>		
<i>McGrath, Finian.</i>		
<i>McGrath, Michael.</i>		
<i>McGuinness, John.</i>		
<i>McHugh, Joe.</i>		
<i>McLoughlin, Tony.</i>		
<i>Mitchell O'Connor, Mary.</i>		
<i>Moran, Kevin Boxer.</i>		
<i>Moynihan, Aindrias.</i>		
<i>Moynihan, Michael.</i>		
<i>Murphy O'Mahony, Margaret.</i>		
<i>Murphy, Catherine.</i>		
<i>Murphy, Dara.</i>		
<i>Murphy, Eoghan.</i>		
<i>Murphy, Eugene.</i>		
<i>Naughten, Denis.</i>		

<i>Naughton, Hildegard.</i>		
<i>Neville, Tom.</i>		
<i>Noonan, Michael.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Connell, Kate.</i>		
<i>O'Dea, Willie.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Keeffe, Kevin.</i>		
<i>O'Rourke, Frank.</i>		
<i>O'Sullivan, Jan.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Penrose, Willie.</i>		
<i>Phelan, John Paul.</i>		
<i>Rabbitte, Anne.</i>		
<i>Ring, Michael.</i>		
<i>Rock, Noel.</i>		
<i>Ross, Shane.</i>		
<i>Ryan, Brendan.</i>		
<i>Ryan, Eamon.</i>		
<i>Scanlon, Eamon.</i>		
<i>Shortall, Róisín.</i>		
<i>Smith, Brendan.</i>		
<i>Stanton, David.</i>		
<i>Troy, Robert.</i>		
<i>Zappone, Katherine.</i>		

Tellers: Tá, Deputies John Lahart and Michael Moynihan; Níl, Deputies Mick Barry and Ruth Coppinger.

Amendment declared carried.

Amendment No. 3 not moved.

Motion, as amended, agreed to.

Sitting suspended at 1.48 p.m. and resumed at 2.28 p.m.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy James Browne - to discuss the provision of additional jobs and further IDA Ireland investment in County Wexford; (2) Deputy Éamon Ó Cuív - to discuss the provi-

sion of personal hygiene products for adults living in the community healthcare west region; (3) Deputy James Lawless - to discuss the provision of commuter parking facilities at Sallins-Naas train station; (4) Deputies Maureen O'Sullivan and Niall Collins - to discuss the deteriorating situation in Bahrain and human rights issues; (5) Deputy Timmy Dooley - to discuss recent announcements made by broadband providers and the national broadband plan; (6) Deputy Anne Rabbitte - to discuss recent findings by the ESRI on childcare needs; (7) Deputy Noel Rock - to discuss the delay of the proposed plastic bottle deposit-and-return scheme; and (8) Deputy Jim O'Callaghan - to discuss the proposed BusConnects project impact on the urban villages of Rathgar and Terenure.

The matters raised by Deputies Éamon Ó Cuív, Maureen O'Sullivan and Niall Collins, James Lawless and Noel Rock have been selected for discussion.

Homelessness: Motion [Private Members]

Deputy Thomas P. Broughan: I move:

“That Dáil Éireann:

notes that the homeless figures continue to rise month on month and, at the end of October 2018, there were 9,724 people and 3,725 children in homeless accommodation according to the statistics provided by the Department of Housing, Planning and Local Government;

further notes that:

— at least 1,600 people were removed and recategorised from these homeless figures;

— people and children in domestic violence refuges and direct provision accommodation are not included in these figures;

— people and children living in unsuitable, overcrowded accommodation and ‘couch surfing’ are also not included in these figures;

— some children are spending their second and third Christmases in emergency accommodation;

— the most recent rough sleeper count was 156, up from 110 in the spring count;

— over 10,000 attended the rally on 1st December, #HomesForAll, which was also the fourth anniversary of the death of Jonathan Corrie;

— over 14,000 people signed the recent Barnardos Ireland petition to call for an end to the use of bed and breakfasts and hotels to house homeless children; and

— public opinion is ahead of the political will to end the crisis, and the majority of the public believe that housing is a human right which should be enshrined in the Constitution, according to a recent Amárach poll published on the 70th anniversary of the Universal Declaration of Human Rights on 10th December; and

calls on the Government to:

- immediately declare a housing emergency and implement the necessary emergency measures to urgently address the crisis;
- hold a referendum on the right to housing in May 2019;
- commit to re-housing families who have been in emergency homeless accommodation, including hubs, for 18 months or more, no later than by the end of quarter 1, 2019;
- commit to re-housing all other families experiencing homelessness by the end of quarter 2, 2019;
- limit the use of hubs and emergency accommodation for families with children to three months maximum;
- increase supports to schools in areas with large populations of homeless families;
- provide free counselling to all families and children experiencing homelessness should they wish to avail of the service;
- increase the number of available emergency beds and single rooms in dry hostels; and
- extend the Housing First programme by doubling all targets in the Housing First National Implementation Plan 2018-2021.”

I wish to share time with Deputies Joan Collins and Maureen O’Sullivan.

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

Deputy Thomas P. Broughan: I am delighted to have the opportunity to bring forward on behalf of my Independent colleagues our motion on homelessness, which was placed on the clár of the Dáil in December. Every day Deputies are contacted by upset constituents who are at the end of their tethers. These people are trying to look for housing assistance payment, HAP, properties, having been given notices to quit because of sale or refurbishment of the properties in which they are living, they are living in substandard accommodation or they are sleeping in their cars or in tents. There are mothers who are desperately upset with regard to how their children are reacting to the uncertainty relating to homeless accommodation. There are also those who are trying to get deposits together for mortgages and individuals who require urgent housing adaptations. The list is endless. What these people experience is exhausting for them. The Minister knows this as well as I do.

The majority of individuals and families entering homelessness services are coming directly from the private rental sector, having been evicted. Despite the Minister’s comments earlier today, we do not even know how many new homes will be coming online and ready for occupation in each quarter. We can only say to families with children who have been in hotel rooms for over two and a half years that they should be getting close to moving out or close to what Fingal County Council calls the “offer zone”. It is rare that families are in emergency accommodation for three years or more. We also have no information on how long families have to spend in hubs, such as those in Greencastle Road and St. Lawrence Road in my constituency of

Dublin Bay North.

I do not know how many more times and in how many more ways I and other Opposition Deputies - excluding those who are members of Fine Gael's coalition partner Fianna Fáil of course - can provide options and solutions to the Government to address the housing and homelessness crisis. I accept some builds are happening but in very small numbers and they are mainly for-profit units with few if any social housing units. Fine Gael keeps trotting out the failing but glossy Rebuilding Ireland strategy, which places most of the so-called solutions in the broken private rental market. A wide spectrum of Irish society is totally fed up with the tortuously slow response to the citizens and families enduring homelessness, those facing eviction and the tens of thousands on housing waiting lists. The success of the Raise the Roof movement has shown us that almost every sector of Irish society wants and needs change.

That is why our motion calls on the Fine Gael-led Government, propped up by Fianna Fáil, to immediately declare a housing emergency and implement the necessary emergency measures to urgently address the crisis. We believe a key element of those emergency measures should be an urgent return to direct-build by the local authorities and to support them, either individually or regionally, to develop and build out their own landbanks to deliver an adequate stream of social and affordable housing. That direct-build programme in the four Dublin local authority areas should, for the reasons I have previously explained to the Minister regarding the problems that exist in Dublin city in particular, be managed by the Dublin Region Housing Executive.

Our motion also calls on the Government to hold a referendum to place the right to housing and right to shelter in the Constitution on the same day as the local and European Parliament elections in May. We should offer people the vote on the matter and see what they think. The excuse the Minister outlines for not doing so in the Government amendment is pathetic.

We also call on the Government to commit to rehousing families who have been in emergency homeless accommodation, including hubs, for 18 months or more by the end of the quarter 1 of this year and no later. The Government should also commit to rehousing all other families experiencing homelessness by the end of quarter 2 and to limiting the use of hubs and emergency accommodation for families with children to three months maximum. When the hub on Greencastle Road in Coolock started, the Salvation Army informed me that no family would be there for more than three months, but this is yet another promise that has not happened.

We are also asking for increased supports to schools in areas with large populations of homeless families. We come across that every week and we talk to children who are homeless. We call on the Government to provide free counselling to all families and children experiencing homelessness should they wish to avail of the service; to increase the number of available emergency beds and single rooms in dry hostels; and, in particular, to extend the Housing First programme by doubling all targets in the Housing First National Implementation Plan 2018-2021.

I asked the Minister a question on this during Question Time. During the week of 24 to 30 December, Christmas time, according to the official statistics from the Department of Housing, Planning and Local Government, 3,559 homeless children were in emergency accommodation managed by local authorities across the country. It is shocking and shameful that on Christmas Day, these children woke up in overcrowded homeless accommodation.

At the start of this year, in replies to parliamentary questions on the number of families in

direct provision centres, the Minister advised that in 2016 there were 899 parents and 1,219 children in direct provision centres. I also asked the Minister for Children and Youth Affairs, Deputy Zappone, to provide the numbers of parents and children in domestic violence refuges who were ready to move out of supported accommodation but who were awaiting appropriate accommodation. Tusla was unable to provide the numbers for 2017 and 2018 but did provide the figures for 2015 and 2016. The latter showed that there were 1,736 adults and 2,463 dependent children in refuges in 2015 and 1,520 adults and 2,170 dependent children in 2016.

Based on the Tusla figures, we can assume that there are at least around 2,000 children in domestic violence refuges and with almost 4,000 in official homeless figures and another 1,600 in direct provision centres, the number of homeless children on the watch of the Minister, Deputy Eoghan Murphy, is at least 8,000, an unbelievable statistic.

The most frustrating aspect for Deputies on this side of the House is that we cannot trust the figures the Minister has given us in the past on the number of new homes built. Last June he revealed that the Government was overestimating new build figures between 2011 and 2017 by over 30,000. He claimed that approximately 85,000 homes were built, whereas the CSO figure put the number at 53,500.

The housing crisis, of course, is most acute in the Dublin City Council region, the local authority area in which most of my constituency lies. Housing output has been miserable in recent years. Astonishingly, in the Dublin City Council area, direct social housing output in 2019 is expected to be lower than in 2018. The February report of the Dublin City Council housing manager shows that in 2019, only 187 homes are expected to be built directly by Dublin City Council compared with 247 in 2018. Only 170 units are to be leased or acquired in 2019 and voids restored will also fall. In total, Dublin City Council housing output will only increase from 5,565 units in 2018 to 5,957 units in 2019, but 3,000 of those, of course, are HAP tenancies.

Part of the constituency I represent is located in Fingal. Fingal County Council is great at sending around press releases but its output from 2015 to 2017 has also been very disappointing. The CEO's housing report on 11 February shows that only 416 social housing units were delivered in 2018, comprising Fingal direct build, approved housing bodies, Part V and voids. Once again, the vast majority of what the Fingal County Council housing manager likes to call "housing solutions" - 1,243 units out of 1,916 social housing units - were simply HAP and RAS tenancies. Everything is planned for the early 2020s and so on.

The constant backdrop to the suffering of families and individuals on homelessness and housing lists, of course, is the ruthless Irish property market. Almost all the families I have met going into homelessness were evicted by landlords and their agents. The 2018 quarter four *daft.ie* rental price report again shows the remorseless determination by landlords and estate agents to maximise housing market profits and the inefficacy of the Government's so-called rent caps. As the Minister knows, the sponsors of this motion all voted in this House for a three year rent freeze. Dublin rents rose by almost 9% in 2018 and now are almost 40% above the pre-crash peak. As my old economics teacher and the former Fine Gael Taoiseach, Mr. Garrett Fitzgerald, used to say, the rate of increase is falling but while the rate may be falling, it is still at 10%. Galway rents rose by 13% in the same period, Cork rents rose by 11% and while rents in Limerick and Waterford were 16% and 16.7%, respectively, higher. Fine Gael and Fianna Fáil are in thrall, as always, to the property market sector and the country's landlords. They have steadfastly refused to impose a statutory rent freeze, which is now needed urgently.

In December 2018, myself and my Independent colleagues submitted this motion which notes the constant and relentless increase in the homeless figures, except for small reductions in recent months, thanks in part to the recategorisation of some people by the Department. We are asking that action would be taken for the children and families living in unsuitable, overcrowded accommodation, some of whom are engaging in couch surfing and other measures in an attempt to keep a roof over their heads. The majority of the public believes that housing is a human right which should be enshrined in the Constitution. Some people would argue that it is anterior to positive law and is a natural right that does not have to be explicitly referenced in the Constitution but I disagree. We need to specify that right in our Constitution. There are umpteen reports from civil society groups on how damaging homelessness is to children. These reports detail how children's growth and nutrition is adversely affected, as well as their mental health and yet, this Government has sat back and allowed child homelessness to constantly climb. The time for Fine Gael spin has long passed. We need emergency action to address homelessness along the lines of the motion before us today. I urge the Minister to act before it is too late and before he is removed from office in a general election.

Deputy Joan Collins: I thank Deputy Broughan for tabling this Private Members' motion on homelessness. This motion was to be moved last December but was postponed, by agreement, to allow for other business. It is certainly as relevant, if not more so, today. Homelessness permeates our society and the figures for the number of homeless children referred to by Deputy Broughan are stark. It must be extremely embarrassing for the Government, as we celebrate the 100th anniversary of the First Dáil, to see Army veterans using tricolour themed sleeping bags, now dubbed "sleeping flags", to highlight the issue of homelessness among ex-service personnel. This is part of a campaign to raise funds for the services provided by the Organisation of National Ex-servicemen, ONE. That organisation is dependent on public charity to continue its work. Mr. Ollie O'Connor of ONE says that hundreds of Army veterans have ended up homeless. The organisation has helped more than 900 homeless ex-Army personnel since it opened up its first hostel. Last night when I was leaving Leinster House at around 10.55 p.m., there was a gentleman asleep outside the gates. I did not wake him last night but spoke to him this morning. His name is James Mee and he has completed almost 30 years service at Monaghan Army barracks. He has done a tour of the Lebanon but was sleeping outside Leinster House last night to highlight the fact that some of his former colleagues are homeless and are sleeping on our streets. The cost of running ONE's Brú na BhFiann hostel in 2017 was €839,000, of which €44,000 came from the Department of Justice and Equality and a further €183,000 from the Dublin Regional Homeless Executive. The remaining €600,000 came from fundraising, which is disgraceful. This must be addressed by the Department of Housing, Planning and Local Government.

No doubt the Minister will bombard us with statistics and claim that progress is being made. I will concede that some progress is, at last, being made. Last year 18,000 new housing units were built, mainly in Dublin, where new units rose by one third. However, this is still way below the generally accepted requirement of 30,000 units per year. There is also a big question as to how many of these new builds in the private sector are affordable for people on average incomes. The housing investment programme is predicting 6,200 public housing units this year, which is almost double the figure for 2018 but again, this is well short of the 10,000 units that are required per year.

Yesterday at the homelessness summit the Minister referred to 8,400 units comprising new builds, leases, voids, acquisitions, HAP and RAS. How many of these units were built by local

authorities and housing associations? In 2017, the Minister spoke about 7,000 units in these categories but we found out later that of that total, only 394 units were local authority builds. Apparently a special purpose vehicle, SPV, will be established this quarter to enable credit unions to invest in approved housing bodies, AHBs but credit unions expressed a desire to use a portion of their reserve funds in this way a very long time ago. Again, it is a question of too little and too slow.

As the homelessness crisis carries on, it is doing untold damage to homeless children and young adults. Behind all the statistics are real people who are negatively affected by this crisis. The latest scientific and medical evidence suggests that good nutrition, play and a feeling of security are crucial to the development of children's brains and motor skills. The lack of these crucial elements in their formative years can physically impair children's brain development and can have long lasting if not life-long effects. Children in temporary accommodation without cooking facilities or areas for playing and mixing with others are deprived of the aforementioned crucial elements. The same is true of the effects of homelessness on young adults. The rate of homelessness among young adults has doubled in the last four years. Young adults are at a crucial point in their emotional, cognitive and social development, transitioning from adolescence to adulthood. Again, difficult experiences at this stage can have life-long consequences. It is much more difficult for this group to exit homelessness because they are not entitled to public housing and they cannot afford the astronomical rents being charged in the private sector. This is particularly true for those in receipt of a social welfare payment, often the half-rate jobseeker's allowance. A group called the Irish Coalition to End Youth Homelessness held a briefing last week in Buswells Hotel. The group argued strongly for the introduction of a Housing First programme for young adults and I urge the Minister to consider that.

The Government must respond to the points made in the Private Members' motion before us. It must declare a housing emergency and hold a referendum on the right to housing.

Deputy Maureen O'Sullivan: I wish to acknowledge the work of Deputy Broughan and his staff in preparing this Private Members' motion. We have been consumed by health issues in recent weeks and I welcome the fact that we are being reminded again today of the importance of housing and homelessness. I took part in two debates in the House last week. One was on the child and adolescent mental health Service, CAMHS, and the other was on a report on childhood obesity, both of which are relevant to today's debate, such is the effect of homelessness on children. Being homeless and in inappropriate accommodation, whether that is a hotel, bed and breakfast accommodation or moving from one relative to another, has a devastating effect on the physical and mental health of adults but it is particularly hard on children. We know of the delays in accessing CAMHS and it is schools and youth projects that are picking up the pieces for these children. Great work is being done in school completion programmes, by home school liaison officers and youth projects but they need more support and resources to continue their work. It is very difficult for families living in temporary or unsuitable accommodation to cook and eat healthily. They are overly reliant on take-away and fast food, which contributes significantly to childhood obesity.

Last night RTÉ broadcast a very interesting report on homelessness in Dublin. The figures were very stark, particularly the really significant increases in homelessness in the last few years. I acknowledge that people are moving out of homelessness and I know of many individuals and families who have finally found a home. However, no sooner does that happen than others are becoming homeless and going onto the housing list because of unscrupulous landlords who are evicting them in favour of those who can and will pay higher rents. A ban

on rent increases should be introduced overnight with no lead-in period because we are in a housing emergency. Those landlords who are ethical and moral and who have certain standards would not have a problem with that. To make a real difference, evictions must cease except in very extreme circumstances.

We are all aware of the complex needs of rough sleepers but they are getting lost in the current housing crisis. The mortality rates for those sleeping rough are shocking. A study conducted a number of years ago found that the average life expectancy for men sleeping rough was 44 years while for women, it was 38 years. Life expectancy for the general population is almost double that. Such is the extent of the housing crisis that rough sleepers are falling down the priority list. Other groups that are getting lost include Travellers, people in addiction and those in recovery from addiction. The latter group in particular are being put into inappropriate accommodation which is making their continued recovery very difficult. Single people are also being left behind. We are all aware of the shortage of one-bedroom units. Equally, those who were on the housing lists prior to the housing crisis are being pushed further down the lists because of it. The Minister's amendment refers to the availability of €6 billion under Rebuilding Ireland to support the delivery of 50,000 new social housing homes and 87,000 other housing supports over the six years from 2016 to 2021. I heard the Minister say on radio this morning that 8,400 social units were provided in 2018, either built, repaired or made available. Any increase is welcome. How does the Minister propose to make up the balance in the remaining two years? There is need for a detailed plan in that regard.

Social mix was referred to. I hope we will not repeat the mistakes of the past of putting all social housing in one block and, as I have witnessed, different treatment of those residents by the management companies. My bugbear is student accommodation. We supported it on the false premise that it would have an impact on the housing emergency. As students live in this accommodation for only eight to nine months of the year it is a lucrative profit-making enterprise for the remaining months of the year. I have been in student accommodation. It is very good, with 24-hour management on site. Why is it the owners of this accommodation were not required to provide, say, 10% of this accommodation for suitable people? The urgency and speed with which student accommodation is being provided, which is very good quality accommodation, is not replicated in the provision of social housing.

In regard to the docklands, of the 1,178 apartments being built in this area only 26 will be social homes. There are concerns that there will be little or no social housing within the strategic development zone, SDZ, with social housing being located well away from the docklands area. Existing communities are concerned about the pressure to increase building heights. While agreed heights are already in place and some developers have adhered to them, there is increasing pressure to raise them further. This will have a devastating affect on the communities living in this area.

I acknowledge that the Minister has a difficult Ministry and that the root of the problem took hold before he took office in it but it is heartbreaking to hear the realities of life for those who are homeless. It is equally disturbing to still see derelict sites and local authority housing voids.

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I move amendment No. 1:

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

“acknowledges that:

— the Government recognised the urgency of the housing crisis over two years ago and introduced the Rebuilding Ireland - Action Plan for Housing and Homelessness, providing a comprehensive framework for addressing the range of complex issues needing to be addressed across the housing sector;

— the Rebuilding Ireland - Action Plan for Housing and Homelessness is underpinned by over €6 billion in funding to support the delivery of 50,000 new social housing homes and 87,000 other housing supports over the six years 2016 to 2021;

— very significant progress has been made from 2016 to the end of 2018, in partnership with local authorities, Approved Housing Bodies and a range of other delivery partners, with over 72,000 individuals and families having their housing needs met during those three years, over 27,000 of which were supported in 2018 alone, and a further 27,300 households are expected to be supported this year, and this will bring to almost 100,000 the total number of households who will have been assisted under Rebuilding Ireland by the end of 2019;

— the level of progress being made is reflected in social housing waiting lists, which have reduced by 22 per cent, from 91,600 households to 71,858, between 2016 and 2018;

— to date, Rebuilding Ireland has increased the active social housing stock by over 21,200 homes, with some 8,420 of these being delivered in 2018;

— in 2018, over 18,000 new homes were built, a 25 per cent increase on the previous year and the highest number of newly built homes any year this decade, and in addition, more than 2,500 homes were brought out of long-term vacancy, with almost 800 dwellings in unfinished housing developments completed, meaning the number of new homes available for use increased by almost 21,500 in 2018, which does not include the 3,742 bed spaces completed in the student sector in 2018;

— the Government is committed to supporting those single persons, families and their dependents who are experiencing homelessness, and Budget 2019 reflects this commitment, with an increase of 25 per cent in the current spending budget for the provision of homeless services (bringing the total to €146 million for this year);

— the most recent published statistics show there were 9,753 persons in emergency accommodation in the month of December 2018, comprised of 6,194 adults and 3,559 associated dependants, and this represents a reduction of 215 people nationally on the numbers recorded in November;

— in December 2018, there were 111 fewer families and 252 fewer dependants in emergency accommodation than was the case in November, and that for the fifth consecutive month there was a reduction recorded in the number of families presenting to homeless services in the Dublin region;

— 111 families exited emergency accommodation into new homes in Dublin in December 2018, while 72 per cent of families in emergency accommodation in the Dublin region at the end of December had been homeless for less than one year, and through service level agreements with service providers, local authorities are working towards ensuring that exits from homelessness are achieved within six months of entering emergency accommodation;

— while the most recent count of rough sleepers in the Dublin region showed that 156 individuals were recorded sleeping rough, which was an increase on the numbers recorded in March 2018, there was a decrease of 28 on the number of persons recorded as sleeping rough during the equivalent winter count in 2017;

— the number of beds in use for single adults has risen from 2,000 beds at the end of 2017 to 2,300 beds in the Dublin region at the end of 2018, and all of these beds are supported temporary accommodation where single individuals and couples receive the accommodation and health supports that they need, with those presenting as homeless being matched to the best available accommodation, according to their needs, and emergency accommodation capacity fluctuates and is dictated by demand, with extra contingency beds being put in place during periods of adverse weather;

— increased outreach and prevention measures are working and will continue to be supported by the Government, including through the Homeless Housing Assistance Payment (HAP) Placefinder Service, and 19 HAP Placefinders are now in place and to the end of quarter 3, 2018, in excess of 5,300 households have been supported through Homeless HAP nationally, 4,350 of whom were in the Dublin region;

— the Government will continue to provide more suitable temporary accommodation to homeless families, increasing the number of family hubs to 26 at the end of 2018, with a total capacity for over 600 families, and with further hubs spaces to be added in 2019, as hubs provide a greater level of stability than is possible in hotel accommodation, with the capacity to provide appropriate play-space, cooking and laundry facilities, communal recreation space, while move-on options to long-term independent living are identified and secured;

— the most recently available performance reports show 3,752 adults exiting homelessness into independent tenancies in the nine-month period between January and September 2018, and this represents an increase of 431 (13 per cent) on the 3,321 exits recorded over the same period in 2017;

— an error was discovered in 2018, whereby households who were not in emergency accommodation had been counted in the emergency accommodation numbers, and this error was rectified and reports on the matter were published;

and

— extensive supports are also provided to families experiencing homelessness by the Department of Children and Youth Affairs, and the Child and Family Agency, Tusla, and supports include:

— a special provision under the existing Community Childcare Subvention Programme of free childcare for children from homeless families;

— Tusla's School Completion Programme, which places an emphasis on children from homeless families;

— Home School Community Liaison Scheme co-ordinators proactively engaging with parents from homeless families to provide supports and assistance where required; and

— children in homeless accommodation being prioritised within the School Com-

pletion Programme for services such as breakfast and homework clubs; and

further acknowledges that:

— Housing First is delivering permanent housing solutions for rough sleepers and long-term users of emergency accommodation, and by the end of 2018, the Dublin Region Housing First Service had created Housing First tenancies for 243 unique individuals, of whom 86 per cent have successfully retained their homes, and the Housing First National Implementation Plan 2018-2021 contains targets for each local authority, with an overall national target of an additional 663 tenancies to be delivered by 2021;

— a high-level Homelessness Inter-Agency Group has been established, with representation from the Department of Justice and Equality, the Department of Health, the Department of Employment Affairs and Social Protection, the Department of Education and Skills, local authorities, Tusla and the Health Service Executive, and a report from this Group was submitted to Cabinet in June 2018, and a range of recommendations are now being implemented, including better co-ordination of responses, particularly in the areas of health, justice and family homelessness;

— the provision of accommodation to those in the international protection process and the provision of domestic violence refuges, and reporting on progress in these areas, will continue to be prioritised by the Minister for Justice and Equality and the Minister for Children and Youth Affairs/Tusla, respectively; and

— the Eighth Report of the Convention on the Constitution recommended that the State should progressively realise economic, social and cultural rights, including the right to housing, subject to maximum available resources, by inserting such a right into the Constitution of Ireland, and the Convention's recommendation raises substantial questions, including for example, the suitability or otherwise of the Constitution of Ireland as a vehicle for providing for detailed rights in this area, the possible cost, and the fact that there is already power by legislation to confer rights and determine expenditure via primary and secondary legislation and an elected and accountable Government and Oireachtas, and for these reasons the issue of the right to housing was referred, for further consideration, to the appropriate Oireachtas Committee, the Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach, in October 2017.

I thank the Deputies for tabling this motion and for facilitating the time change to enable it to take place. Unfortunately, I will not be able to stay for the full debate as I only got notice that we were taking it today and arrangements had already been made that I cannot change. I accept the point that regardless of what else is happening in public life we need to be constantly debating this issue in this House because it is so important. I agree with Deputy Maureen O'Sullivan that it is heartbreaking to hear the very difficult stories of not only people who are in emergency accommodation but people in housing insecurity, people experiencing difficulty paying the rent or trying to save for a mortgage and the many others who are suffering because we stopped building houses when the economy crashed and for years before that we were not properly building social housing in a sustainable way. A combination of all these factors, including the increase in demand from people returning home and so on, has put huge demand on the housing system throughout the country.

Rebuilding Ireland is about rebuilding our housing sector in a sustainable way over time. I

have never said that this could be done in one, two or three years. There are three years remaining in Rebuilding Ireland as a plan. We have from 2016 to 2021, which is the life span of the plan, to make the corrections that we need to make and to do so in a sustainable way. By sustainable I mean a social mix and getting it right and not building massive social housing estates.

Sustainability also means higher densities in places such as Dublin and other cities and urban centres where there is already infrastructure and people want to live. Sustainability also means building really good homes. I will not put people into student accommodation for 20 or 30 years. That accommodation is brilliant for students for nine months. It takes the pressure off the housing system because it means students are not renting a house in, say, Rathmines, Aungier Street, and so on. The houses we build have to be of the best possible standard because they have to stand the test of time. Also these houses will be people's homes, so they will have to be very good. We are taking all these actions over time.

We are roughly half way through Rebuilding Ireland so it is a good time to take stock in terms of where we are going. In terms of each of the challenges that we have or that people face in housing in Ireland today, the focus has to be on the root challenge of increasing supply. There is no point talking about other actions because that is just tinkering. We have to ensure that supply is increased, and in addition to that, we do the other things that we need to do to protect people who are in difficulty. The information we have from the CSO is important. Everybody knew we were using ESB connection data in regard to housing data. It was not a hidden fact. Rather, it was a stated fact that this was the best way to get an idea of the increase in supply. When I took up this Ministry I asked that people try to get an actual figure so that we could really measure what was going on. We did that work with the CSO and we now have those figures. The latest information for 2018 is really encouraging. There were 18,000 new builds last year, which is a 25% increase on the previous year. In addition, 2,500 vacant homes were returned to the housing stock. A further almost 800 homes were also brought back into use. These were houses in ghost estates, which shows that the legacy of the crash is still with us. Also, approximately 3,400 student bed spaces were provided. I have already mentioned why student accommodation is important.

We also have important information today about house price inflation. It is roughly half what it was in 2017 or 2018. We know that this is linked to the increase in supply. House prices are coming down and the rents are reducing but not everywhere. The Deputies will be aware that I have rent legislation coming through the House because some of them have made positive contributions to it and put forward ideas on how the legislation can be improved on Committee Stage, which we will do. We also have the figures from local authorities in terms of council housing. The increase in the stock of social housing last year was significant, being in the thousands. One in four of the new houses built last year was for council housing. I do not know when we last did that but I am looking into it. There are approximately 70,000 people on the housing list, who are our most vulnerable people and need our help. There are also just under 10,000 people in emergency accommodation. As I said, one in four new houses built last year was for council housing. That is not a low target. It is good, but we can do more. I will give Deputies another percentage that might drive them crazy. There was an 800% increase in social housing build over the year before Rebuilding Ireland. Rebuilding Ireland is increasing supply across the economy, including in social housing. This is positive news because these new homes help people out of emergency accommodation or overcrowded situations into new homes. I have met the families who have experienced this. For all the heartbreaking stories we hear, and there is still too much heartbreak out there, it is heart warming when one meets a

family given the keys to their new home. I have met some people who have just started their families and have moved from hospital into their new homes. It is fantastic but we need to do so much more because there are so many people who are still in emergency accommodation or still cannot get their own home.

On the number of people in emergency accommodation, there was a decrease in December, which is welcome, but it could be seasonal. In regard to families in emergency accommodation, we also had a number of exits in December. These are families who exited into tenancies as opposed to into their own homes. There was also a decrease in the number of presentations and a decrease in the number of people in hotels, which is also welcome. Much more work needs to be done. I met the local authorities yesterday and drilled this home to them again. It was our fifth housing summit. It is a good process in terms of finding out where the challenges are. We need more hubs as a first response and we need delivery of more homes. We also need to do more work on prevention. Dublin City Council is in the process of hiring new officers to engage with people and help them out of emergency accommodation or to prevent them going into it.

I will not comment on the rent pressure zones because we will have another opportunity to talk about them but I would like to comment briefly on HAP. There are roughly 900,000 people in the country renting. Renting is a safe, secure place for the vast majority of people. It does not work for some and that is why we have, and continue to, put in place extra supports. We did a lot of homeless HAP last year which really helped people and prevented them ending up in emergency accommodation. The housing assistance payment allows people to have flexibility and choice in where they live. It allows them to continue working and earn more money without affecting their housing entitlement and it also allows us to deliver social mix where there previously was no social mix planned in advance. It has positives to it and that must be recognised. We are not planning to put all our weight on the private sector to deliver social housing supports. We are rebalancing. The HAP supports for 2018 versus 2017 were static. The increased delivery came through the increase in stock. This year, we will do less through new HAP than we did last year. Moving forward with each year we rebalance such that in 2021, we will have more people being supported into new social housing homes than being supported into HAP tenancies. We will continue on from there. This is the trajectory we are on.

I will now address a couple of issues in the motion. On the recategorisation issue, which comes up time and again, nobody was removed from the homeless figures. What happened was that people who were not in emergency accommodation were counted by local authorities as being in emergency accommodation. This was corrected. I have been transparent around this issue. The Joint Committee on Housing, Planning and Local Government accepted that this mistake was made. As I said, it has been corrected.

The important thing here is not being obsessed with the numbers. It is about how we help the people who are behind the numbers. That is the one thing about this debate that really disappoints me. People are focusing on numbers when they should be focusing on the people behind the numbers and how we help those people out of emergency accommodation and into homes. That is exactly what we are trying to in everything we do.

The Deputy has said that we should declare an emergency. I am not quite sure what new powers we would take in declaring an emergency or how we would use them. I have looked to see what I could do if I declared an emergency. I cannot get around procurement law and I

am bit reluctant to go further with regard to planning changes because if we cut standards or regulations too much, we will have situations like Priory Hall in the future. The Deputy should please tell me what emergency powers he would take, how he would do something with a quick change in law that we have not been able to do over the past number of years and what such a law would look like because we have looked at this.

The right to housing has been discussed. It is one of a number of socioeconomic rights that are being discussed by the relevant committee in the House. If we move too quickly to a referendum on something, we risk losing it. We have seen how a proper process has helped us win very important referenda in our recent history. The introduction of a constitutional or legal change regarding the right to housing in other countries has not ended homelessness and the need for emergency accommodation so we must be clear on this. I am not saying I am against having a referendum or the idea of it. I am saying that there is work to be done. While that deliberative work is being done, we will do physical work in terms of building new homes.

Regarding the time spent in emergency accommodation, 72% of families in emergency accommodation in Dublin are there for less than one year. The average length of time in a hub is less than six months. Again, when one meets the families who have gone from a hotel to a hub to a home, one can see and understand the benefit of the trajectory. They should never have been in a hotel. Families who go straight into a hub will get into a social housing home far more quickly as a result, which is why we need more hubs as a first and temporary response.

The number of beds for individuals is increasing and we have more coming on stream. Recently, there was a meeting of the Ministers over the interagency group so it involved the Ministers for Employment Affairs and Social Protection, Justice and Equality, Health along with myself and others. Next week, the Taoiseach will bring a memorandum to Cabinet on additional supports we are bringing in for people in emergency accommodation, some of whom are trapped there because we do not know their rights or status. Some of them have long-term health needs that are not being met because they are not in the right accommodation. All these new supports will help improve that.

Housing First is working really well with an 88% to 92% retention rate, with people not falling back into homelessness. We have a national director, a national plan and ambitious targets on which we will build but we must put in the resources first. We must build it and get it right and not do it in the wrong way or else people will start to change their minds around Housing First. Again, we are trying to bring a number of different bodies involved in emergency accommodation around to this new way of thinking. Most have come that way but we need to do it in a stepped way to get it really right. Supply is key to all our challenges. The recent numbers we are seeing with regard to supply are really positive but we will not stop here. The number will increase again in 2019, 2020, 2021 and 2022. We will keep on going until we get this done.

Deputy John Curran: I welcome the opportunity to contribute to this debate. I thank Deputy Broughan, a former teacher of mine, for tabling this motion. It is disappointing that nearly three years after the election of the 32nd Dáil, an issue that dominated the very beginning of that Dáil, housing and homelessness, is as severe and prominent today as it was three years ago. While Fianna Fáil will be supporting the principles of the motion before us today, I acknowledge that there is no one simple solution to this. The motion specifically calls for an emergency to be declared and emergency actions to be taken. They must be taken in tandem with long-term structural changes that are needed in terms of the provision of significant additional housing. The motion acknowledges the fact that we still have people who are homeless.

According to the latest homeless figures we were quoting, almost 10,000 people are homeless, of whom more than 3,500 are children. As public representatives, we all know the challenging lives those families are living, particularly if they have children, because we meet them in our constituency offices. Whether it involves trying to access cooking facilities in hotels or being driven to different areas to try to get to schools, their lives are hell at the moment. This figure has consistently stayed in or around the same number for a long time. It is in that context that we need to look at some of the emergency measures.

The figure for rough sleepers in recent times is quite high. I think the latest figure we got was 156. I do not know where the count is but I am certainly seeing people sleeping rough in parts of Dublin where I never saw them before - on the canals and out on the M50, N4 and N7 in tents. That is something I have never seen before and I do not know if those people are even included in that count. I would have serious concerns about that.

The first action in Rebuilding Ireland was the rapid build programme, which is why emergency actions must be taken in parallel with structural changes. The Minister committed to delivering 1,500 rapid build units by the end of 2018. My understanding is that only a couple of hundred of those have been built. Can the Minister imagine what would have happened if the 1,500 had been delivered in a timely fashion, as was anticipated and as was supported by Members on all sides of this House? Think of the positive impact that would have had on the people who are now homeless because rapid build was, as was specifically stated in Rebuilding Ireland, aimed at addressing the immediate need of homelessness. It has been allowed to slide and has not been addressed significantly.

I am disappointed when I drive around Dublin and see the number of vacant houses. The repair and leasing scheme is not returning the type of figures hoped for. I do not know the answer to it but I think that in times of emergency, we should know why properties around this city and its suburbs still remain vacant instead of being brought back into use.

The Minister spoke about the number of new build social houses for 2018 and how about 18,000 new houses were built, of which 4,000 were social houses. However, I have one particular concern. One of the Deputies asked how many of those houses were local authority houses. Only 2,022 houses were built by local authorities last year. The reason I am concerned about it is that, traditionally, local authorities were the leaders in the provision of social housing yet in 2018, the total number of social houses built by local authorities was 2,022. A total of 1,388 were provided by approved housing bodies while 840 were provided by Part V. There needs to be a much clearer focus on the delivery of social houses through the local authority scheme. From my conversations with people in the housing departments in local authorities, I believe they are still concerned about the process and the time it takes. There is a piece of work to be done there.

The Minister spoke about HAP. He talked about giving people choice and how they can work and pick where they want to live. At the moment, there is an over-reliance on HAP. HAP is certainly a very suitable payment for a short-term situation but for somebody who wants to settle down in a particular town or community, who has young children and who would envisage staying in that community and their children going to the local primary school and progressing to the local secondary school, HAP does not afford them these opportunities. The figures are in the programme but the problem with HAP, a problem the Minister needs to get to the bottom of, is that there is very significant churn in private rental accommodation. Not many people stay five or ten years. The people who are coming to our constituency offices who are

homeless have all come through private rented accommodation. I am not opposed to HAP but what I am concerned about is the over-reliance on HAP. It is a short-term solution that does not provide the long-term accommodation it should.

I recognise and appreciate that a Bill will come before the House relating to private rented accommodation. Regarding a rent register, I spoke to Deputy Ó Broin about a particular case where property was vacated, re-advertised and re-let and the rent went up significantly. It is very important that legislation on a rent register is introduced. Many people in private rented accommodation are in a vulnerable situation. There is such a scarcity of property that they are afraid to complain. Property inspections need to be ramped up. I know the Minister will say there has been an increase year on year. The target is one in four properties being inspected by 2021. That programme should be accelerated.

In the amendment to the motion, I see that the Minister noted “the level of progress being made is reflected in social housing waiting lists, which have reduced by 22 per cent, from 91,600 households to 71,858, between 2016 and 2018.” That may be statistically correct but the problem is I meet a significant number of people who do not qualify for social housing and have no prospect of buying a house of their own, so they are caught in limbo. It is about time the income thresholds for social housing, particularly in Dublin where the cost of accommodation is so expensive, were reviewed. This is important. As I said, I meet a significant number of people who do not qualify for social housing but who do not have a hope in hell of qualifying for a mortgage to buy anything in the greater Dublin area.

The issue of affordable housing needs to be addressed. All of the Dublin Deputies, although I cannot speak for those in the rest of the country, will know of many cases where two people in a household are working but have no chance of buying a house in Dublin in a community where they may have lived all of their lives. We need to look to introducing schemes in this regard. While the Minister may argue funding is available for infrastructure, which will reduce the cost of housing, it is not significant enough. There are significant developments under construction and to be constructed in the South Dublin County Council area but none of them offers meaningful affordable housing schemes, which means a cohort of people will be left behind. Apart from the cost of the house being reduced, we need some type of savings scheme and recognition that the fact people are paying rent impacts on their ability to save a deposit. All of those issues need to be considered. There is certainly a group of people in this country who are working but who do not qualify for social housing. If we do not change and give them an opportunity to buy their own home, they will never have that opportunity. In addition, in the absence of a cost rental model, their rent will go up significantly over their lifetime.

There is much comment on the right to housing from the point of view of whether a constitutional or legislative change should be made, and the Minister said this is being considered. Three years ago, the Committee on Housing and Homelessness made a recommendation that an Oireachtas committee should address this issue as a matter of priority. It is not just some abstract or meaningless right that would be nice to have in the Constitution; it would be a counterbalance to existing property rights. I recall that at one of the sessions of the committee we discussed the purpose of the vacant sites levy. We were informed that, due to the advice of the Attorney General, the levy could only be introduced at a date in the future and at a certain rate. The reason given was that there was protection of property rights in the Constitution but there was no counterbalance in terms of a right to housing. That is a tangible example of why a right to housing in the Constitution would be beneficial.

Deputy Pat Casey: Over several previous contributions on homelessness in our Republic, I have pleaded with this Fine Gael Government to declare homelessness to be a national emergency and I have asked that it do this now. Our homelessness national emergency needs a whole-of-Government response, with monthly targets and delivery reports. We must declare today that the common good of the people dictates that the Government must ensure a minimum standard of housing for all of our people.

That common good is the primary responsibility of Government. If policies are not working, then they need to be changed or dumped immediately. There are almost 10,000 homeless human beings in Ireland today who need to see delivery on homes. There are also the uncounted thousands known as Ireland's hidden homeless, those who are still living with parents or in overcrowded accommodation because the Government in 2019 cannot ensure an adequate supply of homes. Just as frightening is the fact that hard-working people, including public servants such as nurses and gardaí, and young men and women working in industry - will never afford to own their own home in Fine Gael's so-called republic of opportunity.

The fact remains that our Republic and our political system of government, from Cabinet to Department to Parliament to local authority, is failing to ensure there are enough homes for our citizens. We have been elected to represent the common good and to ensure it is vindicated, and we should not be afraid to call out the truth. We in Fianna Fáil have not played, and will not play, politics with homelessness and housing. Looking for ministerial heads, looking for an irresponsible and premature general election, will not take a single family out of homelessness. Outrage politics will not build a single home. The politics of continuous protest will not generate the practical solutions that can be put in place to radically increase the availability of affordable homes for all Irish people.

We need to be honest when it comes to our homelessness crisis. There are almost 10,000 homeless people in Ireland today, not including the hidden homeless, because there are not enough homes for our people. We need to build, purchase and acquire sufficient housing units to radically increase the supply of homes. Homes can only be built on appropriately zoned lands. Builders in the construction industry build these homes and have a duty of quality of provision. Planners ensure that homes are appropriate to the area in which they are being built and they have a duty to gear up to this crisis. An Bord Pleanála decides appeals and must do so quickly and with a view to the scale of Ireland's homelessness crisis. Politicians who come into the House to complain about homelessness but then object to the building of homes need to reflect on the hypocrisy shown. Irish Water needs to ensure that it is not a block to the development of housing.

Too many delays are beginning to appear in the system. The Government must ensure there are policies to direct financial supports, end bureaucratic delays and drive the sense of urgent action that the crisis requires. Throughout our recent negotiations with the Government on the latest budget and on the renewal of the confidence and supply agreement, we in Fianna Fáil ensured delivery on housing is the priority to be tackled this year. Fianna Fáil has secured ambitious but achievable targets in the provision of homes, which previous Fianna Fáil-led Governments have delivered, often in far tougher economic times.

The question must now be asked of all parties and none: what do they propose to do? On this, Fianna Fáil has brought forward many solutions. Through the confidence and supply agreement we increased social housing funding. The overall capital budget for housing has increased from €1.065 billion in 2018 to €1.34 billion in 2019, a 25% increase, and this includes

social housing and homeless capital funding. Since Fianna Fáil entered into the confidence and supply arrangement, we have forced the housing capital budget to increase from €430 million in budget 2016 to €1.34 billion today, a €900 million or more than 300% increase. We have proposed a new affordable housing scheme. Only €20 million was allocated to an affordable housing scheme in 2018, with no units delivered or regulations even signed off. Fianna Fáil has established a revamped scheme worth more than €100 million per annum over the next three years, which will deliver some 7,500 units at an average price of €200,000 for ordinary income workers.

Our policies will keep landlords in the vital rental market with tax incentives to stabilise rents. Landlords who sell up are removing units from the market and driving up rents, with 4,000 landlords leaving over the past 12 months. We established a 100% mortgage interest relief measure to help keep landlords in the market and maintain supply in the short term while more homes are built. Further measures to incentivise long-term leases are in development. Delays in procurement and the four-step approval process for social housing are crippling delivery. We tripled the discretion of local authorities to build homes without going through administrative hoops. Local authorities can now build up to €6 million or 30 homes through a fast-track process.

Affordability of homes is key to addressing homelessness in Ireland. Affordable housing was a key aim of Fianna Fáil in budget 2019. We actively support home ownership and aim to launch an ambitious new scheme that will provide subsidised homes on State-owned lands across the country. There is a new €100 million per annum affordable housing fund, an investment that will construct at least 6,000 homes by 2021 and it quadruples the original allocated money per year from €25 million.

Local authorities must work with other agencies to identify where affordable homes should be built. They will take out loans from Housing Finance Agency to build the units, with a further subsidy of between €40,000 and €50,000 per home directly from the Exchequer. Homes are sold for approximately €200,000 to households on incomes of €50,000 annually for a single earner and €75,000 for those with joint incomes who cannot afford to buy a home in their own local area. The proceeds of the sales are used to build new homes and the process starts again. Some 6,000 to 7,500 units could be built under the scheme by 2021. Social housing funding has been ramped up by €270 million. Year on year, there is a €270 million or 25% increase.

Budget 2019 was not a landlord's budget. A rental market needs landlords if it is to work. The budget does, however, incentivise landlords to stay in the system. Some 40,000 landlords left the system between 2012 and 2018, including 4,000 in the past 12 months. We need to keep landlords in the system or else there will be fewer units available to rent and rents will rise as a result. Mortgage interest relief is targeted at small landlords with two units or less to keep them in the system. My personal view has always been that if it takes constitutional change for the Government to ensure that there are enough homes for people then that must not be avoided because of powerful vested interests.

The common good has been a core founding principle of all republics since the idea of people-based government was invented by the ancient Greeks and Romans. The State we celebrate this year, with 100 years since the First Dáil, has been guided by the aspiration of being a republic for all our people. The common good for Irish people in 2019 should be results and achievements in the context of ending homelessness and ensuring homes for all. The people will eventually decide whether we, the elected Parliament, have been up to the work that is

needed to end chronic homelessness.

Deputy Eoin Ó Broin: I wish to share time with Deputy Buckley.

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

Deputy Eoin Ó Broin: Tonight, as many as 13,000 adults and children will sleep either on the streets or in emergency accommodation funded by the Department of Housing, Planning and Local Government, Tusla or the Department of Justice and Equality, or, indeed, not funded by any Department. Contrary to what the Minister stated, the Oireachtas committee did not under any circumstances accept that his removal of homeless adults and children from the figures relating to homelessness was acceptable. In fact, at the Oireachtas committee hearing – Members can check the record – there was a clear disagreement. The Dublin Region Homeless Executive and independent academics who helped with the homeless report categorically said on the record that the adults and children who were removed at the request of the Minister were, at the time of their removal, homeless, without tenancies, without security of accommodation and accessing homeless services, something Brendan Kenny, the director of housing services for Dublin City Council had also confirmed. The Minister is absolutely wrong and should consider correcting the record so as not to misrepresent the Oireachtas committee.

The Minister also claimed that recent figures both from the CSO and his Department suggest that we are turning a corner, that supply is beginning to increase and that it is a sign that things are going to change. The problem is that if one takes the figures that he is quoting and compare them against his own targets, the very opposite is the case. Last week, the CSO released the total output figures for 2018. They are good robust figures and I have no quibble with them whatsoever. They indicate that 18,000 homes were constructed in 2018, up from 14,000 in 2017 and 9,000 in 2016. That is positive, but what is the Rebuilding Ireland commitment? It is to ensure that an average of 25,000 homes are produced every year in the period to 2021. That means what the Government believes is necessary to tackle the crisis is an average of 25,000 units a year. Halfway through Rebuilding Ireland, how far are we behind target? The answer is that we are 43% behind target. While I welcome the additional homes, for the Minister to somehow say this is unquestionable progress belies his own targets.

When one looks at the social housing delivery figures that were announced late last night, the Government is claiming 27,000 social housing tenancies were created last year. We know from the figures that only 6,861 real social houses, owned by approved housing bodies and local authorities, were delivered last year. That is not my definition of real social housing, it is that of the National Economic and Social Council and the Committee on Housing and Homelessness. Of those, just over 4,000 were built and the real worry, which I share with Deputy Curran, is that only 2,000 of those were delivered by local authorities. It is not that the other units were not welcome, but 31 local authorities should be delivering far more than 2,000 new builds a year. Five approved housing bodies are delivering almost as many new builds as the local authorities and that makes absolutely no sense.

The Department continues to wrongly count expensive casual re-lets as voids. I think that practice should stop as it inflates the figures, albeit by only a small amount. Probably the real scandal of the figures last night is 44% of the Traveller accommodation budget remains unspent. This is the second year in a row that the Traveller community has been badly served by the Government. That is the reason homelessness among Travellers is higher than in any other section of the population. That is why tragedies happen such as we saw in Carrickmines.

While I appreciate that this is not solely the fault of central government, central government must do more to address the shortfall to make sure it does not happen again this year. The real problem with yesterday's figures is they confirm the overall picture, namely, that 75% of all social housing need is being met by subsidised private rental tenancies through HAP, the RAS and leasing. It is the casualisation of social housing. It is almost like zero-hour contracts in the social housing space, but it is also very expensive and it crowds non-social housing tenants out of the private rental market. The Minister is wrong when he states that they are rebalancing. Rebuilding Ireland wants to have 90,000 additional HAP tenancies by 2021. We are going to have more subsidised private rental tenancies than ever before at a higher cost if this plan meets its targets, which it seems to do on that front.

How do I know Rebuilding Ireland is not working? Last year, the total number of real social houses was just under 7,000. How many new households came onto the social housing waiting list last year? The answer is 14,000. If, therefore, one is producing housing to meet the needs of half the number of new applicants, how is one ever going to deal with historic need let alone future need? It would take the Government 20 years to do so, which is how we know this plan is not working.

The question is what we need. We know what we need because almost everybody else bar the Government is telling us. We need a rights-based approach to housing and we need to enshrine the right to housing in the Constitution. We do not need more time. The Constitutional Convention recommended this approach by a majority of 84% in 2014. In fact, there was a deal between Fianna Fáil and Fine Gael to deny the housing committee the right to deal with the issue. It is buried in the Joint Committee on Finance, Public Expenditure and Reform and we will never see the outcome of that, which is really what is going on, not deliberation. We need a doubling of capital investment in social and affordable housing to meet real targets and real need. We need action to freeze rents and, in Sinn Féin's view, to take the pressure off struggling renters with a refundable tax credit. We also need greater action to prevent the flow of families into homelessness, including the introduction of the Focus Ireland amendment.

Our position has not changed since the previous debate on the matter. This plan is failing. This Government is failing. The Minister, who is not even here to listen to the rest of the debate, is failing. We need a new plan. The only thing that is going to change the Government is massive protest on the streets, both through the Raise the Roof campaign throughout the course of this year and the National Homeless and Housing Coalition mobilisation in Dublin on 9 March. When Fianna Fáil and Fine Gael see the strength of public anger at the failings of the Government's policy, we might perhaps see some change but I do not think we will see anything until then.

Deputy Pat Buckley: I thank Deputies Broughan, Clare Daly, Joan Collins, Wallace and Connolly for tabling the motion. Sinn Féin stands squarely and proudly beside them on this campaign regarding housing and, in particular, addressing the most dire need for housing that exist within the State. I refer to those who have no home at all and are currently living in emergency accommodation in hotels, hostels, bed and breakfast accommodation, family hubs, reception centres or anywhere else. That is totally unsuitable for continuous habitation by a human being. It is as simple as that. Shelter is the most basic need of humanity, along with food and water. For a night, shelter might be a roof over one's head or a shield from the elements. In the long term, however, shelter can only be determined by a secure, affordable and comfortable home that suits the needs of those who live in it.

A total of 10,000 people in the State are homeless. I am not referring to those who are struggling to pay rent or people who are living in overcrowded, damp conditions or unhealthy housing, I am referring to those who do not even have that. One person in every 500 in the State is homeless. I really do not think the Government gets it. The only conclusion that I can draw is that if it does get it, then the Government just does not care. I fear the latter is the case. Homeless people probably do not vote Fine Gael. If I had the names of those 10,000 people and if I were to read them into the record, it would probably take until 10 p.m. The human tragedy behind the figures is a stain on our nation and the Government. The damage done will only truly be known in years to come, but it is not too late to turn back the tide. Sadly, there is no sign of the Government taking action to do so. We have a national emergency. It is plain to see. Every decent-minded person can see it. We need to begin to seriously build houses. We need to invest in our future by building new council housing, publicly owned and protected from the greed of the market which turns basic human need into unbridled profit.

We need to enshrine the right to housing in the Constitution. That is not a solution in itself but it would certainly send a very strong message. We need to end the long-term use of emergency accommodation now. We need the members of Fianna Fáil to step up and put their money where their mouth is on crucial issues like this. They can no longer pretend to care about the homeless and about human suffering when they sit on their hands and allow Fine Gael policy to continue the disastrous legacy their party started in the Celtic tiger years.

I refer to something that is not directly linked to this motion and that I have raised many times with the Minister. The rent pressure zones are an absolute disaster and are not working. They are certainly not working in east Cork. Another problem we should be looking at in the short term, because it is an emergency, is the fact we do not have any local emergency accommodation in rural towns. The Government is sending everybody into the city and saturating the system. It breaks families up. The local connection is gone, people get into bad situations, which evolve, and things get worse. The Minister of State looked bewildered and did not believe us when we said there was a housing emergency. I suggest the Government and Fianna Fáil, which are in a coalition, wake up and smell the coffee and realise there is a housing emergency.

Deputy Jan O'Sullivan: I would like to thank Deputy Broughan and his colleagues for tabling this motion. It gives us an opportunity to talk about homelessness again. We have not seen any of the real and substantial progress we need to address it from the Government. This morning the Minister said the social housing delivery figures for 2018 were good news and talked them up. The changes are minimal and are nowhere near the kind of numbers that the Government itself has accepted we need in order to address the housing crisis. There does not seem to be any significant change in policy. I refer to the decision to use available State land, most of which is owned by local authorities. Housing experts like Mr. Mel Reynolds have said there is enough local authority-owned land zoned for housing to build 30,000 units in the Dublin region and 50,000 in the State as a whole. The solution is to build social and affordable housing for the people who currently need it on land the State owns. However, that does not seem to be the solution the Government is pursuing. The main increase in the figures published today is once again in HAP, which was never meant to be a substitute for the construction of social housing. The number of payments has increased to 17,926 in 2018 while the build figure is below the target. It has increased from 2,297 in 2017 to 4,251 in 2018, but the target for 2018 was 4,409. It has not reached its target.

In the meantime, nearly 4,000 children are living in homeless accommodation. We must

focus on those children. I know a family with two young children, both in primary school, that has been living in hotels for almost a year. There are many other families like that. As a result of the number of cases that have come to its attention, the office of the Ombudsman for Children is doing serious research on the effects on children of being in homelessness for a long time. There are serious and life-altering effects on young children. We just cannot leave them in that situation when we have solutions.

I agree with Deputy Curran on rapid-build housing. Rapid-build housing was supposed to deliver what it said on the tin, that is, rapid building, but it seems to have been abandoned. There is no evidence whatsoever that it is producing homes at an increased rate. That is one of the failures of Housing First. There are many others.

I agree with Deputy Ó Broin on Traveller accommodation. The outcome for last year means that less than half of the money allocated was spent. That is an indictment of policy implementation. The policy is there, but the implementation is not. That is about communication between the Department and the local authorities. They must ensure that if money cannot be spent in the way identified at the beginning of the year, it should be spent in other ways. We all know Travellers living in appalling conditions whose circumstances could be improved if that money was spent. The Minister said there are objections and various problems, but if the Government cannot spend money one way, it can spend it another. That money should be spent. Objections should not be taken as seriously as they apparently are. We need to get on with improving the lives of Traveller children.

In the time I have left, I will look at the data presented to us and in the Minister's statement this morning. He talked about improvements like the delivery of eight times more social housing units in 2018 than in 2015. He also talked about improvements on last year. The telling little piece of the statement was the exclusion of voids. As far as I know, this is the first time voids have been being excluded. Perhaps the Minister of State will correct me. In fact, the output of voids went down from 1,757 in 2017 to 560. That was the target.

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): Just for the record-----

Deputy Jan O'Sullivan: That is what is in the figures.

Deputy Damien English: Yes, but the Minister agreed with the committee to count the figures that way. As a point of information, 1,760 voids were put back into use during the last year. I will go into more detail later.

Deputy Jan O'Sullivan: If voids have been delivered they should fit the definition of voids.

Deputy Damien English: Opposition parties did not want us to count them. There was a desire on their part not to count them.

Deputy Eoin Ó Broin: Not on my part.

Deputy Jan O'Sullivan: I am not on the committee but either way-----

Deputy Damien English: It is hard to win with this.

Deputy Jan O'Sullivan: In 2014, there were 2,333 voids. Voids are local authority houses that have been boarded up for a long time with nobody living in them. They are houses that

have been brought back into use for families. In 2014, the figure was 2,333; in 2015, it was 2,829, which is the figure on which this eightfold increase is based; in 2016, it was 2,308; in 2017, it was 1,757; and in 2018, it was 560. I know for a fact there are many empty local authority houses in my council area that could provide homes for people. They should be counted, regardless of whatever explanation for not doing so the Minister of State will provide. They should not be left empty. If it means the Department getting together with local authorities and deciding that specific money has to be allocated, those homes should be brought back into use. Councils have empty council houses while there are 100,000 people on housing lists.

Deputy Damien English: Money allocated to them has not been spent.

Deputy Jan O'Sullivan: If money has been allocated to them, it is the Minister of State's job to make sure it is spent.

Deputy Damien English: Exactly.

Deputy Jan O'Sullivan: These are the figures in front of me in black and white, as delivered by the Department. Last year, there were 560 voids. The figure for 2015, with which the Minister of State is making comparisons to show how much progress has been made, was 2,829. If those figures were added in, we would not see the kind of figures that were being boasted about by the Minister today. We can quickly bring these homes back into use and I urge the Minister of State to do so.

I support Housing First. It needs to be developed, and I fully support whatever action is taken in that regard. It does not just apply to Dublin either. Housing First can be a solution for many people who have been in long-term homelessness throughout the country, particularly in our cities. It needs to be resourced and developed.

I realise my time is almost up. There is always so much more we can say on this issue, but it is not really about talking. It is about delivering. We need to see this serious situation addressed, and not just through these slight incremental changes from one year to the next. We will not deal with it if that does not happen.

Deputy Paul Murphy: It is like Groundhog Day every time we discuss housing. I welcome the motion from the Independents 4 Change. We support the motion. It is a good motion but every single time we talk about housing it is exactly the same. The Government says it appreciates that things are bad, but that they are getting better. We have been dealing with that response from this Government and the previous Government for years. The situation is getting worse and the spin from the Government is increasing because it has to try to bridge the gap between the propaganda and the reality as the reality continues to worsen and the propaganda has to pretend it is improving.

Oliver Callan has a tweet which encapsulates the issue very well. He shows an article from the end of 2017 in which the Taoiseach pledges 7,000 social homes in 2018 and an article from a couple of days ago in which the Minister for Housing, Planning and Local Government says that the number of new social homes is on target, with 4,000 social homes being delivered. That is a broad, expansive definition of social housing, illustrating that gulf between the reality and the propaganda of the Government.

The only way out of this Groundhog Day is a mass movement. We can, and should, continue to table motions and legislation before the House but that will not change the mind of the

Government. It will not fundamentally change the mind of Fianna Fáil either because one in four of its Members is a landlord - the number is even higher in the Cabinet - and the interests they represent, not in terms of personal interests but class interests, are the landlord class, the developer class and the banker class who have an interest in the housing crisis continuing. A mass movement on housing is essential. It is the only way to force any change whatsoever.

That is why the upcoming regional demonstrations and the demonstration in Dublin organised by the National Homeless and Housing Coalition at 2 p.m. on Saturday, 9 March, with three meeting points - the Housing Agency on Mount Street, the GPO and City Hall - is important with the demand for public and affordable housing for all and an end to evictions and homelessness. That movement is developing; it is coming. The energy we saw on the streets in support of the nurses and midwives, and paramedics last Saturday will also feed into it and be seen on those demonstrations.

I refer to a case that I have raised here previously, which is an extreme illustration of the scale of the housing crisis. Constituents of mine in Tallaght Cross are in properties owned by Túath Housing, which is traditional housing for those coming out of homelessness. People who have been living in hotels or homeless hubs are put into transitional housing with 18-month leases. At the end of those leases, they get notices to quit, are pursued through the RTB and threatened with eviction back into homelessness. Effectively, they are still in homelessness and they are threatened with going back into homelessness. We raised this before Christmas with the Minister and he said that nobody would be made homeless. Nobody has been made homeless but the threatening letters continue and people are still faced with the prospect of being taken to the RTB. I had a meeting with them last week and they are understandably concerned. The letters and the threats of evictions of people who are effectively in homelessness back into worse homelessness need to stop.

Deputy Richard Boyd Barrett: The reason we have a housing crisis is the Government, and the two major parties, Fine Gael and Fianna Fáil, believe that housing is a means to make money for certain people in society. The Irish rich have always got rich through property. The property owners who see property as a means to make money are disproportionately represented in this House and the Irish rich disproportionately, in international terms, get rich from property. They do not want to resolve the problem and their commitment to making money from property is the reason we have a housing crisis.

Tragically, an economic crash in 2008 that was caused by the greed of people making money out of property, rather than leading to people saying we need a fundamental rethink and that housing should be seen as a human right to be provided by a decent society, has been used as an opportunity, primarily through the vehicles of the banks and NAMA, to further enrich a certain layer of people who make money from property.

What I heard the Minister, Deputy Eoghan Murphy, talk about earlier is just rubbish. He said we were moving in the right direction in the same week that Dún Laoghaire-Rathdown County Council, which is dominated by Fianna Fáil and Fine Gael, and assisted by the Green Party in this particular instance, flogged off land wholly owned by it in Cherrywood to - guess who - Johnny Ronan. The boys are back in town, facilitated by the State and the major political parties. When we opposed the plan to sell off that land, we were told by the council that it could not be used for council housing. Apparently, there were some problems with the land. It was too low or something like that. All of that was rubbish because it has now been sold to Johnny Ronan, one of the guys who helped crash the economy, and he will build 140 apartments there

and make a lot of money from them.

We are hearing a lot of nonsense from the Government while in reality the policy continues to be to see land and property as an opportunity to enrich the rich and make them richer. That is the reason the crisis continues to escalate. For the Government to say it is moving in the right direction in some sense is nonsense. Its own targets, which it has missed, were pathetic in the first instance, as we have been saying since Rebuilding Ireland was launched. To try to solve a massive social housing crisis when three quarters of social housing provision will depend on the private sector was a disastrous policy in the first instance and guaranteed to continue the housing crisis but the Government has not even met its own pathetic targets.

Whatever minimal progress was made in the past year or two, it will get worse in the next few years. We had a small increase in social housing in Dún Laoghaire and other places because the pressure was on. When we look at what is in the pipeline in many areas, social housing provision will diminish in the next few years. Only 56 houses will be delivered in Dún Laoghaire-Rathdown in the next two years and the target is 1,500.

People have to get out on the streets. As in the case of water charges, unless we have tens of thousands of people affected by this housing crisis out on the streets in Dublin on 9 March, which is the next opportunity to do it, we will not resolve this diabolical, shameful housing and homelessness crisis.

An Ceann Comhairle: I call Deputy Carol Nolan who is sharing with Deputy Michael Fitzmaurice.

Deputy Carol Nolan: I thank the Rural Independents for allocating some of their time to me.

Tá 13,000 duine gan dídean sa Stát seo. Tá sé soiléir go bhfuil an ghéarchéim ag éirí i bhfad níos measa ná mar a bhí sé. Homelessness is becoming all too prevalent and, to our shame in this State, it is becoming normalised. Homelessness is not just confined to urban regions. Its prevalence is now very noticeable in many rural towns. In many towns in Laois and Offaly, such as Tullamore, Edenderry and Portlaoise, rent costs up to €1,000 per month. That factor alone is driving families into homelessness every day of the week. Every day of the week, I have upset and disillusioned people in my offices who are in desperate situations seeking accommodation. Many of them are working part time. They have tried their best to make ends meet and they find themselves in this difficult situation.

The local authorities in Laois and Offaly are doing their utmost to deal with the issue of homelessness. I have seen that first hand, but they are hampered in their efforts by insufficient funding from central Government. In Offaly, there are very few centres or hotels providing emergency accommodation for families who find themselves homeless and experiencing the trauma that goes with that. The Simon Community and one local hotel provide such accommodation in Tullamore but it is insufficient to meet the numbers seeking emergency accommodation. However, those services become full very quickly, which leads to a situation where women and children have to travel to a hostel in Mullingar while the men have to travel to County Longford for emergency accommodation. The separation of families and the breakup of the family unit can be traumatic. I am sure the Minister of State will agree with that. It is like something one would hear about Famine times when families were split up and sent to the workhouses. We are seeing echoes of that now yet we are hearing the constant spin about a

republic of opportunity and fairness for all in society. That is not the case. The gap is widening all of the time. It is because this Government has not acted in time. I accept that there have been some small improvements but they are minimal. The Government needs to look at the rural towns. All too often this problem of homelessness is seen as just an urban problem in our big cities. It is not and it is far from it. I would like some action to ensure that there is more emergency accommodation available in County Laois and County Offaly so that people do not have to leave their counties. I know of families who have had to leave their county to go to hostels in Mullingar and who have had to uproot their children who were in schools in Tullamore and surrounding areas. That is so destructive. It is traumatic enough for children to be separated from their fathers or the head in the family, whoever that may be, but it is shameful that we have this situation. We talk about mental health and all that is being done in that area but this situation is adding to that problem of mental health and we are not getting to grips with that either. Rents are increasing month on month in the main towns of the counties I have just mentioned, in Tullamore, Edenderry and Portlaoise.

The solution to this problem of spiralling rents needs to be looked at urgently. The criteria for rent pressure zones must be broadened in order to ensure that towns where there are ongoing problems with rent increases outside of the main cities are catered for and assisted. This would be a lifeline to many tenants in rented accommodation. As has been stated already, HAP is a short term solution. I know of many cases in Offaly and Laois where people have to top up the HAP payment by hundreds of euros. They have no choice, they are in a vulnerable situation and in order to stay in their accommodation they have to fork that out. That is sometimes done by getting loans from family members or worse, borrowing off moneylenders and that is what is happening. As the Minister of State may not know, the midlands region has one of the lowest rates of income in this State. This must surely be taken into consideration in ensuring that our towns in Laois and Offaly are designated as rent pressure zones. I call on the Minister of State to pursue that possibility in light of the ongoing homeless crisis and the shortage of social and affordable housing for families in Laois and Offaly. It must end. We need Government intervention and we need it fast.

Deputy Michael Fitzmaurice: Before a house is built, planning is needed, roads and sewers must be put in and there is an awful problem in this country in that we do not do a bit of planning ahead of building a house. We think it will just fall down out of the sky. Right around this country the State owns a lot of land and it has never pursued an objective of putting in sewage treatment plants, having the water there, making sure that the planning has gone through and having the roads put in because that is when building can commence. In fairness to the previous Minister in the Department, Deputy Coveney, we saw in 2016 in Dublin where he brought councillors together and got the whole thing sorted in O'Devaney Gardens and this is 2019 and the council has still not put in planning permission. How can houses be built on that because when we look at it it will take three or four years more? There are companies coming into this country and they have to try to get housing for their people. Those companies are able to compete better than any individual and they will buy the houses in an area. If we are not careful, we will see that it will be landlord country inside the M50 in Dublin because people will not be able to afford the housing.

The housing issue is ongoing and I am not directing this at the Minister of State but I question some of the stuff that goes on within the Department. I spoke to the Minister of State in recent days and in fairness he is as helpful as a person can be, but the Department has rules and regulations and there is no one with a bit of what I would call cop on or common sense who will

turn around and say they will sort a particular issue because it will cause a problem down the line. Fr. Peter McVerry said that we have 12,500 buy to lets that are in trouble currently. It is not the people who are losing those houses, it is the people who are living in them and renting them. We cannot afford to let them move on again.

I am saying this and I may be as well off talking to the wall but there is only one way of solving housing. We have State land and we need to put in a system where we can get planning through, irrespective of the objectors and everything else that is happening. We just have to drive it on currently because this is an emergency and we have to get housing going. Roads, sewers and water have to be brought in and then it is a simple job to tell a subcontractor or the man who will price it what to do. It will not be like the hospital job up the road. It will be so much money per sq. ft. and it will be built at a price. Affordable housing can be built that way because there are young people in the front line services, especially in the big cities around the country, who cannot afford to live in the area. There will be pressure on wages if we keep going down that road. I am looking at the Department for a while and the Minister of State must bring in seven or eight of the top people from outside who know how to go for the throat in doing things efficiently and have a group who will drive this on. I am not saying it is the Minister of State's fault because he cannot deliver the sun, moon and stars but his Department needs a woeful looking at.

Deputy Catherine Connolly: The Minister of State is extremely helpful so my comments are about a housing crisis. The housing crisis has not been caused by difficult tenants, people refusing houses or indeed people objecting to planning permissions although we will always have a small minority. They certainly did not create the housing crisis however: it is a deliberate crisis caused as a result of the policies of successive Governments and we know that. The Government is picking up the pieces and I appreciate that but it is also part of the problem. The Minister of State and the Government believe that the market will provide and the market has not provided.

In 2009, in Galway city we stopped building houses. We just stopped. We bailed out the banks and we looked after everybody but we did not look after the ordinary people on the ground. That was bad enough except we created the problem and no social houses have been built in Galway and the Minister of State knows that. I have all the reports before me and there has been some progress. Some 14 houses were built in Galway between 2009 and 2018. To put the beautiful city of Galway that I come from in perspective, it is second worst in terms of rent in the country. We have most of the debate in the media on Dublin. The report from the council is that Galway is the second worst and *daft.ie* has confirmed that it has risen by 13%.

A major contributory factor in landlords exiting the RAS scheme alone is that tenants cannot pay close to the current market rents and this is a rent pressure zone. The landlords who are there are exiting the market. We have over 4,000 households on the waiting list in Galway. Some of them have been on that waiting list since 2002. I know that for a fact because they are in and out of my office on a regular basis. I am unsure of the number of people but we have 50 families in emergency accommodation. That emergency accommodation cost €2.5 million last year. To be precise, it was €2.455197 million. That is not to mention any of the shelters or any of the other measures. The families in emergency accommodation, as has been said, do not cover the women who have fled homes as a result of domestic violence, nor does it cover the hundreds of people who are in direct provision and who cannot get out even though they have achieved status because there is no accommodation available.

The Minister, Deputy Eoghan Murphy, talked about social mix and I appreciate that he has other things on today and I make no point on that except what I heard him say this morning. I thought I was beyond despair, but when the Minister talks about the HAP payment being helpful in having a social mix I really want to give up. Some €431 million was spent on HAP this year. It went from €150 million in 2017, it doubled in 2018 and it is going up to €431 million and possibly €500 million this year in HAP payments. Each year it is increasing and doubling to back up the private market artificially and then we wonder why rents are rising and rising. Galway city has 26 ha of land zoned residential alone. In addition and not counted in that, we have Ceannt Station with something like 14 acres of land. We have the docklands with acres of land. We have 150 acres between Galway City Council and Galway County Council in the former airport. That is not to mention institutional land.

I thank my colleague for tabling this motion and for the work that has gone into it in declaring a crisis. What the motion will do is make us act in a different manner because a house is not a product. It is the right of a person to have a home and declaring an emergency is sending out a strong message.

Deputy Thomas Pringle: I congratulate my colleague, if congratulations is a word that can be used on an issue such as this, on preparing this motion and putting it before the House because it is vitally important. The focus on solutions to homelessness has largely been a city wide perspective. While this is warranted, it is important to focus on the rise of rural homelessness, for example, in my constituency of Donegal.

The resources, staffing and financing that Dublin and other cities receive to help combat the growing tide of homelessness are not the same as those afforded to rural constituencies such as Donegal. In fact, we still do not know how many people are homeless in rural Ireland because the Housing First response to homelessness has not trickled across the country.

The official figure for the number of people homeless in Donegal, as documented by the Department, is 12. That figure is incorrect. Homeless shelters in Donegal are full to capacity, and that amounts to at least 20 adults in one shelter I know. It has also become evident that county councils record homelessness in different ways. The pathway accommodation and support system, PASS, is being used inconsistently across the board. Ideally, people who present themselves as homeless to the council are automatically logged in and wrap-around supports are provided. In Donegal, it is a different story. Homelessness is only visible between the hours of 9 a.m. and 5 p.m. while the council doors remain open. Help switches off at 5 p.m. For example, a woman fleeing domestic violence in the middle of the night cannot be registered because there is no out-of-hours PASS system in Donegal.

There is a narrow definition of what homelessness means in Donegal. Anyone in sheltered accommodation, temporary accommodation or couch surfing is not considered homeless and, as is happening to a family in Letterkenny this week, a family that does not have habitual residency status cannot be registered as homeless. We also do not have an accurate estimate of the number of people with mental health issues leaving mental health services who end up homeless. If we do not have the numbers, we will not have a solution.

In this crisis a system such as PASS should not become a closed user group to which only a select few individuals have access. NGOs are not automatically contacted to deal with an individual, as is the case in Galway, Cork and Dublin, so people do not get the wrap-around

supports they need. People are going to Derry where they will get help to a certain extent. The Minister must ensure that resources go where they are needed. Greater oversight is required to ensure councils reform their systems for recording homelessness. This could be done through a circular in which the Minister decides how homelessness should be recorded. Resources are also needed to provide dedicated case workers with solutions tailored to the individual on hand, in addition to funding for more homeless action teams, including for out-of-hours services.

Despite billions of euro being spent to solve homelessness, the response has been too slow, inconsistent and system-led. Housing First has not been adequately adopted throughout the country, but perhaps that serves to keep the numbers lower.

Deputy Clare Daly: I thank Deputy Broughan for tabling this motion. It is a debate we appear to have every month, but as we talk, the situation is unravelling for thousands of people because of the failure of the Government to build social housing. Announcing that it has solved the problem by placing some people in the private rental market through HAP, apart from the enormous waste of resources at €400 million in payments, is not a solution. As Social Justice Ireland and others have pointed out, it is a short-term fix. It is precarious for tenants. Their security of tenure is at the discretion of landlords, rents are spiralling and many are living in fear.

There is a danger of hiding the reality of this crisis behind lies, damned lies and statistics, thus blinding people with figures that do not explain the reality of life for our citizens. I will tell Linda's story. She is a woman from my area who sent me the following email:

I have been issued with a notice from my landlord as he is selling. He has given me until May. I have been in rented accommodation since 2001. I am a single mother of 2. My son is 17 and daughter is 6. I have spoken to the local council and to Threshold about my situation. I am constantly looking to rent somewhere else and I am at a loss. The properties are getting snapped up by professionals. I can't go into emergency housing as I have to wait until closer to the time that I am due to leave the house. I am beginning to panic. I am a lone parent and it's up to me to provide security for my kids. My daughter is 6 and she offered me her savings box to buy a house today god love her innocence. This is not a feel sorry for me email; this is real life stuff. I am not a victim I am simply a mother who is looking to provide housing for her children.

There is also Caroline, who wrote to me months ago. Again, the landlord was selling and she did not know where she would go. She wrote:

I cannot afford to rent privately as €1600 a month is way out my budget. I have lived in Swords all my life, my kids go to school there and I work beside the airport. I cannot afford a mortgage on my own and have no idea what my options are.

The months since then have evaporated and she has written to me again. She still has nowhere to go. Like every other Deputy, I get emails like that every week. There is nothing I can tell these people except that they should look for a private rented house even though I know they are not available and that they will not get one. It is an absolute scandal in this day and age. That is aside from our veteran Defence Forces personnel who ran a valiant campaign with Tricolour sleeping bags on the streets to highlight the way we treat men and women who loyally served the State.

The housing policy is not working. It is a thundering disgrace. Lives are being destroyed by the Minister's inaction, but that is being hidden by lies, damned lies and statistics.

Deputy Damien English: I am grateful for the opportunity to speak on the motion and to outline the facts of the situation. They are not lies. I listened to many speakers saying we come to the House every month to debate this. I mean no offence to Members, but I have not seen any new solutions emerging from the different motions that have been discussed. In fairness, Deputy Fitzmaurice gets down to the details of the reality of delivering houses. It takes work. It requires planning, organising, infrastructure, picking sites and so forth. It is not a case of just clicking one's fingers and the houses arrive. It does not work that way. Our job has been to do that work.

Deputy Thomas Pringle: The Minister has not been doing it.

Deputy Thomas P. Broughan: The Minister has had eight years - wasted years.

Deputy Damien English: I did not interrupt anybody, and I did not come here for a row. I am referring to what Members have said about inaction, just talking and no delivery. That is just not true. The facts do not support Deputy Clare Daly. We accept that there is not a house for everybody. We accept the supply issues. We are not saying that the issue is solved in any shape or form. However, it is also untrue to say that nothing has been happening or that there are no houses. That is not true. I can bring the Deputy to the houses.

Deputy Curran said that nothing has happened in three years. That is not true. We are spending taxpayers' money, as was sanctioned by Members, and that is delivering and building houses. All of them are not where everybody wants them and there are not enough for everybody, but it is untrue to continue saying in the House that no houses are being built.

Deputy John Curran: We did not say that. The Minister of State is factually incorrect. Members did not say there is nothing happening.

Deputy Damien English: That is what everybody is saying.

Deputy John Curran: No, the Minister of State is misquoting.

Deputy Damien English: A Cheann Comhairle, I did not interrupt the Deputy.

An Ceann Comhairle: Please let the Minister of State reply.

Deputy Damien English: I have listened to what everybody said-----

Deputy Richard Boyd Barrett: We are saying the Minister is reliant on the private sector.

Deputy Damien English: I will return to that shortly.

Deputy John Curran: I specifically said there were 2,022 council houses built this year. I acknowledged that.

Deputy Damien English: Will the Deputy let me speak?

Deputy John Curran: I said the Minister failed miserably with the rapid build. We were specific.

Deputy Damien English: I will go through all of that if the Deputy will let me speak.

Deputy John Curran: The Minister keeps saying that we said he did nothing; we did not say that.

Deputy Damien English: It is all on the record.

An Ceann Comhairle: Please, the Minister did not interrupt anybody. He is entitled to speak. Every Member was entitled to have their say and nobody intervened with anybody else.

Deputy Thomas P. Broughan: We are exasperated.

An Ceann Comhairle: Please let the Minister speak.

Deputy Damien English: I will go through every Member's query. I have no problem with that. Deputy Curran raised rapid build housing and I will return to that shortly. However, he also gave the impression that nothing has happened since the housing committee met here three years ago.

Deputy John Curran: I did not say that.

Deputy Damien English: I sat here and listened to what the Deputy said. Deputy Paul Murphy wants to hold a big march in a few weeks. That is fine. He should hold the march, but be honest with people. The last time there was a big march I listened to the message from the campaign, which was to deliver 10,000 social houses. That is what we are doing. Deputy Joan Collins nodded her head. She wants that, and it is sought in the motion. That is what is happening in 2019. Members sanctioned that budget.

I accept that Members have a difference with us about delivery. We are saying there will be 10,000 additional social houses. Approximately 6,500 of them will be directly built by local authorities. It appears Members do not wish to give any credit to local authorities for the work they do with AHBs and with the different sectors in acquiring vacant properties and bringing them back into use. They do that work as well. Their job is to deliver houses, not just to build new houses. Naturally, we want them to build more new houses every year but it is wrong to say that one can solve a housing problem by just building social houses from day one and doing nothing else.

Members raised issues with HAP, using the private sector and so forth. More than 40,000 families are in HAP houses today. Has anybody here got a solution for those 40,000 people tomorrow? There is no other quick solution. We have to use, engage with and rely on the private sector in the short term. However, that is not the only plan. The plan is to reduce that after a couple of years when the housing supply is increased. However, one must first build the houses. In the meantime, people must avail of HAP or some other form of support. Some Members do not seem to like it but no other solution has been put forward. I ask them to bear that in mind.

In recent debates on this issue, Members raised situations involving persons living in emergency accommodation for two or three years and so on, and such situations are referred to in the motion. However, when I looked into the detail of the cases raised, I discovered there was more to the story. In some cases, the person was offered HAP accommodation but refused it as it did not suit his or her needs. In other cases, the person was seeking a council house within a small geographical area, which limited the available housing options. There is more to the story. The majority of people do not spend two or three years in emergency accommodation although, sadly, some do. We wish they did not. People are offered various options and solutions, but those solutions may not always suit their needs. However, some Deputies are trying to create the perception that everyone who enters emergency accommodation is left there for two or three years and that there are no solutions. The fact is that approximately 5,000 adults,

along with their children, left a homelessness in 2018, slightly more than was the case in 2017. The difficulty and sadness for us all is that just as many came back into homelessness. I do not deny that.

Deputy Thomas P. Broughan: The Minister of State is finally addressing the issue.

Deputy Damien English: It is unfair to those providing services, including NGOs, local authorities and AHBs, for Members to give the impression that nothing is improving. It is not true. It has been repeatedly alleged that the Government only wishes to use private housing but that is not true either. A building programme is in place to increase the stock of social housing by 50,000 over the next three or four years. More than 20,000 social houses have been delivered since we began the programme two and a half years ago and more than 50,000 will be delivered by the time it is completed. The Government is committed to going beyond that provision but it will take time to do so. It will not happen overnight, although I wish it did as it would make my job and that of the Minister far easier.

Deputy Ó Broin stated that the Government is doing nothing to solve the long-term problem of housing waiting lists because there are 70,000 on them and that number is growing every year. The Sinn Féin housing plan, which has only been worked out on paper and has not been tested, aims to deliver fewer houses than the Government plans to provide. Sinn Féin wants to deliver 100,000 houses. Our plan, which has been funded and put into action, will deliver 120,000 houses. The sites have been identified and services are being provided. The necessary funding has been allocated to the plan and it will deliver houses. It is more difficult for the Government because we must do things for real. It is easy to draw up a plan. However, the Sinn Féin plan proposes to deliver fewer houses than the Government intends to deliver. We need to have an honest conversation about what everyone hopes to achieve and get real about what can be delivered.

On voids, I wish to clarify that approximately 1,760 properties belonging to local authorities and which had been lying empty were brought back into usage last year. A figure of 560 was used for the purposes of recording delivery of new accommodation because the Government was accused at the housing committee a couple of years ago of massaging the figures by counting voids as new properties. As a result, the Minister changed how the figures were recorded. He parked the properties originally allocated under Rebuilding Ireland and numbering approximately 560. However, the reality is that 1,760 were brought back into use.

Deputy Jan O'Sullivan raised the issue of voids in Limerick. Funding has been allocated to that issue. Limerick City and County Council is doing great work on housing. There is a significant volume of activity and many properties are being delivered. However, there is an issue regarding some voids, which are a little more costly to deliver than the norm, but that will be sorted out. I hope that they will soon be back in use. Many void properties remain in Dublin and elsewhere and they will be brought back into use. Thankfully, the local authorities in most counties have brought their voids back into use. There has been much progress. There should not be any empty stock belonging to the State.

On Donegal, the picture painted by Deputy Pringle is a little different from that depicted by others. I do not accuse the Deputy of misrepresenting the facts. However, yesterday I met representatives of Donegal County Council who were very clear in terms of the delivery of housing in the county and the various options they are pursuing. They are making great progress. We accept this is not just an urban problem. The required funding has been allocated. If additional

or out-of-hours services are required in Donegal, that can be considered. The funding is available for such measures and there should be no difficulty putting them in place. The picture painted by the Deputy is a little different from that presented by Donegal County Council or other representatives of the area. We must ascertain the true position. If certain services are required, I am happy to ensure they are put in place.

Reference was made to the situation in County Laois. The perception was given that there is no money for housing there. I met representatives of Laois County Council yesterday and made it very clear, as did the Minister, that money is available for emergency services, acquiring more properties, building more new houses, buying vacant properties and so on. The local authority did not tell us that it is short of money. We recognise that the homelessness and emergency accommodation problems are spread across the country and do not only affect cities. We do not differentiate between rural and urban areas. We know there are difficulties in rural areas. When I was appointed to this post two years ago, I met representatives of rural areas and told them that homelessness would also become a problem in rural areas and that we should put plans in place to deal with that. We are happy to have family hubs and other forms of emergency accommodation in all counties but the local authorities must request them; they are in charge. Money is available to make it happen.

I do not deny that there is a problem in housing - nobody does - but housing supply has increased. When the Action Plan for Jobs was being discussed three years ago, many Members said the jobs in the plan were not real jobs. Unfortunately, in those days I could not bring people to see the jobs. I am glad that I can now bring Members to all of the sites on which work is under way. Houses are being built. Families are living in houses provided under the plan. I have no problem with Members wanting more housing delivery. We all want more houses to be delivered. The job of the Government is to make that happen. We must ensure that houses are being built on the 251 active sites and that the required infrastructure is being provided.

Deputy Jan O'Sullivan referred to Mr. Mel Reynolds and the State land in Dublin which he claims is suitable for housing. If one examines his claims, one will discover that he identifies green space, parks and many other types of land as potential sites for construction. It is not all suitable for housing. A Member quoting an expert should be sure to understand what the expert is saying. We want to use any suitable and available land for housing. We are using State-owned land to deliver more housing. The housing activity of local authorities is eight times what it was two and a half years ago but we have asked them to double or treble that. Members must acknowledge that doing so involves putting teams, personnel and infrastructure in place and ensuring that taxpayers' money to fund it is available. It does not happen overnight but they are committed to doing it because I agree with Members that local authorities should build houses. They want to do so but they are also required to provide housing using the other streams. They are doing so and they are delivering.

Deputy Mick Wallace: The Minister of State and I are probably tired of listening to each other at this stage.

Deputy Damien English: Exactly.

Deputy Mick Wallace: We would not have to go over this issue again and again if the problems were going away. Sadly, they are not. The homelessness crisis is linked to housing, Government policy, landbanking and many other issues. The Minister of State accused the Opposition of not coming up with new solutions. Has it dawned on him that perhaps we have

come up with solutions and recommendations but the Government has not-----

Deputy Damien English: Has the Opposition provided solutions to deliver houses as quickly as possible?

Deputy Richard Boyd Barrett: Yes, to deliver houses.

Deputy Damien English: It probably has done so in the past but very few Members have done so this evening.

Deputy Richard Boyd Barrett: That is not true.

Deputy Damien English: I have listened to the entire debate. The motion contains no suggestions on how to improve the delivery of houses.

Deputy Mick Wallace: As the Ceann Comhairle can testify, I did not interrupt the Minister of State. Deputy Clare Daly referred to people losing the roof over their head because a landlord decided to sell the property or refurbish it or facilitate a family member, all of which is legal. At the root of the problem is the fact that we do not have a sufficient quantity of State housing.

Deputy Damien English: I agree.

Deputy Mick Wallace: The last time I checked, approximately 9% of housing was local authority stock. The current figures indicate that local authorities built 2,022 houses and AHBs built 1,388, giving a total of 4,251. However, there are 70,000 people on the waiting list. Approximately 20 social houses Wexford were built in 2018. That does not come close to dealing with the problem.

As I stated previously, I was very disheartened when the Government came up with the idea of the Land Development Agency. It was soul destroying. I do not understand why the Government would turn over State land to developers. The sites will provide 10% social housing and 60% private housing. The Government states that 30% will be affordable housing, but the average price of those properties will be approximately €330,000, which is unaffordable for most people. I do not understand the rationale behind that policy. If the Government thinks local authorities are unable to deliver housing, why does it not make them fit for purpose? Are they out of control? Has the Government no handle on them? I would like to think that the Government could sort out any local authorities that are not fit for purpose. If that task is beyond it, we are in trouble.

At a Dublin economics workshop less than a year ago, Mr. Niall Cussen, the head planner in the Department of Housing, Planning and Local Government, said in response to a question on social housing that we will not be building social housing at scale and that we have tried it before. He was the head of housing. That is a bit scary.

Deputy Damien English: To be fair-----

Deputy Mick Wallace: I did not interrupt the Minister of State. He should listen.

Deputy Damien English: If the Deputy is going to name somebody-----

Deputy Mick Wallace: Jesus Christ, stop.

Deputy Damien English: What he said was that, on its own, we had to-----

An Ceann Comhairle: Deputy Wallace should be allowed to continue.

Deputy Damien English: The Deputy named a person. It is not fair to people.

Deputy Mick Wallace: I am only quoting what somebody said at a public forum.

Deputy Clare Daly: It is a public statement.

Deputy Damien English: That is not the context in which it was said and the Deputy knows that. Come on.

Deputy Mick Wallace: Consider the massaging the Government does on the numbers. The majority of the Part 5 developments were not even newly built. That is the truth. Acquisitions solve no problems. They are just eating into another aspect of the market. The next time the Minister of State gets a chance to address this, could he explain to me why State land is not used? If the local authorities are not fit to build or provide housing, why does the Government not create an entity to do so? It does not have to be a big quango. Somebody should be appointed who has the knowledge, experience and interest to use State land to provide social and affordable housing. They should be mixed. When I talk about affordable housing, I am talking about €200,000, not €350,000.

I have said before what I would do if I were given the gig of building 100,000 units in a specified period on State-owned land and if I were allowed to use builders rather than developers. A builder is actually very happy if he can make a profit of €10,000 per unit because he gets his wages out of his company anyway. A developer looks for between €60,000 and €80,000, and a builder has to make a profit on top of that. Going down the Land Development Agency route is just enriching men who have more money than sense already. For the love of God, why does the Government not use the State land to provide housing itself? It is not doing this.

Deputy Damien English: That is what we are doing.

Deputy Mick Wallace: The Minister of State should not tell me that is what is being done. Fine Gael has been in government since 2011. I remember begging it not to sell Project Arrow to Cerberus at a par value of over €6 billion. NAMA was allowed to sell it for €800 million although it had a par value of over €6 billion. It was all residential property in Ireland. I begged Fine Gael and the Labour Party not to sell the portfolio to Cerberus, which is obviously making mad money on it now. Where is the logic in that? It is gone.

Why do we not use the State land? The Minister of State is saying we are not depending on the private sector. When somebody who is selling a place, refurbishing it or changing its use to facilitate a family member creates a homeless family in the process, there is something amiss. It means the Government is depending on the private sector. Despite our having debated this for years in here, we are still facing an outrageous homelessness crisis. Fair play to Deputy Broughan for tabling the motion even though we are sick to the back teeth of discussing the issue. It has not gone away, however, and we have to keep talking about it until it does.

Deputy Thomas P. Broughan: We all listened very carefully to the speeches of the Minister of State, Deputy English, and the Minister, Deputy Eoghan Murphy. I agree with the Minister that supply is key to breaking the logjam. The point, however, is that for most of the past eight years, there has been no supply. I agree very much with my colleague Deputy Wal-

lace that the Government had a choice either to empower the local authorities or set up a State building company that would build on out from the sites it has. The Minister of State asked me to show him what is occurring. We meet people who have been in homeless accommodation week in, week out, for two years plus. I could take the Minister of State to at least half a dozen large sites that are partially or totally owned by Dublin City Council and where there has been no movement not only for the last eight years but for the past 28 years. That is the problem. In many respects, the authorities have been hamstrung legally.

The Minister, Deputy Eoghan Murphy, asked what we would do differently. We have had to drag the Government kicking and screaming towards every little improvement, whether it was addressing the rights of tenants to some extent or the situation with rents. This was to begin to have even a minuscule direct-build housing programme for the councils and approved housing bodies. The man who was Minister for Finance for most of the past eight years, Deputy Michael Noonan, always put the interests of banks and the financial sector in front of the interests of the homeless. That is the reality. The current Minister for Finance, Deputy Donohoe, has continued with that policy, by and large, right up to the present. That is the sad reality of this Government.

The Government has talked about emergency powers. Emergency powers were adopted in a few hours in 2008. My Labour Party colleagues at the time and I stood alone against the blanket bank guarantee. Deputy Noonan and I were both on the back benches and we knew exactly the meaning of the blanket bank guarantee. My colleagues and I stood against it. The current Government has an omnibus Bill. The Minister was discussing it this morning. If a hard Brexit happens, we will come in here and, in about two or three hours, we will legislate across the board to protect this country and our people in the North. That is what we are going to do and we know we are going to do it but the Government will not do it for the homeless people. It is refusing to take action on behalf of the 10,000 homeless - or, according to Deputy Ó Broin, 13,000 - and the 8,000 homeless children. It is just making glacial progress and will not take the drastic action that is necessary, which has been outlined.

Deputy Wallace is the most experienced of us but, like others in this Chamber, I have worked on building sites also. When I worked on sites, we were building a very large housing development in south County Dublin for Dublin City Council. It was a major development in east Clondalkin. We know what has been done and what can be done. The Government is refusing to do what can be done. It is all pie in the sky. References are made to 2020, 2021 and 2022. The 2020s look like they will be the Roaring Twenties again. It will be fabulous and we will have houses coming on stream year in, year out, but the problem is that so many families have suffered so much. The Government could prevent this in a couple of weeks by getting moving on some of the sites. In Dublin Bay North alone, we could probably build 15,000 or 20,000 houses over a couple of years, with the proper powers for either Dublin City Council or the four Dublin councils together. Dublin City Council, Fingal County Council, South Dublin County Council and Dún Laoghaire-Rathdown County Council are inextricably linked. We are all Dubs and we all wear the blue shirt, including when we have to put it on to support our brilliant Gaelic teams. We need to work together on housing also, as we always did, including when Blanchardstown, Clondalkin, Lucan and all the inner suburbs were built. Unfortunately, the Minister of State has failed in a key remit. This whole issue and the failures in the health service will lead to a very serious depletion of the ranks of the Fine Gael Party in the forthcoming general election.

Amendment No. 1 put.

An Ceann Comhairle: In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 21 February 2018.

Consumer Protection (Gift Vouchers) Bill 2018 [Seanad]: Second Stage (Resumed)

Question again proposed: “That the Bill be now read a Second Time.”

Deputy Eugene Murphy: Fianna Fáil supports the general principles of the Bill and it will examine potential amendments if necessitated. It is something we are discussing at the moment.

The Bill aims to strengthen consumer protections relating to the sale and use of gift vouchers, with the market largely unregulated in Ireland. Fianna Fáil has led the way in the Oireachtas on enhancing consumer safeguards via the Consumer Protection (Amendment) Bill 2017. A Fianna Fáil Bill to regulate gift vouchers with a minimum five-year expiry date passed the Dáil unanimously last June on Second Stage while pre-legislative scrutiny took place last October. However, mysteriously, the Government has refused to grant a money message to advance our Bill to Committee Stage over the past five months and instead, in a cynical turn, has decided to rush forward its own proposal in an attempt to cover up its tardiness in legislating for consumers in this area.

Successive Fine Gael-led Governments have sat on a 2015 consumer rights Bill to regulate gift vouchers, citing EU legislation coming down the road, which would have primacy over domestic legislation as the reason for not proceeding. However, the goalposts have been changed and this excuse is seemingly no longer applicable as the Government tried to fast-track its Bill. This approach to legislation knows no bounds as public relations trump substance at every occasion, something that permeates from the Taoiseach down.

The Bill, on Second Stage today, includes a five-year minimum expiry date. It also prohibits the following two unfair terms for the sale of gift vouchers. This applies to traders who require vouchers to be expended in full in a single transaction and the requirement to pay a fee to amend the name of the gift voucher recipient.

Section 1 provides for the definition of the principal Act.

Section 2 provides for the introduction of a minimum five-year expiry period for gift vouchers. In addition, it provides that traders must inform consumers of the expiry date. Two unfair terms are to be prohibited. The first is where traders require gift vouchers to be spent in full in a single transaction. The second provides for a prohibition on the requirement to pay a fee to amend the name of the recipient on that gift voucher. The section also provides for offence provisions for contraventions of the section.

Section 3 provides for consequential amendments to the Consumer Protection Act 2007.

Section 4 provides for the Short Title as well as the collective citation and commencement.

We are told there will be a modest cost to the Exchequer arising from the additional enforcement activity that will be undertaken by the Competition and Consumer Protection Commis-

sion, CCPC. Gift vouchers and gift cards currently remain unregulated in this country. A survey carried out in 2013, undertaken for the National Consumer Agency, NCA, found that 80% of people had purchased gift vouchers at some point. Estimates suggest that between 1% and 2% of gift vouchers redeemable in many outlets go unredeemed. I am culpable of that myself. Some 8% to 10% of gift vouchers that are redeemable in a single retailer or service provider may not be redeemed. However, consumers receiving the gift vouchers are often left unaware of the terms and conditions that apply. Specifically, the time that vouchers remain valid can vary and, as a result, consumers are left short-changed when they go to redeem them. Some retailers are more flexible than others but they currently have the right to refuse to honour the voucher outside the defined period. This Bill provides for new provisions in regulating the sale of gift vouchers and the contracts for their supply by amending the Consumer Protection Act 2007; establishes a definition for gift vouchers; and proposes that there can be no expiry date on gift vouchers which is not less than a five-year period and all gift vouchers would remain valid for five years. This five-year expiry date has been deployed in other jurisdictions to good effect.

I have experience of many small shops and stores particularly in my own region. In an awful lot of cases, even though they do not have to do it now, shop owners will put an expiry date on a voucher. In most circumstances, local shops or stores are reasonable and, if the consumer is a few months outside the expiry date, they are more than willing to accommodate them. Sometimes the larger stores are not as easy to deal with and they can certainly be problematic.

We must also understand that businesses have concerns about this legislation and I acknowledge that.

Deputy Mary Butler: I welcome the opportunity to contribute to the debate. I am the Chairman of the Oireachtas Joint Committee on Business, Enterprise and Innovation. My committee colleagues, including Deputy Quinlivan, and I have spent quite a bit of time focusing on the issue of gift vouchers. We carried out pre-legislative scrutiny of a Bill brought forward by a colleague of mine, Deputy Niall Collins, and there were many similarities between the two Bills. Regardless of where the Bill comes from, it is high time that we have legislation to protect the consumer. That is the most important issue.

As someone with a retail background who has worked on both sides of the counter all my working life, I have a lot of experience with gift vouchers and the way they can be exploited in different businesses and shops. In the main, people are fair and will put an expiry date a couple of years hence on the gift voucher. The consumer knows that if they buy a gift voucher for €100, it is the same as having cash in their pocket and they will have the opportunity to spend it. Unfortunately, some businesses, for example, are much more rigorous with their terms and conditions and, if a gift voucher expires after a year, it is as good as the consumer losing €100 from their pocket as he or she does not get the opportunity to spend it. I welcome the fact that the gift vouchers will have a five-year time limit. That is important because sometimes people might receive a substantial gift voucher. At Christmas, many people get gift vouchers as a tax-free bonus from work and they might spend a couple of hundred euro out of the voucher and then it goes into the back of the wallet, or it is put away and forgotten about. It is important that the voucher is there for people and they know it will not reduce in value.

We have to put the consumer first and foremost. Money is hard earned and it is important that people know that, when they buy a voucher, they are protected. It is also important that the terms and conditions are printed clearly and consumers know what they are. The time that vouchers remain valid can vary and it is important that there is standardisation of that across

the board. The Bill provides for new regulations on the sale of gift vouchers and the contracts for their supply by amending the Consumer Protection Act 2007. The Bill also establishes a welcome definition of gift vouchers.

The unregulated sector of gift vouchers accounts for 65% of the market. These are mainly single brand store cards and shopping centre cards. There is no protection of funds loaded on cards and retailers use the fund as normal work capital and thus, if a retailer collapses, the funds are lost to consumers. That is something we have witnessed for many years. People with gift vouchers worth €50, or €100, or whatever, lose it when a business collapses. That certainly needs to be looked at.

The regulated sector accounts for 35% of the gift voucher market. These would more often be electronic vouchers. It has come to my attention that, for some gift vouchers, after a year passes the value of the voucher reduces by a small percentage every month. One will not notice that if a gift voucher is worth a couple of hundred euro. If a person has a gift voucher for €20 - it could be a One4all voucher given to a grandchild by a grandparent - its value, after the 12 months expires, is reduced incrementally by a small percentage. If one hands over €20 for a voucher, then it should be worth that amount over time. It should be the same as having cash in one's pocket. Unfortunately, that is not the way it always works out.

I welcome the legislation. The business, enterprise and innovation committee did much work on this area. One quibble I have is that the committee spent much time on pre-legislative scrutiny of a similar Private Members' Bill and then the Government came forward with its own Bill. Pre-legislative scrutiny is worthwhile and timely. It was unfortunate that a good Bill, like the Private Members' Bill in question, was accepted by the whole committee but could not receive a money message. The Government then came forward with its own Bill.

We must put the customer first and it is high time we had legislation in this area. I hope that every Member will support the Bill and that we can move it quickly through the Oireachtas.

Deputy Maurice Quinlivan: I agree with Deputy Butler. Deputy Niall Collins brought forward a similar Private Members' Bill which the business, enterprise and innovation committee spent much time going through. Several amendments were made to it which were all agreed unanimously by the committee. Here we are again, however, with this Bill. There is a sense of *déjà vu* because I had a Bill on ticket touting and we will be debating a Government Bill on this later. My Bill, approved by the business, enterprise and innovation committee, was left stuck in the committee waiting for a money message, although the issue in question needed to be tackled urgently. Obviously, the wrong name was on that Bill in the same way that Deputy Niall Collins's name was on the Bill similar to this.

The Government's Bill is welcome and Sinn Féin will be supporting it. Gift vouchers can be a source of great frustration for consumers when the find they have expired or have been charged fees for not using them. The lack of regulation in this area has left consumers exposed. The Competition and Consumer Protection Commission received 1,100 complaints about gift vouchers over the past several years, showing the need for urgent action. Accordingly, Sinn Féin is happy to support the Bill.

The Bill aims to provide for a five-year expiry period for gift vouchers; prohibit terms on gift voucher contracts which require gift vouchers to be spent on single transactions; ban conditions which would impose a fee for changing the name of a recipient on a gift voucher; and

provide for the publication of guidelines by the Competition and Consumer Protection Commission on gift vouchers.

While these are all welcome changes, I note the absence in the legislation for the regulation of dormancy fees on gift vouchers. The Oireachtas Library and Research Service prepared a paper on the Bill, focusing on this specific issue. It highlighted the fact that the state of New South Wales in Australia has a law which bans post-purchase fees, including activation, account-keeping, balance inquiry and telephone inquiry fees, as well as fees applied when a card is inactive or not used. The latter are sometimes called dormancy or inactivity fees. In Ontario, businesses are not allowed to charge dormancy fees or activation fees. These dormancy fees can be a big issue for many consumers as they eat away at the monetary value of the vouchers without consumers knowing. Will the Minister of State provide more clarity as to what exactly the current position is on dormancy fees? What impact did lobbying from gift voucher companies have on the decision to omit these fees from the legislation?

My party colleague, Senator Pádraig Mac Lochlainn, raised the issue of experience vouchers with the Minister in the Seanad. It is important we discuss how this legislation will affect gift vouchers given for experiences for, say, a hot air balloon ride, a bungee jump, adventure sports or race car driving. These vouchers are sold as an experience with no price on them which makes them popular as an ideal gift. However, the cost of these activities could change dramatically over the proposed new five-year expiry period. For example, a voucher for a hot air balloon experience could be purchased now for €300 with a five-year limit in force. If the price of insurance or gas went up substantially in that timeframe, the profit margin of the company would be eliminated.

As we know, the problem of escalating insurance costs is going unaddressed by the Government. It does not seem to have any interest in this issue of serious concern to most, if not all, businesses across the State. Recently I met with stakeholders who said a tsunami is coming as businesses will not be able to afford to pay for their insurance coverage soon.

It is important that the Bill's provisions are enacted as soon as possible. There should be more co-operation between the Government and the Opposition on bringing forward Bills which cover the same issues. Such co-operation would lead to a quicker legislative process.

I thank the Minister for bringing forward the Bill. I hope it will bring benefits to consumers across the whole of Ireland.

Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen): I thank all Deputies who contributed to the debate. The Minister welcomes the broad support for the Bill. She has also considered carefully all the points raised in the debate.

The Bill deals with an issue of considerable importance for consumer welfare and businesses which provides goods or services to consumers. It is clear consumers deserve greater protection with gift vouchers. Following this debate, it is clear there is wide support for introducing a longer expiry date which will benefit all gift voucher holders, a point made by Deputy Butler. It is equally important consumers are protected against unfair and anti-consumer practices which require the consumer to fully use the value of the voucher in one transaction, as well as the restrictions put in place by certain businesses regarding the name of the recipient.

Deputy Quinlivan referred to fees. While the Minister remains strongly in favour of the regulation of gift voucher fees, a legal issue emerged during the course of drafting the Bill re-

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garding the power proposed for the Minister for Business, Enterprise and Innovation to make regulations fixing these fees. The issue related to possible encroachment of the regulatory regime for electronic money products. The office of the Attorney General did not consider, however, that this issue affected the Bill's provision for a five-year minimum term for gift vouchers. If a review concludes that the provision to give the Minister for Business, Enterprise and Innovation power to set certain gift voucher fees would not involve impermissible or inappropriate double regulation of electronic gift vouchers, the Minister would then propose to reintroduce it on Committee or Report Stage.

Deputy Quinlivan referred to the issue of experience gift vouchers and the difficulties a five-year expiry date provision might cause for businesses which provide this type of voucher. While we have considered the points made by the Deputy, I am not minded to make a special provision for vouchers of this kind. If a different expiry date provision or no expiry date applied to these vouchers, it would create an undesirable confusion in the minds of people.

I thank Deputies who contributed to this useful and informative debate. The Minister looks forward to working with Members on amendments that she or they may propose on Committee and Report Stages.

Question put and agreed to.

Consumer Protection (Gift Vouchers) Bill 2018 [Seanad]: Referral to Select Committee

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

That the Bill be referred to the Select Committee on Business, Enterprise and Innovation pursuant to with Standing Orders 84A(3)(a) and 149(1).

Question put and agreed to.

Prohibition of Above-cost Ticket Touting Bill 2017: Second Stage (Resumed) [Private Members]

Question again proposed: "That the Bill be now read a Second Time."

Deputy Maureen O'Sullivan: On the previous occasion we debated the Bill, Deputy Jan O'Sullivan expressed concern over the threat to jobs, particularly in her area. As I believe there will always be a need for resale, I do not see how there could be a threat to jobs there. Part of me liked the old system whereby one queued up for tickets and got them there and then. The abuses have come with online sales in particular. I know it is easy for me to go to a venue to buy a ticket because I live in Dublin. As the same is not true for those who do not live in Dublin, I know the value of them there.

The tickets for certain sports events, music shows and acts in Ireland can be at extortionate

prices in many instances. We can see the inflated prices people have to pay here when we compare prices for venues in other European cities. In some instances it was more than double the price to attend a particular gig in Ireland than it was in other European cities. I have met people from Ireland who will go to other cities for those events because it is cheaper, even allowing for buying a plane ticket and accommodation. That can also apply to football matches.

Even though the GAA have not applied a price increase in a number of years, prices of €45 to stand on Hill 16 and €90 to sit in the stands for an All-Ireland final are a bit over the top. That is before we come to the subject we are discussing, which is touting, and which exacerbates the problem in Ireland. The underlying issue is the actual cost of tickets in Ireland at the inflated prices. The sporting bodies, artists and promoters all have a responsibility to address this. We hear about certain so-called stars and acts making really outlandish demands which lead to prices being increased. While it is not covered by the Bill, it is worth mentioning. It is part of the reason for paying more in Ireland than in other European cities. While the price can be high enough, it becomes way above and that is even before the tout gets his or her hands on the tickets.

It is infuriating when we learn that a match or a concert is sold out. I live between the 3 Arena and Croke Park and I see touts out on the streets in the vicinity of an event selling tickets at extortionate prices. We have many examples of that. If the Bill can do something about that, it is to be welcomed. The Bill seems practical, with the sensible aim of tackling touting of tickets above face value, particularly those being sold at vastly above face value. We know the extent when even reputable ticket sales companies have websites such as the much-publicised Seatwave to resell tickets at ridiculous prices. I hope the Bill will give a layer of protection for the purchaser.

I know the Bill is based on a Belgian model. As Belgium is in the EU, this is compatible with EU law. I understand it has had a positive effect in Belgium. It is not the first attempt to introduce this type of legislation. It was proposed previously, but hopefully it has a better chance now. It will be illegal for anyone engaging in an organised way to block-book tickets and resell them for profit, which is positive.

Up to now touting was a relatively small venture albeit that particular events had significant mark-ups. However, we are now seeing extortionate touting. It is no longer a small venture: it is a massive profit-making enterprise whereby the mainstream websites will sell out in seconds and the bulk of the tickets are then transferred to secondary websites, ironically in a notable case one owned by the mainstream seller. It is not small-scale resale: it is an industry that seeks to profit at the expense of those who wish to attend events. Those involved in this industry contribute nothing to the team or artist involved in or the promotion or organisation of the event.

Seatwave, which was acquired by Ticketmaster in November 2014, allows fans who missed out on sold-out gigs to purchase official tickets. That is what it claims and that sounds good. It allows fans to sell their tickets even within minutes of purchase and charges a 10% success fee on sales. Whatever about selling a ticket a few days later, a week later or a month later when one realises that an event clashes with something else, selling it minutes later would certainly raise alarm bells. An amount of 10% may sound okay, but the reality is that in some instances it has been more than 100%.

We know this is about the online sales of tickets, but we can go further with online selling which is totally unregulated. I refer to my own particular interest in animal welfare. Puppies

are being sold online with false advertising in many cases. Some of the advertisements are fronts for the dog-breeding establishments - in other words, the puppy farms. That is another example of online selling with exploitation of the buyer, which is what this Bill is about. I know that has not come into it, but I just wanted to mention it.

Paying over the odds for a particular event is reprehensible. We know the pressure people can be under to source a ticket for a particular event, match or act they want to see. That is very sad when they do their best to buy a ticket in a reputable way online and then because they are all already gone, the pressure is on to pay above the odds. The Bill seeks to ensure that ticket sales will be conducted in a fair and transparent way, away from the shady industry that has grown up in respect of online sales and also the tout on the street. I hope the Bill will make it better for the genuine fan. I know in the grand scale of things other very important legislation needs to go through. However, this issue has been let slide and left to fester for far too long. Of course, the question is whether it will be effective. There are concerns that it will not be effective and that amendments will be introduced to ensure it will not make much difference. However, it is worth considering. We need to get this right to bring fairness for people who want to attend events, whether they are music gigs or sporting events.

A Ceann Comhairle: I call Deputy Wallace. At 5.15 p.m. I will have to ask him to propose the adjournment of the debate. Will he get that far?

Deputy Mick Wallace: Sure, you never know.

I find this a strange Bill. Members have a responsibility to introduce good legislation and we should avoid introducing legislation with little substance. I do not believe this legislation will be workable and, on that basis, I am not very fond of it.

Deputy Clare Daly and I are members of the Committee on Justice and Equality. We have witnessed a few Bills coming through the place that really should not be coming through it.

5 o'clock They do not amount to good legislation. One of them is obviously the Judicial Appointments Commission Bill. We had five different sessions on it and I think it will make things worse rather than better. Recently, we also had a Bill on sexual offences which does not really stack up and there is not much rationale behind it. It provided judges with an out in the context that they ignore it if they feel like it, which renders the legislation useless. I do not see the point of introducing legislation like that.

I followed the debate when the Bill was introduced and I noticed that amendments are due to be introduced. It would have been good to see what they are. We are talking about a Bill where the amendments could change it pretty dramatically, or maybe they will not, but we do not know. I would like to see them. Concern was raised about people ending up out of work because of the Bill. I do not want to put anyone out of work either. While I may be reading it wrong, some of the very large organisations that engage in ticket selling are obviously the ones that employ the most people.

Are we going to jig this around in such a way as to leave them alone? Will we just hit the smaller entities? We are either going to control the price of tickets or we are not. To be honest, I am not actually in favour of this Bill and in that context, I am not threatening anyone's job. I do not think this Bill is workable, for a number of reasons.

I seriously do not like paying over the odds for a ticket. I really do not like it. I could write a book about buying tickets. I have been to nine World Cups and I usually go from start

to finish, and the same with European Championships. I have attended nine European Championships and been at nearly 30 Champion's League finals. Most of the time I have gone without tickets and have bought them outside the stadia but I do not like getting charged over the odds. I remember going to a Champion's League final in 1992. The game, between Sampdoria and Barcelona, was in Wembley Stadium. Barcelona won one-nil. The goal was scored in the 87th minute by Ronald Koeman from a direct free kick. I was shouting for the Italians. It was Sampdoria's first excursion to the final. The team is from Genoa-----

Deputy Maurice Quinlivan: Sampdoria is my best friend's team.

Deputy Mick Wallace: Very good. Liam Brady played there for a while. Anyway, myself and four other fellas went to the match but we had no tickets. Obviously, we had to buy tickets outside the grounds but in England it is illegal to sell tickets outside, even at cost price and not to mention over the odds. We thought that it would be difficult but the selling goes on in the same way as it does here, even though it is illegal. The cops were around, watching to see if people were buying tickets. There were five of us and I was the one who was going to do the bartering. I was probably the shyest of the five but I was good at buying tickets. Deputies should have seen the other four. The tickets cost £20 each. I got five tickets for £30 each, meaning that we paid 50% more or £10 above the odds for each ticket. No sooner did I get the tickets into my possession than a policeman came over and took them off me. I was not impressed because there was no way I was going to be able to get more tickets. First, we did not have any more money. We were in a Hiace van and were sleeping in it for the night. We parked it up about a kilometre from the stadium on a piece of grass where there was no legal parking. There is a great story about that. We were sleeping in the van. It was May and it was a really warm night. Asics runners had just come into fashion and one of the lads, Eugene White, had spent a fortune on a pair of Asics. We said-----

Acting Chairman (Deputy John Lahart): The Deputy should be careful about naming people in the House-----

Deputy Mick Wallace: I am sorry but the same fella would be delighted to hear his name mentioned.

Acting Chairman (Deputy John Lahart): -----never mind the manufacturers of certain footwear.

Deputy Mick Wallace: We insisted that all of the runners would go under the van. Otherwise, there would be a smell in the van. Eugene said that he was not throwing his runners under the van because he had just bought them. We said that we would not have them in the van but he said that nobody would throw his runners out and that he was sleeping in his runners, in the van. We had to put up with the smell of them. He went to sleep and someone grabbed his runners and threw them out the back door of the van. We had to leave the back door of the Hiace van open because it was so warm. In the morning, four of us-----

Acting Chairman (Deputy John Lahart): I am loathe to interrupt but am wondering about the relevance of this to the Prohibition of Above-cost Ticket Touting Bill-----

Deputy Pat Breen: It is a good story.

Deputy Mick Wallace: I am just setting the scene-----

Acting Chairman (Deputy John Lahart): Please continue.

Deputy Mick Wallace: In the morning, the four pairs of shoes that were under the van were safe but Eugene's were gone. He lost his Asics and had to come home in his bare feet. It was a harsh lesson. He should have done what he was told in the first instance. There is a debate still going on as to who actually threw the runners out. If I told Deputies, I would have to kill them so I will not tell.

Sorry, to get back to the policeman. When he took the tickets from me I pleaded with him. I told him that we had just come over from Ireland for the match and asked him to give them back to me. He said no because it was illegal. In the end, I had to cry to get the tickets back. I cried my eyes out but at least he gave them back to me. It worked and he gave them back and I was actually glad that it was possible to buy tickets, even if they were £10 too much. If it had been impossible to buy tickets there, I would not have been to the game. If it was totally impossible to sell the tickets for more than £20, I would not have gotten in to the match.

On the issue of inflation, I was at the World Cup in Mexico in 1986. I went to 16 matches out there and I bought tickets outside the grounds for most of them. We were staying in a hotel in the middle of Mexico City for \$1 per night. It was actually a nice place. The prices were pretty low at the time and the tickets for the games were priced at around £4. We got tickets outside every ground right up to the quarter final. The stadiums were pretty full. The Azteca is the one in Mexico City and it holds 114,580, all sitting down. It is the finest stadium on the planet; it is amazing. There is an English language newspaper printed in Mexico and it was advertising tickets for the quarter finals, the semi-final and final. The advertisement said "reasonable" prices so we decided to check it out because we thought it might be harder to get tickets outside the grounds. We were getting cold feet, even though we had been successful up until then. We decided to go along and see what it was like. We went to the address on the advertisement, which was a hotel with about 30 floors. It was the finest hotel in Mexico City. When we went in we saw lots of big FIFA banners and realised that it was actually the FIFA hotel. The touts were American. We asked where the tickets were for sale and were told it was in room 372. We got into the lift and went up to room 372 and could not believe the tickets that were in there. Now, FIFA is rotten to the core but that is hardly news to anyone here. The tickets were literally being sold by members of FIFA to these touts at a profit and they were obviously making money on them too. The stacks-----

Acting Chairman (Deputy John Lahart): I must caution Deputy Wallace again in relation-----

Deputy Mick Wallace: The Acting Chairman is being awfully strict for a Thursday evening. What is wrong with him?

Acting Chairman (Deputy John Lahart): This is all being recorded.

Deputy Mick Wallace: The Acting Chairman should relax.

Acting Chairman (Deputy John Lahart): This is all being recorded but we could arrange for a special session in the audiovisual room for these stories. I must caution the Deputy about throwing around loose accusations-----

Deputy Mick Wallace: We are all in trouble now. Miriam Lord has come in.

Acting Chairman (Deputy John Lahart): I feel a column coming on. Please proceed.

Deputy Mick Wallace: The tickets were piled high for every section of every ground for the quarter finals, semi-finals and the final. It is not that I did not suspect that FIFA was corrupt before then but that was the last straw. My God. Obviously, plenty of them lost their jobs in later years when they were exposed for being crooks. As I was saying, the tickets were about £4 and we ended up paying around £6 or £7 for them. Obviously, it was a big profit for them at the time.

I do not like paying too much for tickets but having said that, I find this legislation a bit ridiculous. If Dublin plays Mayo in an all-Ireland final, which it usually does, there will be tickets going for €500 or even €1,000. That is ridiculous but there are hotel rooms in the town that are normally around €80 or €100 but on the weekend of the all-Ireland final, those rooms cost €500. If we are going to control the price of the ticket, which is not such a bad idea if we could make it happen, are we going to control the price of hotel rooms too?

Deputy Stephen S. Donnelly: The Deputy is missing the point.

Deputy Mick Wallace: If one goes down to Temple Bar, one can pay €8 for a pint. Would it not be an idea to put a limit on what can be charged for a pint in this town? Would that be a bad idea?

Deputy Stephen S. Donnelly: It is not control-----

Deputy Pat Breen: One does not have to buy the pint or stay in the hotel room but one needs a ticket to go to the game.

Acting Chairman (Deputy John Lahart): One voice please.

Deputy Clare Daly: We heard the Deputies earlier and they were not very convincing. They might like to wait and-----

Acting Chairman (Deputy John Lahart): Through the Chair, please.

Deputy Stephen S. Donnelly: Through the Chair, Deputy Wallace is missing the point.

Deputy Mick Wallace: Maybe Deputies think that is okay because that is the market at work but the guy selling the tickets also thinks that is the market at work.

As I said before, I hate paying above the odds for a ticket and I generally do not do it. If I cannot get it for a fair price, I do not go in. There is something seriously wrong that we have no control in this area, in the same way as we have little control over the insurance industry. It is not properly regulated. Motor insurance in Ireland is three times more than it is in Italy for a similar car.

As mentioned by Deputy Maureen O'Sullivan, if Bruce Springsteen comes to town the price of a ticket is more than double what it is when he plays in the San Siro, the football stadium in Milan where he plays on his European tour. The tickets are over double the price in Dublin. Maybe the Government thinks that is fine as well. As pointed out by Deputy Maureen O'Sullivan, there is serious extortion on the face value of tickets. Maybe we should do something about that.

This legislation will not achieve what it says on the tin because the guy who is selling rugby

tickets for €500 each for Irish games will sell the tickets at face value and give a lunch voucher with them and charge through the nose for the lunch. Also, where a person applies to a company for two tickets for a rugby match and the company selling them wants to charge €1,000 for the pair even though the original price per ticket was €120 the seller will put a pen in with the tickets and charge a crazy price for the pen and face value for the tickets. How will the Government handle that? Is there a way around it?

As I said earlier, I think we should be wary of introducing legislation that we cannot make stand up. I do not see how this is going to work. I am curious to see the Government amendments and what impact they might have. I do not know whether some people will be able to make money by selling on tickets or if everybody will be stopped from making money from selling on tickets. Perhaps someone will fill me in on that. This is a difficult area.

It is illegal to sell drugs in this town. Does the Government believe that if we make it illegal to charge over the face value for a ticket it will stop it happening? I do not. They never sold as much whiskey in America as they did when they made it illegal. Sales went through the roof. It was illegal but sales were magnificent. I believe in legalising the drugs trade. I think it is nuts that it is illegal to sell drugs in this town and yet every Tom, Dick and Harry can get them. It is the easiest thing in the world to get them even though it is illegal. I know a young fella who was sick as a dog last weekend. He bought hash and it was badly contaminated by some other substance and it almost poisoned him. We should regulate the drugs industry. We should legalise and tax the sale and import of drugs and bring it under the umbrella of Government. We sell alcohol. There is hardly a day goes by that I do not have a drink so I have no problem with alcohol. I have not heard a good argument as to why we continue to make the sale of drugs illegal. By regulating the industry, we could control the quality of the drugs and stop people selling inferior or contaminated products and we could impose high taxes on them, in the same way as we do on cigarettes.

Debate adjourned.

Saincheisteanna Tráthúla - Topical Issue Debate

Medical Products Supply

Deputy Éamon Ó Cuív: It was with great concern I received telephone calls in regard to the provision of incontinence pads to older people by the HSE. I raised this issue in a parliamentary question and it was passed on to the HSE. We need to look at the human side of this issue. Caring for older people, loved ones, is a challenging task at the best of times. People caring for people with disabilities face the same challenge. These people should not have always to fight for basic things to be done right. Unfortunately, people do have to fight constantly to get basic services. I understand that the delivery and supply of these hygiene products was very good until procurement came into play. The centralised procurement process, from the children's hospital to incontinence pads, is leading us to innumerable difficulties. People can no longer depend on the right quantity of product being delivered or on timely delivery. Everyone will accept a one-off blip, even Homer can nod, but when there is a continuous problem the

situation becomes serious. As I said, it should never have happened.

When I raised the issue with the HSE, it responded that following a national tender process FreightSpeed was the successful bidder and awarded the contract for the delivery of incontinence wear and that while it has encountered some issues around supply it is working hard with FreightSpeed to improve the situation. National procurement discounts local deliveries, local suppliers, the people we rely on and the people who care. When are we going to go back to a system of procurement that is based not only on price but on service and reputation? I suggest that these contracts should be tendered for locally not nationally because regular, reliable local suppliers are being pushed out by the big people who do not have the same attention to the individuals as was there in the past. Any of us facing the same situation involving faulty delivery as that facing people in the west of Ireland would ask that we put people ahead of the god of this procurement process that just seems to make a shambles of procurement from the highest level with the overruns on the children's hospital right down to just delivering a few incontinence pads in time, on time and all the time.

Minister of State at the Department of Health (Deputy Catherine Byrne): I thank the Deputy for the opportunity to address this issue on behalf of my colleague, the Minister for Health. The community funded schemes are a collective name for the many products, supports, supplies and aids and appliances provided through the HSE community services for eligible persons. Their main purpose is to assist and support service users to live at home and also to facilitate hospital avoidance and assist with early discharge from hospital. The products are prescribed by consultants, GPs, public health nurses, continence advisers, physiotherapists, occupational therapists, speech and language therapists and dieticians. The products include incontinence wear that is delivered to healthcare settings such as long-stay residential services and to persons in their own homes.

The HSE has a national contract for the supply of incontinence products. Following a tendering process, the HSE selected a new product supplier and a new product distributor in 2018. I understand from the HSE that the new contracts have involved a lot of changes in the range of products and their distribution. There have been some issues relating to the timely delivery of products under the new contract. In 2018, the HSE put measures in place, including additional staff, an electronic management system and training of drivers to address initial difficulties. The HSE has informed the Minister for Health that it is continuing to work closely with the contracted delivery partners to ensure that the problems experienced by some service users in the CHO west region and other CHO areas are addressed as a matter of priority.

A governance structure has been put in place to oversee the national contract for the supply and delivery of incontinence products to ensure the timely delivery of these products to eligible persons in their homes across all CHOs. This involves each CHO putting in place additional controls and monitoring measures in respect of the ordering and distribution of these products. To support this process, additional administration staff have been put in place to carry out this work. The HSE is committed to ensuring that these service improvements will result in an enhanced and more efficient service for all. In the meantime, service users should let their local public health nursing service or health centre know if they are experiencing difficulties with supply of products.

Deputy Éamon Ó Cuív: I am not blaming the Minister of State. She gets these answers to read out. What we have just heard here blows my mind. The Government set up this national procurement system to save money. What result did we get? We got chaos, inefficiency, non-

delivery and massive costs for the HSE in trying to undo the mess it created because the system was working perfectly until this tendering process was introduced. If the Government has made any savings by doing it on a national basis rather than continuing the old local tendering we used to have, the HSE has had to employ even more staff to monitor and try to get this right. As the saying goes, if it ain't broke, don't fix it. What we seem hell-bent on doing in this country is breaking everything and creating a central inefficient supply chain that does not work in the name of some savings that never materialise. In addition, we are taking jobs off smaller suppliers and thereby eliminating real competition - not just competition based on price. It is not just about competition on the visible price but competition on the real price of people getting what they need on time and in time.

As the final insult, and I accept that she was given her speech, the Minister of State indicated, "In the meantime, service users should let their local public health nursing service or health centre know if they are experiencing difficulties with supply of products." We are talking about the families of service users, who are already hugely burdened with problems, having to put right what they should not have to put right. Another burden is being put on people. Is humanity gone from this country in the name of some god of procurement or are we going to put people first?

Deputy Catherine Byrne: Again, I apologise to the Deputy if the answer was not adequate. We all want what is best for those who are ill in our communities, particularly those loved ones who spend a lot of time at home and people in nursing homes. I am not unfamiliar with the matter. When my mother was so ill at home, the local service made life easier for all of us when we were looking after her. It involves simple basic things like incontinence pads and other medical equipment that will help people stay at home and help their carers and families to give them the care they need at home. I did not decide that there would be a process for this. I believe that at some stage, we must look at local care and connect that through our primary care centres. Regarding why this problem has arisen, I can only relay to the Deputy the answer I have been given but I assure him that everything is being done through the HSE and the Minister to keep the services and the supply chain in place and to make sure it is done effectively and efficiently in each local area. That is what we all want. Nobody wants to see anybody, particularly people caring for those who are ill, being left without incontinence pads or other medical devices in their local communities. The Deputy may not agree with the procurement process. Probably some of us here do not agree with it either but it is in place. It is most important to make sure whoever gets this contract delivers effectively and on time to those people caring for their loved ones at home or in other health areas. I will take the Deputy's response back to the Minister and make sure he hears what the Deputy has had to say.

Human Rights

Deputy Maureen O'Sullivan: I am glad to have the opportunity to raise this issue. It has come about from engagement some of us have had with people from Bahrain and human rights organisations. It is also topical today because 14 February is the eighth anniversary of the pro-democracy movement that took place in Bahrain along with many other countries in the Middle East. In the eight years since then, we have seen the repression of the movement. What is the fear around democracy and democratic movements? When we look at the world, we can see that it is those countries with free democratic elections and the peaceful transfer of power after elections that have stability, growth, health and education.

Bahrain has seen the horrific repression of a democratic movement. It involves the repression of the protesters, be they lawyers, doctors, students, teachers, human rights defenders and members of civil society. The repression continues today with torture, police and military brutality and forced disappearance. I want to look in particular at the treatment of prisoners. There are inhumane conditions in Juw Prison and Isa Town Female Detention Center. Both prisons violate the UN standard minimum rules for the treatment of prisoners. As well as the inhumane physical conditions, there are concerns over access to medication for prisoners, family visits, degrading searches and above all, the lack of accountability. I want to mention three women prisoners in particular: Hajer Mansoor, Medina Ali and Najah Ahmed Yusuf, all of whom are in need of medical care. Their cases have been raised by the Tánaiste and Minister for Foreign Affairs and Trade and the UN.

There are questions around the relationship our Royal College of Surgeons of Ireland, RCSI, has with King Hamad University Hospital. I must ask whether the RCSI is living up to its ethical and moral standards. I have had correspondence from the Tánaiste and Minister for Foreign Affairs and Trade on this. I think there is a need to go further. The institutions in Bahrain supposed to be looking after human rights, such as its Ministry of Interior, Public Prosecutions Service and so on, are not independent and impartial. That is why they need voices like Ireland's.

Deputy Niall Collins: I thank the Minister of State for attending to deal with this item. I and my party are growing increasingly concerned about the repression of civil and political society in Bahrain. As Deputy O'Sullivan said, this is the eighth anniversary of the violent suppression by the Bahraini Government of the peaceful pro-democracy movement in Bahrain. In the eight years since the crackdown, the situation has worsened, with numerous adverse developments in the past year alone.

The Minister of State will know it has been reported that the Bahraini Government is engaged in a campaign to repress political, civil and human rights and has taken steps to curb fundamental freedoms, including the right of freedom of expression, free assembly and a free press, among others. In 2017, authorities in Bahrain shut down the country's only independent newspaper and the leading secular left opposition political society. Just this month, the Supreme Court of Bahrain sentenced Sheikh Ali Salman, secretary general of the dissolved Al Wefaq political society, and senior Al Wefaq members, Sheikh Hassan Sultan and Ali Aswad, to life imprisonment. Following the sentencing, the spokesperson for the EU said: "Today's final verdict marks a further step against dissenting voices and undermines the residual chances for an inclusive political dialogue in the Kingdom of Bahrain." The elections in Bahrain in 2018 were neither fair nor free, and human rights defenders and those who have expressed criticism of government policy have been arrested, tortured, interrogated and held in arbitrary detention.

Given the current situation in Bahrain, it is ironic, to say the least, that Bahrain has a seat on the UN Human Rights Council and will do so until its term expires in 2021. The Human Rights Council is an intergovernmental body within the United Nations system and is responsible for strengthening the promotion and protection of human rights around the globe, and for addressing human rights violations and making recommendations on them. One wonders how the council can effectively carry out its functions when one of its members is actively and deliberately suppressing human rights.

I ask the Government to show leadership on this issue. The 40th session of the Human Rights Council takes place from 25 February to 22 March. I urge the Government to use this as an opportunity to express our grave concerns and to issue a statement condemning the actions

of the Bahraini authorities ahead of the next session of the Human Rights Council.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Helen McEntee): I thank the Deputies for raising this issue. It is, of course, a matter of grave concern for the Government that, eight years on from the beginning of the 2011 pro-democracy protests, Bahrain has not progressed in the way we had hoped. In fact, it has become an increasingly restrictive society, civic society space has contracted significantly and fundamental freedoms, including the freedom of expression and association, are violated with worrying frequency. There are reports that the elections of last November took place in an environment that stifled dissent, and recent reports of torture and other inhumane and degrading treatment in regard to detained persons are especially distressing. We urge all states to safeguard the rights of prisoners and detainees, and our voice has been prominent in highlighting this particular thematic issue.

The Department of Foreign Affairs and Trade is engaging with the Government of Bahrain, and this includes with its embassy in London, on a range of issues, including the ones I have outlined. Given the long-standing bilateral links between Ireland and Bahrain, for example, on the training of medical personnel, raising Ireland's concerns about human rights and freedom of expression in Bahrain is a prominent part of the dialogue we have on an ongoing basis. The Bahraini Government has given repeated commitments that it is taking action to improve the human rights situation and to safeguard rights which are enshrined in its constitution. However, the facts are very clear and the facts on the ground show that it has yet to live up to those commitments. I take this opportunity again to call on the Bahraini Government to follow through on its obligations.

The Deputies have raised many issues of concern, in particular in regard to specific people who have been detained. I am aware there is particular consciousness of Sheikh Ali Salman, secretary general of what was once Bahrain's largest opposition political party, who was sentenced to life in prison in November of last year. This is something we are monitoring and are extremely concerned about, particularly in regard to Sheikh Ali Salman's trial but also other trials in recent times.

Protection of fundamental human rights, including freedom of expression and opinion, is a cornerstone of our foreign policy. The Department of Foreign Affairs and Trade receives regular reports from NGOs on the situation in Bahrain. As a small country, Ireland amplifies its voice on human rights issues through multilateral engagement and measured recommendations offered as part of constructive dialogue. We continually advocate in favour of a free and fair democratic process and for the right of civil society actors and human rights defenders to operate in a safe environment, but also without fear of reprisals for speaking out. Ireland also urges all states to safeguard the human rights of prisoners and detainees, and is committed to the prevention and eradication of torture and other forms of cruel, inhumane or degrading treatment or punishment.

Deputy Niall Collins raised the issue of the UN Human Rights Council. Ireland has always used the Human Rights Council as a means of keeping human rights issues in Bahrain under examination. We have raised Bahrain in the past eight statements on human rights situations that require the council's attention and I assure the Deputies we will raise the matter again in the upcoming meeting. We have expressed concern about the restrictions on civil society space and the treatment of human rights defenders in Bahrain, and called on Bahrain to respect freedom of opinion and expression and the right to a fair trial. At the Human Rights Council in June last year, the statement by the European Union also highlighted the deterioration of the human

rights situation in Bahrain, with particular reference to the shrinking of political space. The Department of Foreign Affairs and Trade constantly monitors developments in regard to human rights in Bahrain and will continue to call on the Bahraini Government to deliver on its stated commitment to making progress in all of these areas of human rights.

It is important to say that we have positive bilateral relations with Bahrain, which is home to some 800 Irish citizens, but this does not prevent us from raising the concerns through the appropriate channels, whether it is directly with Bahraini officials or at an international level with our colleagues throughout the European Union and, of course, at the UN Human Rights Council.

Deputy Maureen O’Sullivan: There has been documented police brutality yet no senior officials in Bahrain’s security forces have been held accountable for allegations of torture, excessive force or extrajudicial killings to date. Peaceful protests are treated with brutality, arbitrary arrests, coerced confessions and, alarmingly, the resumption of the death penalty. What we are seeing is the suppression of civil society organisations and there is no independent media outlet. There is a hereditary dynasty but that dynasty is excluding all but the minority Sunni and is discriminating against the other groups within Bahrain.

The Minister of State mentioned going through the appropriate channels. To go back to Deputy Collins’s question, can Ireland raise this at the next Human Rights Council in Geneva? It appears the Bahraini authorities will only act when there is international scrutiny and international pressure. We hope the Minister of State will take that opportunity at the council.

Deputy Niall Collins: I thank the Minister of State for her reply and her interest. To recap, what we see in Bahrain is a lack of proper independent oversight bodies and gerrymandering in elections and electoral areas. There is evidence of whitewashing of abuses, the attempt to rewrite history, revisionism in regard to what happened to people and an attempt to cloud it all out. We see persistent use of capital punishment and a crackdown on freedom of expression, including on online platforms. We have also heard reports of torture and denaturalisation, making people stateless when they speak up and call out the abuses.

What I would like to see the Government do when it makes the next approach is to call for a moratorium on the death penalty, reform of the accountability and oversight mechanisms, the release of all political prisoners and the reinstatement of the dissolved political parties. Without other political actors on the stage, there will not be any sort of fledgling or proper democracy. The Government should also call for freedom of expression and assembly. If the Government can take on board these reasonable core requests, I believe we will progress this matter in some small fashion.

Deputy Helen McEntee: I thank both Deputies for raising what is an extremely important issue. The Government’s position remains the same as it was in the previous eight statements, which is that the situation requires the attention of the UN Human Rights Council. We have raised the issue of Bahrain with the council and we will be sure to raise it again. I reassure both Deputies that the Department of Foreign Affairs and Trade will continue to raise our voice about the human rights situation both multilaterally and through various organisations. We co-sponsored the UN Human Rights Council resolutions calling on states to investigate alleged human rights violations. That is abuse suffered by detainees and in particular where there is death, torture, cruel, inhumane or degrading treatment or punishment, as well as to ensure there is proper investigation which provides effective remedies to victims, as Deputy Niall Collins

has raised. We are also co-sponsors of Human Rights Council and UN General Assembly resolutions which concern human rights and the administration of justice.

I am especially worried and the Department is gravely concerned that after seven years of a moratorium on the death penalty, the Bahraini Government has again begun executing prisoners. I reaffirm Ireland's unequivocal opposition to capital punishment in all circumstances and cases. The abolition of the death penalty is an international priority for this country. Our officials regularly visit and convey our stance at various levels with the bodies on the ground or with member state colleagues and we will continue to do so. We are highlighting our grave concern at the ending of the de facto moratorium on the death penalty and reaffirming our unequivocal opposition to capital punishment in all circumstances.

Railway Stations

Deputy James Lawless: The Minister and I again find ourselves discussing Kildare transport in the Chamber. I am beginning to feel a little bit like a broken record, but that is because the system is still broken and we are trying to fix it. I ask the Minister for his assistance today with that and with expediting some solutions. It has been well documented, not least in our debates, where the problems are.

The first debate I had in the Chamber was with the Minister, Deputy Ross, on transport issues but the problems go back further back than the arrival of either of us in the House. The problems have worsened. In part, that is due to the success of the improved service on the Newbridge line, serving Sallins and Hazelhatch. The stations of Sallins and Hazelhatch are now in the Leap card short-hop zone and the trains go through the Phoenix Park tunnel. That is all very welcome. I came in on that train this morning and I will return on it in about an hour's time tonight. The problem, however, is that the capacity of facilities has not kept pace. Naturally, increased demand has followed the improvements. We welcome the growing economy and other reasons for people being back on the trains again but we have a chronic shortage of car parking in particular. The carriages are full as well. Just before I rose to my feet I got a report that the 5.30 p.m. train leaving Heuston Station this evening is chronically congested again but even getting a space in the morning to park one's car so one can get on the train has become almost impossible. In my case, it is probably a year since I have been able to get my car into the station in the mornings. Many people are finding the same difficulty.

One needs to be at the car park of the Sallins and Naas train station between 7 a.m. and 7.15 a.m. at the latest to have any hope of being able to park one's car and get on the train. That is a crying shame for many reasons. It is highly stressful for the individuals involved who are trying to juggle childcare, getting to work and other commitments and it is made more difficult by having to fight for a space that it is almost impossible to get at such an early time. It is a shame for society that people are being forced away from public transport. We all support the goal of improved public transport and public transport being the primary mode of transport. I would love to see a situation where the car would become the exception, other than for a trip on a Sunday afternoon, and the norm for going to work was on the train or Luas. However, unless we can provide people with the facilities and space to park a car in the first place and enough room on the train to stand, sit or manage to squeeze on then we are nowhere near getting there.

This situation was entirely predictable. We only need to look at the planning permissions being granted for houses in the Naas, Sallins and Clane area, which has grown and is growing.

There are many developments there as there is much to recommend the area. It was entirely predictable that those demands would be placed on the train service because the train station is at the heart of the community and it is a commuter hub. All the planning permissions were granted on the basis of public transport being available to the area but, essentially, it is no longer available and people are being forced into their cars to drive into Dublin. People are fighting with each other in the mornings over available spaces and they are being forced into local housing estates, thereby clogging up the entire village and causing all kinds of acrimony. In recent weeks Irish Rail had to appoint a staff member to police the car park in the mornings and to avoid the literal, as well as the metaphorical, scrapes because the situation has reached a crisis point. People have nowhere to park and they cannot get the train into Dublin in the morning. They bought a house on the promise of a public transport system being in place in the Sallins, Naas and Clane areas in north Kildare and they are unable to use it because they simply cannot get a car parking space in the morning.

I hope the Minister can expedite some solutions. The obvious solution is to build a new car park fast but I accept it is not as simple as that. There may be other solutions. I hope the Minister will have some good news for me today.

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I thank Deputy Lawless for raising this issue. He is correct that I am well aware of the problems which he has outlined in the Sallins and Naas area, and on many of the routes which he represents so well and so often in this House.

I have no doubt that both Deputy Lawless and I welcome the increased number of passengers availing of the improved train services along the Kildare line. The increases have been made possible through the improved level of services provided through increased public service obligation, PSO, funding, as well as the increased levels of capital expenditure on projects such as the completed Phoenix Park tunnel and the ongoing city centre resignalling project.

I have a script which I will provide to Deputy Lawless. I apologise, as I should have given it to him earlier. It might be helpful to him. I am happy to say that we are providing further increases to funding as part of Project Ireland 2040, which will further improve capacity on the Kildare line. The improvements include the DART expansion programme and the improved management of the overall network, which the new national train control centre will provide.

However, I recognise that in the short term, there are of course pressures across the network at certain places and at certain times. Car parking at Sallins is one of those pressure points. The pressures have increased with the expanded and improved level of service, as well as the inclusion of the station within the short-hop zone. Together, they have all led to increased demand, on what I know is a relatively limited amount of car parking at the station.

As the Deputy is probably aware, my Department provides funding through the NTA for car parking at train stations in the greater Dublin area, GDA. I can inform the Deputy that there is a project under development to significantly extend the number of car parking spaces available at the station. On foot of the funding provided through the NTA, Iarnród Éireann has been preparing the detailed planning and design and will take the lead on implementation. This will be a significant project, costing approximately €2 million, and will result in a total of approximately 445 spaces being made available for commuters, which is an increase of approximately 270 spaces on the current number.

In terms of progress, the various surveys have all been completed and pre-planning discussions with the council are ongoing. There have been some slight delays to the timelines as compared with those the Deputy was provided with by the NTA last September, which unfortunately has pushed out delivery times a little.

I am now informed that a tender will issue very shortly to secure a contractor for the physical works. Subject to planning, it is hoped to start actual construction later in the summer or early autumn. Construction will take between nine and 12 months and so the revamped car park will likely be ready by the second quarter of next year.

While I can completely understand the frustrations of commuters today regarding the car park, I hope they can take some comfort from the fact that works to address this issue are well under way.

Deputy James Lawless: I welcome the commitment the Minister gave me last year during one of our previous debates to pursue the car park option. I know that is under way. Unfortunately, it has hit some roadblocks locally. I have been in discussions with the NTA, Kildare County Council, Irish Rail and various stakeholders to try to move it forward. I ask the Minister to join me and to apply what pressure he can in order to bring matters to a head and prioritise the works necessary to get that over the line. There is a plan in motion. There have been some technical and planning difficulties, but it is important to get all the relevant people around the table. I am doing everything I can and I ask the Minister to do the same in his Department to encourage the parties to resolve outstanding issues and move this forward.

There are other potential solutions that can be explored. Along with Hazelhatch and Celbridge Station, Sallins and Naas Station came into the short-hop zone approximately two years ago. There are still commuters from Newbridge, Kildare town and further out, and possibly even Monasterevin, who actually drive past their local station. They drive from the south of the county to park at Sallins and Naas Station because it is in the short-hop zone and they can avail of the cheaper fares. It does not really make sense from several perspectives, not least that of climate change. More emissions are produced by people driving farther to get to the station. It also does not make sense logically or with regard to practical convenience and comfort. People do not want to drive past their local station in order to get to another station, but their budgets decree that they must. I ask the Minister to talk to the NTA about extending the short-hop zone to Newbridge and possibly beyond. That will remove some of the pressure.

I wish to put another suggestion to the Minister, and I would like him to explore it with the NTA and other stakeholders. There is a system of feeder buses serving some of these stations, including Sallins and Naas Station and Hazelhatch and Celbridge Station. The feeder bus makes a lot of sense. People from the surrounding towns and estates from three to five miles away, places that are too far away to walk from, can travel to the station by bus. This is already happening in Naas, but there are not enough buses and the routes are not comprehensive enough. With a small improvement that would fit very well into public policy, we could expand the feeder bus network to cover the likes of Clane, Caragh, Sallins and Naas and bring people to the stations without ever having to step into their car. I am talking about fast-tracking one of those options. Perhaps a temporary site could be explored in the short term. It is an emergency situation.

Deputy Shane Ross: If it is helpful to the Deputy, I will certainly pass those alternative solutions, including extending the short-hop zone and the feeder bus solution, to the NTA and see

what is its view. I am sure it will respond to the Deputy. I understand his frustration at the long time this has taken. It happens a lot with car park developments. People want them overnight but they cannot be done that quickly. The Deputy was provided with the detailed information by the NTA last September in response to a parliamentary question he put.

Deputy James Lawless: That is right.

Deputy Shane Ross: At that stage, it was hoped that the planning application would be submitted by the end of 2018. The Deputy is perfectly correct. However the deadline was not met due to preplanning discussions with the council. I hasten to add that there is nothing of substance behind this delay. The project will go ahead. Rather, these discussions highlighted issues around the zoning of the proposed new car park which needed to be taken into account while preparing the planning application.

Recycling Policy

Deputy Noel Rock: I thank the Minister for coming to the Chamber to discuss this matter. Anyone who has been out in any scenic area of the city or the country, be it near a canal or a river, in a park or on a beach, will be acutely aware of the blight on the landscape that plastic waste can often pose. We pride ourselves on Ireland being a green country and a beacon for tourists, and, indeed, an increasingly environmental country. It is my belief that the Minister and I, and all Members of this House, would consider ourselves green with a small “g” or environmental with a small “e”. Accordingly, the idea of a deposit and rebate scheme for plastic bottles tends to carry the support of the vast majority of the Irish public according to all the polling and opinion pieces I have seen. More than 90% of the people I talk to are in favour of such a scheme. In a 2017 Bill, the Green Party effectively set out a deposit-and-return scheme which has been somewhat tacitly accepted by many in the House but has been subject to delays. In 2018, the Oireachtas Library and Research Service put together a publication outlining the potential costs of implementing such a scheme and its potential benefits. The benefits seem to be myriad. They include increasing the rate of plastic bottle recycling - by only 3%, granted, but that is an increase nevertheless - and a cleaner environment. I am not sure we can put a price on that. It is accepted that implementation would involve a cost, but, equally, it would bring great benefits.

I am seeking an update on the Minister’s progress and perhaps his thinking in this regard. The most recent media reports suggest he has gone back to look at this afresh. Obviously, we have had a change of Minister in this portfolio in recent months. I am curious, as I am sure the public is, to hear where the Minister’s thinking with regard to this matter currently is. Can he give a commitment on this? I am conscious of the day that is in it. According to the Minister’s Instagram, he is a keen baker and cook. I imagine he is keen to get home to his dinner on St. Valentine’s Day, so I will not keep him much longer, except to end with an appropriate St. Valentine’s Day poem, if the Acting Chairman will permit me.

Acting Chairman (Deputy John Lahart): Do I have a choice?

Deputy Noel Rock: I will proceed.

Roses are red, Ireland is green,

14 February 2019

A plastic bottle rebate will keep our streets clean.

I imagine the Minister will agree with this and I am curious to hear his opinions on the matter.

Acting Chairman (Deputy John Lahart): It is with great relief that we greet the Deputy's poem.

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): I did not manage to catch the rhyming scheme or the scanning of that line. They are memorable lines. I have to congratulate the Deputy.

Acting Chairman (Deputy John Lahart): Will the Minister respond in verse?

Deputy Richard Bruton: If I was Virgil or whoever it was I would be able to do so, but sadly it has been a long time since I was able to do that.

I thank the Deputy for raising this matter. I recently commissioned a study to establish whether a deposit-and-return scheme would be a cost-effective measure in terms of achieving the goal on which we all agree, namely, reducing the levels of plastic pollution and improving our recycling targets. I am very keen to see an effective response to the problem of plastic use in Ireland. The figures suggest that use of plastic in packaging in Ireland is nearly 80% higher than in other European countries. The scale presents us with a problem. We need to think not only of recovery schemes, but also reduction schemes. As the Deputy probably knows, one of the first things I did was introduce a ban on the use of single-use plastics across the public service. That has come into effect immediately within Departments and will be rolled out across the public service in March. This will prevent any further acquisition of single-use plastics, although current stocks will continue to run down.

The difficulty with the deposit-and-return scheme was outlined by my predecessor. We have a kerbside collection scheme which is meeting pretty high targets, achieving approximately 70% recovery of plastic bottles. We have agreed to a higher target of 90%. We need to see if this is a cost-effective measure before we make it a legal obligation. The Deputy rightly cites public opinion as an important indicator of the direction of policy thinking. However, introducing a legal obligation would give rise to the cost implications and so on of legal enforcement and actions against businesses. I am conscious that many small businesses informed the committee that the cost of this would be very significant.

The point my predecessor, Deputy Naughten, made is also valid in that if one of the more valuable recovery streams is taken out of the kerbside collection, namely, plastic bottles, there is the risk that an additional cost on households would be created and we would see an increase in charges for households. To decide in a robust way based on evidence, I have taken the step of commissioning work on this so that we can establish, first, if it is cost effective and, second, how we should design it. That invitation to tender has been published and is available if the Deputy is interested in seeing it.

We need to bear in mind also that we have very ambitious recycling targets for plastic generally. We are at less than 35% across the entire plastic packaging spectrum. We need to get to 50% by 2025 and 55% by 2030. There are a number of things we need to consider to make that a reality. There is far too much mixed materials going into the plastic packaging stream that cannot be recycled and we need to address that. I am looking at how we can improve the

current producer obligation scheme to ensure there is less plastic going into the waste stream and that what does go in is more recyclable. I am looking through the supply chain to come up with initiatives that would be cost effective but I have by no means ruled out the deposit return scheme.

Acting Chairman (Deputy John Lahart): Deputy Rock has time for a haiku.

Deputy Noel Rock: I did pen a rhyming couplet for the end so hopefully we will get this one on the record and the Minister can hear it. I am keen to see an effective response from the Minister. I know that his energy and enthusiasm when it comes to environmentalism is somewhat unparalleled and that he has hit the ground running on this issue. I was delighted to see he launched the single use plastics ban in the Rediscovery Centre in Ballymun, in my constituency, which is doing fantastic work in teaching people about both the inputs and the outputs and the impact on environmentalism. The Minister is absolutely right in what he says in that regard.

However, in terms of the waste providers and the practicalities of how current schemes work, it would strike me, and I imagine it would strike the Minister and the public, that in the instance where I buy a bottle of water or a bottle of Coca Cola, generally speaking, I do not bring the bottle home with me. There is no real incentive for me to recycle that. I would likely dispose of it in a public waste facility. There is no prospect of it being recycled. In other cities I visit, if I buy a product in a convenience store I can dispose of the bottle or the packaging in that convenience store. The existing waste providers do not like that. They argue that curbside collection costs might increase, and they might well increase, but in terms of practicalities, if I consume a product in the outside world and do not have an opportunity to bring it home with me there is no prospect of it being recycled. Similarly, the existing waste collectors do not pick up bottles, etc., on the road so there is no incentive currently to do so. Implementation of a scheme like this one might allow for more recycling.

I will go for a second rhyming couplet.

Roses are red, violets are blue,
Waste providers may not like the scheme,
but the Irish public do.

I hope the Minister will reflect on that and act accordingly.

Deputy Richard Bruton: I thank the Deputy again for tabling this Topical Issue matter. I hope we will have evidence in the very near future on the merits of this scheme, if it is the right way to go, how we should design it and whether there are any strengths or weaknesses we need to take into account from what has happened in other countries. We will await the completion of that work but in the meantime I will be proceeding to examine other measures that can improve the way in which we handle plastics in trying to achieve, as they say, a more circular economy where we have less waste to dispose of and pay greater respect to the resources we are using.

Industrial and Provident Societies (Amendment) Bill 2018: Second Stage [Private Members]

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

This Bill is entitled the Industrial and Provident Societies (Amendment) Bill. I will come back to the language but it is a straightforward Bill with seven sections. The first section under the heading “Definition” simply sets out that the principal Act is the 1893 Act and section 7, as is usual in any Bill, sets out the Short Title and collective citation. In between there are five short sections, 2 to 6, inclusive, which is the substantive part of the Bill. These sections seek to amend the main Act in a very practical and sensible way so as to ease the formation and the functioning of co-operatives on the ground. That is bun agus barr an scéil anseo chun é a éascú do chomharchumainn ar fud na tíre agus ar na hoileáin ionas go mbeidh sé i bhfad níos éasca comharchumann a eagrú agus a chur chun cinn.

There is no denying that the primary legislation, notwithstanding subsequent and various amendments up to 2014, is not fit for purpose. It is outdated with many of the provisions within the legislation pre-dating the birth of the Irish State and thus no longer relevant. Some of the provisions in the 1893 Act refer, for example, to how the law is to apply in Scotland and the Channel Islands. Other sections refer to feudal tenure while others refer to insane and lunatic members. The irony, which I will come back to, is that the Act itself no longer applies in England, which changed its Act in 2014. It is ironic that we are still working under this Act. To be fair to the Department and the Government, in recognition of this, the Department of Jobs, Enterprise and Innovation initiated a welcome review of the Act. As part of that review it invited submissions. In the event, ten written submissions were made to the Department although I am subject to correction on that figure, but unfortunately nothing appears to have happened in the intervening period and no review report has been published to date. Given that vacuum and given the real obstacles posed by the existing, outdated legislation on the formation of co-operatives and-or their operation on the ground, Independents 4 Change has brought this very short Bill before the House and I anticipate the support of all parties, including the Government.

My colleague, Deputy Clare Daly, introduced the Bill on First Stage on 3 July 2018, just over six months ago, with the support of all parties and Independents, and given the brevity and importance of the Bill, I hope that it will go through the House very quickly. In essence, the amendments proposed in the substance of the very short Bill, from sections 2 to 6, seek to make the process of registering and running a co-operative much easier, in the first instance, by reducing the membership requirement which currently stands at seven to three members. This is provided for in sections 2(1) and 2(2) along with provision set out at section 3 for what will happen in the event of the number falling below three. The Bill also allows for audit exemptions in certain situations and this is set out in sections 4 and 5. Section 6 allows for the use of electronic communication with regard to the registration of co-operatives and also for specified other documents which are required to be lodged with the Registry of Friendly Societies. It is important to highlight that what is sought in the proposed changes are mechanisms which are already available under company law but not for co-operatives. What we are seeking here is simple, namely a basic parity with what exists for small companies such as the exemptions for audits, the electronic filing and the ability to function with one director. We are simply looking for some parity on that practical stuff.

It is also important to highlight that what is sought in the proposed amendments emerged as

a common theme in the submissions as part of the review that the Department set up. On that, I thank publicly those who made the submissions. I read most of them and they were very helpful to me and my colleagues in this, in particular the Society for Co-operative Studies in Ireland, Co-operative Housing Ireland and the Irish Co-operative Organisation Society Limited. They took great pains to make written submissions in much more detail than I am doing. They highlighted many problems with the antiquated legislation but the common theme, among many others, was around the basic amendments we are seeking here.

I am not sure what attitude the Government is taking on it but for me it is straightforward and simple legislation. Quite clearly, more comprehensive legislation is also required. I am asking for something that will enable co-operatives to function much more easily in the meantime. When one looks at the Act, it is so outdated. The word co-operative does not exist in it. It is the Industrial Provident and Societies Act 1893 and of course we have amended it up to 2004. One would be hard pushed to find the word co-operative in it and one would really be hard pushed to understand it at this point because it is so antiquated. As I said, it is extraordinary that it no longer applies in England and the UK Government amended its legislation in 2014. In fact, under that it created a community benefit society to offer a distinct set of legal provisions for those co-operatives that are serving their communities. There are many issues on a broader scale with co-operatives such as those that are non-profit and those that are making a profit but to make the passage of the Bill easier at this point, we have taken the most basic changes as a starting point. There is a great need for consolidated legislation to cover all of the other issues raised in the submissions.

It is also of interest that in Europe, various countries have dealt with this in different ways. For example, in Greece, Italy and Malta there is support for co-operatives in their constitutions. They have gone that far to enshrine it in their constitutions while in other more northern and Nordic countries, the approach they took was to help co-operatives in the form of *faoiseamh cánach*, a relief under taxation. The EU itself has recognised the distinctive contributions of the co-operative model through the creation of the European Cooperative Society. In Scotland, I understand the legislation is particularly suited for co-operatives. It is difficult to come up with up to date research on this matter but what has emerged from Scotland is that those enterprises set up through the co-operative model have a high rate of success compared with private companies.

Of course in Ireland we know we have a long history and it would be wrong to stand here and speak about co-operatives without mentioning Horace Plunkett at the end of the nineteenth century who was to the fore in setting up the agricultural co-operatives. It would be wrong not to mention the constituency of my colleague, Deputy Pringle, and Glencolumbkille and Fr. McDyer and the tremendous and Trojan work he did along with the community there. It was throughout all of Ireland and *tagraím do na comharchumainn uilig, Comharchumann Forbartha Árann i mo cheantar san áireamh. Mar Chathaoirleach ar Choiste na Gaeilge, na Gaeltachta agus na nOileán, luaim go bhfuilimid ag taistil ó Ghaeltacht go Gaeltacht agus tá sé thar a bheith soiléir go bhfuil obair na gcapall á déanamh ag comharchumainn éagsúla ar an talamh.* As Chairman of the Committee on the Irish Language, the Gaeltacht and the Islands, I have travelled and we are still travelling to visit every Gaeltacht in the country. There are many common themes but the most important one that jumps out is the work of co-operatives on the ground throughout all of the Gaeltacht areas and on the islands.

I mention the distinguishing features of co-operatives. This is a theme that has emerged through all of the submissions. Some of the submissions look for the seven defining features

of co-operatives to be incorporated in any future legislation and if not actually incorporated in the legislation, that they would be the guiding force in any legislation on the ground on co-operatives. The distinguishing features identified over and over are the voluntary and open membership, democratic member control, member economic participation, autonomy and independence, education, training and information, co-operation among co-operatives and concern for the community. People have different experiences of co-operatives such as the very successful agricultural ones, particularly in the south of the country and we also have the credit unions as a good example of co-operatives. My experience is on the comharchumainn ar an talamh sna ceantair tuaithe agus ar na hoileáin. It would seem to me from what I have seen on the ground that the value for money achieved by their work for every euro invested is far higher than the value achieved with money invested in other companies. I am not seeking to distinguish because we obviously need companies but we are asking that we get consolidation of all the existing legislation as soon as possible. Update it and make it fit for purpose in the twenty-first century with a clear statement on co-operatives and then following on from that, bring in an education programme highlighting the importance of co-operatives, the value of same and what they are doing for the communities, for social enterprise and in making profit also.

It is so short that there is no need to say any more on this matter. Perhaps the Minister of State will indicate at an early stage whether the Government is supporting it. I can see no reason why it would not. There are no implications for the public purse and in the absence of anything being done following the review, we are asking for the most basic changes at this point. Not only are we asking for it as Independents 4 Change but all of the submissions have asked for it and we have picked out the common themes to take action now.

Acting Chairman (Deputy John Lahart): Before I bring in the Minister of State, Deputy English, I want to confirm and agree the schedule of speakers. After the Minister of State we have Deputy Pringle, followed by Deputy Joan Collins, Deputy Kelleher, Deputy Broughan and Deputy Clare Daly. Is that agreed? Agreed.

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): I thank the Members for introducing this Bill and affording me the opportunity, in the absence of the Minister for Business, Enterprise and Innovation, Deputy Humphreys, to speak to it. The Minister is sorry that she is unable to attend the debate and I will outline her views for the Deputies. However, she will be happy to engage with Members at a later stage as we bring forward changes in this area.

The Minister, the Minister of State, Deputy Breen, and the Department are acutely aware of the continuing importance of the co-operative movement throughout Ireland, particularly to local and rural communities. Anybody who has been involved in politics or with a community will be aware of the benefit it brings. I was previously Chairman of the Oireachtas committee which brought forward the changes to the Companies Act and even at that stage we had a discussion on the importance of co-operatives. However, while the Minister is sympathetic to the well-intended objectives of the Bill, she cannot support it in its current form and I will outline why.

Following the drafting and passage of the Companies Act 2014 which had been a priority for the Government and which now forms the basis of Ireland's business regulatory environment, the Department of Business, Enterprise and Innovation has turned its attention to the review of the industrial and provident societies legislation. The Industrial and Provident Societies Acts 1893 to 2014 provide the statutory regulatory basis in Ireland for the formation and

general operation of industrial and provident societies which are primarily co-operatives. After various piecemeal amendments introduced over more than 120 years, most recently in 2018, the Minister believes it is time to conduct a wholehearted review of what is a largely Victorian statutory code. Deputy Connolly voiced a similar desire. The purpose of the comprehensive review is not only to consolidate and modernise the existing legislation but also to ensure an effective legislative framework suitable for the diverse range of organisations using the co-operative model in Ireland.

As part of the root and branch review, the Department has conducted a public consultation process on the operation and implementation of the Industrial and Provident Societies Acts 1893 to 2014. Deputy Connolly referred to it and said it was a worthwhile review. The results of the consultation process were published on the Department's website in April 2018. The submissions highlighted the need for consideration of a wide range of issues, including providing co-operative societies with a distinct legislative identity, reflecting the co-operative ethos, reducing the minimum number of members, facilitating electronic filing and introducing audit exemptions in line with the approach taken in the Companies Act 2014.

Section 2 of the Bill proposes to reduce the number of members as a condition of the registration of industrial and provident societies. While a number of submissions to the Department have suggested a reduction in the minimum number of members, there was no consensus on what the minimum number should be. The Minister fully recognises the importance of creating favourable conditions for encouraging a range of start-ups, including co-operatives. However, she is of the view that this issue requires careful consideration and that further analysis is needed to ensure any proposed change does not have unintended consequences. For example, one of the issues that must be considered is ensuring the reduction in the minimum number of members does not act as an impediment to the establishment of viable and sustainable co-operatives with members who have the necessary skills to run these entities. Different approaches have been taken across Europe to the minimum number of members to form a co-operative, ranging from one in Finland to ten in Poland. As part of the legislative review, the Department will explore the various policy options for the optimum minimum number of members required to form a co-operative.

The Minister is also cognisant of new EU anti-money laundering directives that are due to be implemented shortly in Ireland. Every Irish company, apart from those listed in a regulated market, and industrial and provident society will be legally obliged to file its beneficial owner's details with the new register of beneficial ownership, RBO, within six months of it opening. Failure to file within the six-month period can result in the company or industrial and provident society being fined and prosecuted. Any person who holds or controls 25% or more of the shares or voting rights of a company or industrial and provident society, whether directly or indirectly, is a beneficial owner and required to be registered with the RBO. Reducing the current minimum membership requirement for co-operatives may have unintended consequences for smaller co-operatives. Again, it is important that we tease this out further and the Minister is happy to engage with Deputies on it.

Section 5 of the Bill provides an enabling provision for the Minister to exempt, by regulations, specified classes of societies to file annual returns or certain specified classes of documents that would otherwise be required to be included as part of an annual return. The Minister has serious reservations about this proposal. The existing companies legislative framework does not provide for exemptions from filing annual returns, the exception being investment companies regulated by the Central Bank which must deliver financial statements to the Com-

panies Registration Office, CRO. The only total exemption from including financial statements with the annual return of a company applies to unlimited companies.

The co-operatives that are formed and registered in Ireland are limited liability entities. In return for the advantages of limited liability, the law requires them to disclose their financial statements to the public. This is a very important protection for employees. It is also an important protection for other entities doing business with them. After all, these other entities have employees and suppliers of their own. Without knowing the financial position of a co-operative, employees and others are asked to take a chance that a co-operative can pay wages or its bills. The exemption, as proposed in the Bill, potentially undermines transparency and trust which are essential elements in the effective functioning of co-operative societies and underpin the co-operatives' principles of open membership and members' economic participation. In the interests of co-operative members and the public interest the Minister cannot support this section of the Bill, as it stands.

It should also be noted that no response to the public consultation process requested exemptions from filing annual returns, as proposed in the Bill. Some responses, however, requested the introduction of audit exemptions for co-operatives in line with the approach taken in the Companies Act 2014. This is an area that will be explored further in the comprehensive review.

On the proposed provisions for registration and filing by electronic means which form the third element of the Bill, these are positive proposals with which the Minister agrees, but they have been overtaken by events. As part of modernising the filing environment for the Registry of Friendly Societies, RFS, which includes co-operatives, on 6 December 2018, the Minister launched the RFS online facility. The launch was attended by several co-operative stakeholders, which are now using the new IT system to register new entities online, file annual returns and amendments to the rules of their societies electronically, make online payments for filings and order documents online. The fees for submitting applications to the RFS and filing documents were also reviewed in August 2018 to bring them into line with similar fee types used by the Companies Registration Office. The regulations included a provision for a reduction in fees for documents filed online. I am aware that the Bill was published last July prior to the reduction and that events have moved on since.

The Minister wishes to avoid the introduction of more piecemeal and fragmented legislation in this important area. She is also concerned about the introduction of measures that could reduce transparency. She considers that a more appropriate course of action is to consolidate in one statute all existing industrial and provident societies legislation, modernise it to eliminate outdated provisions and align it with the realities of the 21st century business and regulatory environment, with which Deputy Connolly would agree. I accept that the Deputy wanted to bring forward a smaller measure at first, but we all share the view that it is important to have consolidation in this area. This will ensure a level playing field between co-operatives and the other legal options for structuring enterprise activities and provide a conducive framework to allow the full potential of the co-operative model to be realised.

For the reasons I have outlined, the Minister cannot support the Bill. She proposes to take account of the wide range of views expressed in the public consultation process that has been undertaken, including what she recognises as genuine and well-intended proposals outlined in the Bill, and bring forward comprehensive and reformed legislation in the area of industrial and provident societies later this year. As I said, she is happy to engage with Deputies in the process of developing the new legislation. When we brought forward the companies legislation

previously, it benefited greatly from the co-operation and involvement of Members across the House in the committee and beforehand in fully engaging on it. There was a great deal of work involved and it helped that there was that engagement. The Minister will certainly be interested in working with Deputies as we approach the changes to be made in this area in the next year.

Deputy Thomas Pringle: This Bill is very important in simplifying the process of starting a co-operative in Ireland, which must happen. I note that the Minister of State, Deputy English, said the Minister for Business, Enterprise and Innovation, Deputy Humphreys, would do this all of a sudden and that it would be done by the end of the year. That is amazing, considering that the legislation has been in place since 1874. Some 120 years later we will get to consolidate it. That is indicative of the lack of importance that this and previous Governments have placed on co-operatives and their ability to contribute to our society. Rather, they have focused entirely on foreign direct investment, FDI, and the development of multinationals, which run riot around the country accruing great benefit. The schemes that would be of benefit to the citizens of this country and the places where they live have been put on the hind tit. Those policies have led to our industrial profile not being developed to benefit the people of Ireland rather than the businesses that have moved here.

Co-operatives are more developed and active in countries such as Germany than is the case here. Such development is not something to be afraid of. It would not communise Ireland - a prospect which I acknowledge would terrify Fine Gael.

The Irish Co-operative Organisation Society, ICOS, brilliantly outlines on its website the principles of co-operatives, which make them of value. It outlines that co-operatives are voluntary organisations open to all; that they are democratic organisations controlled by their members, who actively participate in setting their policies and making decisions, with men and women serving as elected representatives accountable to the membership. In primary co-operatives, members have equal voting rights - one member, one vote - while co-operatives at other levels are also organised in a democratic manner. Members contribute equitably to, and democratically control, the capital of their co-operative. Members allocate surpluses for the purposes of developing the co-operative, benefitting members in proportion to their transactions with the co-operative and supporting other activities approved by the membership. Co-operatives are autonomous, self-help organisations controlled by their members. Emphasis is placed on education, training and information. There is significant co-operation among co-operatives, which work together through local, national, regional and international structures. Co-operatives work for the sustainable development of their communities, which stands in stark contrast to how business currently operates in this country. The multinationals exist to benefit their shareholders, of whom there are very few living and working here. We do not have much to fear from organisations that apply those principles their core, although the multinational businesses which want everything in society to prioritise their profit needs may not wish for them to grow in stature.

There is a long history of co-operative societies in rural Ireland. The agricultural co-operatives that are now public limited companies may not have benefitted their members as much as they could or originally intended. Co-ops in Donegal have survived over time. Deputy Connolly referred to some of them. The Glencolumbkille co-operative initiated by Fr. McDyer has fallen by the wayside but it provided hope for a significant time. My father worked there as a manager in the late 1960s and early 1970s. The most notable of co-operative is the Cope in Dungloe, which is still going today. It started out as the Templecrone Co-Operative Agricultural Society in 1906 and retains many of the characteristics of a co-operative today. Many

co-operatives were created to meet a community need. For example, the Comhar Cumann na Rosann Teo knitting co-operative established in the 1970s and which operated until recently was a much-needed resource for the women of the area. It provided them with a means of creating income by selling their knitting and acted as a liaison to buyers in order to achieve better prices for the produce, which is vitally important. Indeed, it pissed off many people in the local community who were benefitting from the work of the women and did not want them to organise as a co-operative. My mother was involved in that initiative through the Combat Poverty Agency, which did a significant amount of good work in terms of forming co-operatives in Donegal through the 1970s, of which this was a perfect example. Fishermen's co-operatives were established in most coastal communities. Many have become private companies or fallen by the wayside because it has been difficult to keep them going.

This legislation might go some way to making co-operatives viable. Governments past and present have intentionally made it difficult for economic models other than the dominant private sector profit-driven model, which has wreaked havoc in our country, to flourish. The Bill is designed to amend the regulations relating to the establishment of co-operative societies in order to make the process of registering a co-operative far easier. It reduces the membership criteria from seven members to three, in line with regulations in most European countries. It allows for electronic filing and registration and audit exemptions, which are all available to other types of companies. These small measures will level the playing field and make the establishment of co-operatives far easier, as well as bringing us more in line with the rest of Europe.

We need to face the fact that our economic model must change if we are to address the issue of climate change and meet our international and domestic obligations in that regard. The co-operative model can play a major role in facilitating that. Co-operatives can facilitate a revolution in renewable energy. Communities could own and manage their own renewable energy sources, bypassing the developer-led wind farm model which is greatly loved by Irish officialdom. Citizen co-operatives in Germany have been investing in the production of renewable energies for many years. Some are now considering how to buy the energy grid back from energy companies. Co-operatives in Hamburg succeeded in doing so, creating a new business model that many countries would like to emulate. Almost 40% of German renewable capacity is now locally owned, some by household domestic photovoltaic and some by local co-operatives, with hundreds of village and town-based schemes in place. This model has been suggested as a new form of decentralised socio-economic power, whereby local social entrepreneurship challenges the existing market system. The fact that there is local ownership and self-generation means that the existing developer-led utility companies are losing control of some parts of their market, which can only be good news for the people and the environment.

The growth of co-operatives could be part of a solution to the decline of towns and villages in rural Ireland. Residents could get together to form a co-operative and buy out the local pub, restaurant or butcher. The possibilities are limitless but require the right amount of political will. The Bill will enable co-operatives to become established and thrive. A co-operative-led economy could uphold the principles of a just transition, where workers' rights are upheld such that workers can live and work within their communities and sustainable local economies can thrive. Workers' rights would also be preserved through worker co-operatives, which are more resilient and productive than the alternative and provide greater benefits to workers and their communities. The Bill would facilitate an increase in the development to the co-operative sector in line with the needs of communities across the country. The co-operative model could be the perfect antidote to Fine Gael's corrosive policies, which are undermining rural Ireland

and the needs of communities across the country. If the Minister is serious about reforming the industrial and provident societies legislation, I ask her to provide a date for doing so. Unfortunately, I do not believe the will is there to make it happen.

Deputy Joan Collins: The purpose of the Bill is to simplify the process of setting up and running co-operative societies. It is short and sweet, comprising just seven sections. It is a small but important step in terms of what is needed to develop a larger co-operative sector in the economy. It is probably safe to say that the Bill contributed to the decision of the Minister to launch the online offering of the Register of Friendly Societies on 6 December. I would be pleased to have played a role in that regard.

The Government should allow the Bill to progress to Committee Stage because the Industrial and Provident Societies Act it seeks to amend was introduced in 1893, as has been pointed out. The Friendly Societies and Industrial and Provident Societies (Miscellaneous Provisions) Act was passed in 2014. Members are aware that the process in respect of co-operatives partially collapsed in 2002.

Encouraging the development of co-operatives should be an important feature of developing the digital economy. That is why it is important that the Bill move to Committee Stage in order to discuss it and work with the Minister, the Government and other parties to get it moving quickly. Our economy is severely unbalanced and overdependent on foreign direct investment and very large transnational corporations. Some 80% of corporation tax is now paid by a small number of major multinationals. We cannot rely on that situation continuing, given the international pressure for reform of corporation tax laws in Europe.

The Bill also relates to the issues of jobs, regional development and a more balanced economy. The Department's Enterprise 2025 strategy targets the creation of 266,000 new jobs by next year, including 75,000 jobs resulting directly from FDI and 65,000 indirectly. FDI is being relied upon to create more than half the jobs targeted. State agencies focus on FDI to too great a degree. We need to refocus on developing local industry with an even regional base. Co-operatives can play a key role, aided by a State investment bank and with advice and support from a designated State agency. This means re-establishing the co-operative development unit that closed in 2002. This unit was set up in 1998. Between 1991 and 1992, co-operative enterprises increased in number from 47 to 73. Between 1996 and 1998, there was another spike, with an increase from 66 to 82. The unit had a relatively good success rate while it existed despite the absence of legislation on co-operatives.

The Public Banking Forum of Ireland has done very good research and has come up with very workable proposals for developing a not-for-profit co-operative banking system with a remit to invest in small regional enterprises. This would make a good fit with a State programme to develop co-operative societies.

The International Labour Organization, of which Ireland is a member, has called on governments to provide policy and a legal environment conducive to the creation of workers' co-operatives. It states governments should provide grants and develop partnerships with co-operatives. That is what we are signed up to, and we should be moving much quicker in this regard.

We have a history of co-operatives dating back to the 19th century. The credit union movement and the agricultural co-operatives are very successful examples. However, we lag far behind by comparison with countries such as Italy, Spain and France. In Italy, there are over

800,000 employee owners in co-operatives. Emilia-Romagna is a prime example in that it has 8,000 co-operatives producing 40% of the area's GDP. They play a key role in the economy. *Per capita* income in the region is 25% above the overall Italian *per capita* figure and 36% above the EU average *per capita*. The unemployment rate is lower and the inequality level is among the lowest in the European Union. Spain has 275,000 people in worker co-operatives. The Mondragon Corporation co-operative ranks around tenth in the top 300 global enterprises. In France, the worker co-operative buy-out sector has saved 600,000 jobs and accounts for 10% of GDP today.

The encouragement and development of this area would be a big step forward in rebuilding our economy and creating greater regional development. I ask the Minister of State to accept this Bill and not to oppose it. I ask other parties to get involved. I am aware that Sinn Féin has done work on co-operatives and the legislation, as I am sure have other parties.

We produced our Bill in July last year and hoped to have it on the agenda much sooner. In saying that, I believe it could still play a very progressive part in the overall debate if allowed to proceed to Committee Stage. It might actually spur the Government into introducing legislation to deal with this matter. Co-operatives in Ireland could be very positive for our indigenous economy.

Deputy Billy Kelleher: I welcome the opportunity to speak on this Bill. That it is being discussed on the floor of the Dáil gives us an opportunity to talk about the impact the co-operative movement has had on the country over many years, primarily through creameries and credit unions. These represent two obvious areas where co-operatives have been very much part of commercial life over the years. Anything that would incentivise the co-operative mindset and encourage people to come together collectively to address deficiencies in their communities or services or start with a concept is to be encouraged and welcomed. From that perspective, the thrust of the Bill is welcome.

There is an ongoing consultation process concerning legislative supports for co-operatives and how they function. This Bill could feed into that through a robust pre-legislative scrutiny process involving all the stakeholders intimately involved in the co-operative movement.

Co-operatives are for the benefit and participation of members and are based on membership loyalty. These are the three cornerstones of the co-operative movement. They have served this country exceptionally well. One could argue there should have been a greater proliferation of co-operatives in other areas. There have been quite a number of successes, however, primarily in agriculture and the credit area. Some of the largest Irish companies operating internationally serve as examples. Kerry Group was spawned from the co-operative movement in north Kerry. Huge companies have been created out of the co-operative concept. We should always try to ensure co-operatives are run in a way that is beneficial to their members while at the same time advancing the concepts of entrepreneurship and enterprise. They should not be allowed to stagnate and should reinvest continuously. They should not exist solely to serve the present membership but to work towards the development of services for the years ahead. Sometimes co-operatives failed to be innovative beyond the original concept for which they were established. We should try to encourage innovation in the context of the debate on the co-operative movement.

Reference has been made to the Scandinavian countries, Germany and the Baltic states where there has been a strong history and tradition of co-operatives. There is no doubt that they

have benefited countries and economies over many years. They have a role to play in developing services in certain areas of the economy.

Reference has been made to alternative energy. One could argue that biomass and biogas, for example, present opportunities for the coming together of communities and individuals in collective partnership, under a co-operative-type concept, to produce energy and afford associated benefits in the broader communities where the relevant infrastructure is located. One could argue a co-operative concept with buy-in from a community is welcome. If a co-operative is for the benefit and participation of its members, and is based on their loyalty, the concept of co-operation would be very much part of the ethos.

In trying to encourage the co-operative movement, one has to accept that one cannot give an unfair advantage to one group over another, particularly in commerce and business. Where there is limited liability for members of co-operatives by comparison with individuals involved in the same type of industry, business or enterprise elsewhere, the legislation must be fair, balanced and impartial to ensure no one has a significant advantage over another. With regard to tax liabilities or limited liability, for example, there should not be displacement by co-operatives of individuals who have established their own companies. There should at least be an element of balance.

The Irish Co-operative Organisation Society has made observations on this Bill. Overall, it is broadly supportive of it. One could argue some of the issues over membership and the make-up, such as the change in the registration number from seven members to three, and issues concerning taxation and the audit exemption, give rise to concerns. If, however, we accept we should encourage, foster and incubate the concepts of co-operatives, allowing them to become innovative, see beyond their immediate remit and evolve continuously, they can avoid stagnation. Certain co-operatives stagnated once their initial membership fell away. Very few were able to continue to evolve and be creative. Something that could stimulate a yearning to evolve continuously and respond to advances in technology and changes in the economy, society, general outlook, legislative supports, statutes and taxation would be beneficial. It would be a good concept to bring this Bill into the pre-legislative scrutiny process. The Government has had a stakeholders' consultation process and, with that in mind, we could ensure that whatever Bill is brought back to the floor of the Dáil has broad support and takes into account the practicalities of what a co-op should be about, not an ideological view of what a co-op is about. It is for members and for participation and it stresses loyalty from and to membership while, at the same time, being creative and consistently innovative. The co-ops that have been successful in this country are ones that have been dynamic but many have been lethargic. Once the initial fervour of the establishment of the co-op fades away, there is little left, the co-op is hollowed out and does not make a contribution. I would like to see ideas around that concept and how to create a framework for co-ops to consistently innovate. That would require imagination in taxation and incentivisation through the taxation codes primarily.

There is potential. There were successes in the original creameries, which were established long ago, and in the credit union movement. There is opportunity in the area of alternative wind energies for individuals to come together in a community wherein they can establish these types of infrastructural developments for the benefit and participation of members and the community. A sharing of dividends within that community and the broader community is a good concept and should be encouraged.

While I support the concept of the Bill, it needs to go through some form of scrutiny to

embrace the concept of what a co-operative should be, pragmatically speaking, rather than just ideologically.

Deputy Thomas P. Broughan: I am delighted to have the opportunity to contribute briefly on the Industrial and Provident Societies (Amendment) Bill brought before us by my Independents 4 Change colleagues and I. It is a long overdue Bill that will amend the Industrial and Provident Societies Act 1893 in important respects, as my colleagues have outlined, and provide for connecting matters.

A co-operative by definition is an autonomous association of persons united to meet common economic, social, and cultural goals. They achieve their objectives through a jointly-owned and democratically-controlled enterprise. Co-operative movements emerged after the industrial revolution because of the upheavals and very bad treatment that workers and producers of that era endured. In England, people such as Robert Owen and enterprises such as the Rochdale Society of Equitable Pioneers were notable. In Europe, Raiffeisen Banks emerged as co-operative credit providers in response to restrictive credit conditions.

As my colleagues have outlined, Ireland has a long history of co-operative effort under the leadership of Sir Horace Plunkett, R. A. Anderson, Fr. Finlay and others. The Irish co-ops thrived from the 1890s and we are proud of our history, through the decades. My colleague has said, of course, that some of these co-ops later morphed into public liability companies, plcs. Some of the responsibility for that lies with the Minister of State because he and the Government have not come forward with modernising legislation because his party did not want to and neither did Fianna Fáil. They did not want to support the co-operative movement. Deputies Connolly and Pringle also mentioned the famous Fr. James McDyer and the Comharchumann na nOileán. We have a proud tradition in this area, going right back.

Co-operative financial services have also been successful in Ireland with the establishing of the credit union movement. It came to this country from the United States through the great John Hume, who started the first one in Derry. They began to develop all around the country. The Government's attitude to co-operative development was shown to some extent in the crash era in how it dealt with credit unions and building societies. For no good reason, the then Minister for Finance, the late Brian Lenihan, backed the Educational Building Society, for example, which was owned by its depositors, including my family, into Allied Irish Banks. Similarly with the credit unions, €250 million was put forward because credit unions were going to collapse but he never said, of course, that only €14 million or €15 million was used. Fine Gael's attitude to credit unions and the co-operatively owned financial sector has always been a bad and unsupportive one.

We welcome the fact that the Progressive Credit Union in my own constituency is about to launch a current account with a debit card, chequebook and so on. That is a valuable development although it could have happened 30 years ago. It did not happen because Fianna Fáil and Fine Gael were not prepared to bring in the legislation to make it possible.

We are all familiar with the development co-ops in Europe. We still wonder why the Sparkassen bank has not been allowed or encouraged to come into this country. I hear Deputy Michael McGrath asking, week in, week out, why we are paying 4% interest rates when the rest of Europe is paying 1%. Why is that the case? One of the reasons is that Sparkassen and other groups like that have not been encouraged.

We are familiar with co-op housing and the National Association of Building Co-Operatives, NABCO, and various other approved housing bodies which operate on a co-operative basis. There are small streets in my constituency which were built by a group of teachers, nurses and other people working together who actually created their own housing.

The Minister of State is also very familiar with the group water schemes programme. Horace Plunkett was from the Minister of State's own constituency in Dunsany.

Co-operatives are a powerful tradition in our country and it seems that, in the interim period, and particularly following the horrible years of grotesque capitalism under Margaret Thatcher and Ronald Reagan, we have totally neglected this sector.

Deputy Billy Kelleher: There was grotesque socialism around the same time.

Deputy Thomas P. Broughan: There was, first and foremost, grotesque capitalism. At least the Chinese are building houses with their state construction company, which this Government is not doing.

We have a long and proud co-operative history that is still visible today. There is a legal lacuna and that is the reason the Minister of State is telling us tonight that we need consolidation. I have been looking for consolidation of the Traffic Acts for 15 or 20 years, nearly as long as I have been in this House, and I am still looking for it. Will the Government refer this to the Law Reform Commission? If the Government wants a comprehensive Bill, of which our Bill could be a part, will it bring it forward and stop talking about it? The Minister of State did not even mention the Law Reform Commission and whether or not it has ever had that task.

Europe has a great history of co-operatives. Deputy Joan Collins mentioned Italy. We also know about the Mondragon Corporation in the Basque country. It is a huge, powerful co-operative for the Basque nation - and it is a nation - within Spain. It played a role in promoting the economic well-being of the Basque people and all the people of the Iberian peninsula. The supporting legal systems of those countries are better than ours and that is the key point we are raising here.

The UK has a great tradition. The 70,000 workers in John Lewis stores own their own company. A John Lewis store in Liverpool or Manchester, or wherever, is owned by the people on the floor. It is their company. Waitrose, the food retailer, is another example. There is also a great tradition in the British Labour Party with co-ops. Many Members of Parliament are co-op members. It is the Labour and Co-Operative Party in the UK.

It is amazing that our legislation dates back to 1893. The Minister of State mentioned the 2014 Act but, again, Fine Gael has had an opportunity over the past eight years to modernise the legislation and it has not been taken. It is amazing that we are still relying on United Kingdom legislation that goes back before Independence. We recently celebrated 100 years of Dáil Éireann. Given the tradition the Irish tradition of co-ops and worker-owned industrial bodies that we have all outlined, we should have had modernising legislation by now.

The Bill reduces membership criteria from seven down to three. The Minister of State said he had a consultation on that and mentioned Finland and various other countries. My colleague, Deputy Clare Daly, in introducing the Bill, said that, in 2014, there were 237,753 small and medium enterprises, SMEs, in Ireland, employing almost a million workers. Those SMEs have an average of 3.87 employees per business, just over three. This is how we came up with three

as the number that should be pursued.

I do not see why the Minister of State cannot support this provision.

The Minister of State said only limited companies can have audit exemptions and he has reservations about this provision. He must acknowledge, however, the cost of an audit for many small co-operatives and social enterprises, which are not focused on profit-making but on service delivery for their communities, can make the model unattractive. It must be kept simple.

The Minister of State referred to a statutory instrument concerning electronic filing. Again, this could be put on a legislative basis rather than through a statutory instrument.

Tonight's debate is valuable because this is an important sector. My colleague, Deputy Pringle, outlined a strong case of how it could become more important in the future in, for example, energy, coping with climate change and getting communities together.

7 o'clock Co-operatives still have amazing potential in the finance and social media sectors. For example, some newspapers, because they cannot survive physically, are becoming the property of their readers online. That is a wonderful development and a way of sustaining newspapers.

There are many positive examples in our history of finance, housing and agricultural co-operatives. It is our hope that the Bill would make the establishment of a co-operative society that much easier to encourage community groups and local workers to adapt to a model which benefits the whole of society. Co-ops are based on strong values along with providing good jobs and services beneficial to communities. Long before I was in politics, I was involved in social enterprise. I am still a director of several community companies. I know from board meetings over the years the requirements needed to fulfil statutory rules. People are prepared to do that if they are simple rules. The Minister of State could kick the ball off tonight by accepting the legislation.

Deputy Clare Daly: This short Bill is designed to amend the current regulations around the establishment of co-operative societies and to make the administrative process involved that bit easier. To hear the Minister of State's response was disappointing, however. We are in danger of talking ourselves into complexities which do not exist. We are not asking for the reinvention of the wheel. The Society for Co-operative Studies in Ireland and the Centre for Co-operative Studies at UCC provided submissions to the Department's review in 2017, a review which has not been published yet. I do not see why it cannot be accommodated.

The Minister of State said there is no consensus in reducing the criteria from seven to three members required to register a society. In fact, the proposal is pretty much in line with what prevails in the rest of Europe. The other measures we have looked for, such as audit exemptions, are available to other types of companies but not to co-operative societies. We are not looking for anything special.

When I heard the Minister of State tell us not to be concerned because we love co-operatives and the Government will deal with them in a giant repealing Bill, it reminded me of the approach to the updating of the coroner legislation, which is rooted in the 1960s. We were told not to amend it just to deal with maternal deaths because the Government would amend the whole legislation. At that stage, it had been under review for 18 years. After three years of messing around, the Government decided to come with a stand-alone Bill to deal with the one aspect

of maternal deaths, which, incidentally, we still have not passed. The response to this Bill is identical.

There is no conflict for the Government to pass this Bill. If it has a bigger project, then it can work away on it. Meanwhile, we can build on this legislation. While we can all claim we support co-ops, we lag far behind the UK and the rest of Europe in this area. There has to be a reason for that. Given our proud history, we are not ideologically opposed to co-operatives. It is because the mechanisms to support co-ops are not as robust in Ireland as they are in other jurisdictions.

The issue of co-ops is ideological. I make no apology for that. The model is resilient, democratic and based on values which provide good jobs and good services beneficial to communities. They can obviously range in size from large companies to a small crèche or an initiative dealing with housing waste, energy or football teams. It is a fact that because of the ideology and the basis on which they are established, there are much more likely to reinvest their profits into resources, training, education and so forth, rather than dealing with shareholder profits. There are far less likely to contribute to environmental damage in their locality. They tend to be much more locally based which in this era of sustainability is particularly important.

We make no apology about placing this issue in the context of the economic turmoil that prevailed over the past decade which revealed quite starkly for many the insecurity of the market. It was a situation which had devastating consequences for jobs as well as vital services in our communities, especially our rural communities. It is no coincidence that the impact of this same economic turmoil in areas of the UK and Europe which had co-ops was far less devastating. For example, in Spain, 24% of Spanish companies were forced to close but only 6% of co-ops. There is a value in co-ops. We know from research in Scotland that the co-operative model is much more likely to succeed in the first five years than other start-ups. Given the amount of money taxpayers pay to start-up businesses, many of which end up failing, the success rate is far better with co-ops. It makes sense all round that we would invest in these co-ops.

The Bill we are putting forward is to strengthen the legal framework to ensure the co-operative sector is given the opportunity to fulfil its potential, as well as ensuring good governance and transparency which are important. Our measures do not in any way conflict with that. As Deputies said earlier, there are many examples in Ireland such as the Dublin Food Co-op and the Quay Co-op in Cork. The latter was established in 1982 by great activists like Arthur Leahy. It is a progressive workplace and business with a restaurant, bakery and three shops providing good foods, sustainable products, recyclable packaging, green energy resources and so forth.

We know the model has been incredibly successful. It can be adapted into areas such as waste collection. In my area, we have conducted detailed surveys on this. After privatisation, bin services operate in a non-regulated environment with consequences such as fly tipping. Residents have the nightmare of emissions with different bin company trucks going up and down their roads every single day of the week. We have suggested running a pilot scheme where the residents would provide that service as a co-op and operate their own bin trucks.

In the past decade, we have seen many companies shutting down. In 2016, a survey of small and medium-sized enterprises showed that half had no succession plans at all. In many instances, such companies die with the owner. The co-op model fits in very much with that and where worker buy-outs can save the jobs which otherwise would be lost. It is particularly pertinent against the rise of precarious employment which presents significant insecurity for

workers in so many aspects of their lives.

It is interesting that a report from the UK trade union and co-operative sectors has called for joint initiatives to sustain decent work for people and protect them from the poverty trap. The trade union co-op platform is trying to advance worker ownership and control in the service industry to avoid what has taken place because of the ideology of the market, neoliberalism, the race to the bottom, insecure contracts and people not knowing what is what. Surveys have shown the impact of a working environment on people's mental health. There are very good studies even from America. There are many examples such as a simple bicycle shop where workers take ownership of it. They might be doing the same job they were doing previously but because they can set their own agenda and be responsible to themselves, it is an entirely different situation.

There is no reason for the Government not to accept the Bill. I am mindful that the Bill deals with workers' rights and many workers in this House were here very late last night and are here late tonight, and I know do not want to prolong things. It is unfortunate the House is sitting longer these nights because it is not good for our staff who are here either. I think the Government can accept the Bill. The Minister of State should rethink and let it move on.

Deputy Maurice Quinlivan: I thank the Deputies from the Independents 4 Change group for introducing the Industrial and Provident Societies (Amendment) Bill 2018. Sinn Féin is very happy to lend our support to the Bill, as it is important legislation which will have a significant impact on the development of Ireland's co-operative sector.

We welcome the amendment to reduce the number of members needed to establish a co-operative from seven to three. From a number of engagements we have held with stakeholders in the sector, we were continually told that this was a major barrier to the establishment of smaller co-ops.

Sinn Féin shares the view of the Deputies in the Independents 4 Change group that the development of our co-operative sector is vital to the development of a fairer economy. If we are serious about addressing inequality in our society, we must deal with the inequality of ownership in our economy. Co-operatives offer an alternative model of business which is focused on worker outcomes, worker well-being and community sustainability. They retain economic power at a local and regional level, and allow for community wealth building.

Sinn Féin is committed to developing our co-operative sector, particularly our worker co-operative sector. These are co-operatives in which the workers of the enterprise own at least 51% of the shares.

Across Europe, worker co-operatives have been found to be more productive, more resilient and to provide greater benefits to their workers, communities and society. Worker co-operative businesses are also more likely to pay the living wage, have lower pay differentials between the top and lowest earner, use fewer zero-hour contracts, and have shown exemplary degrees of corporate social responsibility and a strong commitment to sustainability.

Scotland is quickly becoming one of the world's leading countries in the development of worker co-operatives. In 2005, the Scottish Government decided to establish Co-operative Development Scotland, a subsidiary of Scottish Enterprise, tasked with the responsibility of developing Scotland's co-operative sector. In 2012, it made the decision to focus exclusively on the development of worker co-operatives and it has since seen a substantial threefold increase

in the number of worker co-operatives. The Scottish Government chose to actively develop the sector through Co-operative Development Scotland, coupled with supportive legislation.

A quote from John Clark, chair of an employee-owned business and member of the steering group sums up the approach in Scotland as follows,

We have a choice: to be passive and allow the development of a support environment for EO companies [workers' co-ops] to happen without industry input, or to take a proactive approach and seek to actively influence how that environment evolves. We believe the proactive approach creates the prospect of making Scotland the best country in the world to establish and grow [workers' co-ops].

Scotland is now clearly reaping the rewards. Elsewhere in Europe, there are 800,000 workers in the Italian worker co-operative sector. As Deputy Broughan mentioned, Spain is home to the world's largest worker co-operative, Mondragon, which has 80,000 workers and in 2015 had sales of €11 billion. The worker co-operative sector accounts for 13% of Sweden's GDP, 16% of Switzerland's, 21% of Finland's, and 4% in France.

For many stakeholders, a key barrier to the development of a worker co-op sector has been an absence of state policy supportive of the sector, and even the existence of legislation which makes it more difficult to establish co-operatives, such as the Irish rule requiring seven members to establish a co-op. That is why in 2014, the French Government introduced the social co-operative law which specifically introduced legislation supportive of the worker co-operative sector. Italy has the Marcora and Basevi laws and Spain has its laws to assist worker co-ops.

Despite the many benefits of the worker co-operative model to workers and their communities, Ireland has yet to develop its own worker co-operative sector in any significant way. To date, the worker co-operative sector here can be described as undeniably small and arguably underdeveloped. This could be put down to two reasons, namely, a lack of legislation specific to worker co-operatives and an absence of Government support for would-be and existing co-operatives. This lack of co-operative development is particularly disappointing given that throughout Ireland's history, agricultural and financial credit union co-ops have made a significant contribution to our society.

Sinn Féin wants to see the success of both of these co-operative sectors replicated in the development of our own worker co-operative sector. Similar to the Credit Union Act 1997, we should continue to progress legislation like this Bill in order to assist the sector with supportive legislation.

Sinn Féin will table an amendment to the Bill on Committee Stage to introduce a simple definition of a worker co-operative which could be inserted into the Industrial and Provident Societies Act in order to provide the sector with further support and protection.

In 1988, the Government attempted to develop the co-operative sector through the establishment of the co-operative development unit, CDU. This State body was devoted to the development of worker co-operatives and resulted in the growth of worker co-ops from 47 enterprises in 1991 to 73 in 1992, and again between 1996 and 1998 there was another spike from 66 to 82. Some argued that the unit would have been even more successful in developing the sector if it were not for the absence of a supportive legislative framework at the time. Disappointingly, however, Fianna Fáil in government closed down the CDU, ending all soft and hard support for the development of worker co-operatives. Since its closure, there has been no provider of

support or information specific to worker co-ops, something which has been central to the development of the sector in Scotland, France, Italy and Spain.

In keeping with ILO recommendation 193 of 2002, Sinn Féin would like to see an environment in which co-operatives enjoy equal treatment with other types of enterprise. Governments should create an enabling environment and facilitate access to support services. Governments should provide policy and a legal environment conducive to the creation of worker co-operatives, provide grant support and develop partnerships with co-ops.

The success stories of Scotland, France, Italy and Spain all provide evidence that there is an alternative way to develop our economy. Sinn Féin wants a sustainable economy, not one driven by profit, but maintained by secure jobs and broad benefits shared by greater society. This is achievable through a co-operative economy. In order for this to happen, legislation such as this Bill is essential.

I again thank Deputy Clare Daly and her colleagues in Independents 4 Change for introducing the Bill, which Sinn Féin is very happy to support.

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): I am conscious that not everyone was here when I spoke earlier. I will not go back over the whole speech. I thank the Members who have introduced the Bill. I accept that they are interested in the area. There is always the suggestion, as Deputy Pringle said, that the Government does not want this and we will put it on the long finger. Opposition Deputies always assume that we do not want things even though we have a duty to bring forward proper legislation. Just because the Independents 4 Change put something in a Bill does not make it absolutely right. It does not mean that we always oppose it either.

The Minister for Business, Enterprise and Innovation, Deputy Humphreys, and the Department are committed to reform. That process of change started at the end of 2017 and early 2018 before the Bill was introduced. I am sure the Bill Deputy Joan Collins introduced in July had an influence on some of the changes that happened in December. However, she should accept that the Minister had started a process to review this area and make changes. The Department has form in this. It introduced a massive piece of work - I think about ten years of work - in the Companies Act 2014. Deputy Kelleher was probably a Minister of State in the Department at the time it started and it was followed through in our time in government. The Department of Business, Enterprise and Innovation is committed to reform. The assumption that is it always against reform or change is not always true and it is not always fair to say that. There is a process it needs to go through and it started some time ago. It is not being long-fingered. The intention is to introduce it this year.

Deputy Thomas Pringle: We heard that before.

Deputy Damien English: The Deputy might have heard it before, but not from this Department, which has proven its worth in this respect. Let us recognise that piece of work because I know the amount of work that went into introducing the changes and consolidation in the other Act.

We all agree on the benefits of co-operatives. As we have outlined, in the credit union movement, in agriculture and even in housing, co-operatives have been doing great work. I look forward to seeing credit unions funding housing proposals which have been provided for in changes to legislation. The sooner that comes together, the better. We recognise that.

It is clear that we all recognise the continuing importance of the co-operative movement throughout Ireland. Furthermore, we all share a strong desire to modernise legislation that underpins the continued sustainability and success of the co-operative model. We diverge only on how to achieve these aims. That is part of the work we have to do and we will tease through that in the months ahead. The Minister is very clear that she would like to work with the Deputies on this in the months ahead and has asked for their co-operation in that regard.

The proposed Bill may be well intended but it cannot be supported by the Minister in its current form for the reasons I outlined in my opening remarks. The Minister would like to avoid the introduction of more piecemeal and fragmented legislation in this important area. She is also concerned about the introduction of measures that will reduce transparency and which could result in unintended consequences that may have a negative impact on the co-operative movement, a movement that we all want to support. We already have a strong co-operative movement in this country, although one would think, having listened to some of the speeches tonight, that we do not.

The Minister considers that a more appropriate course of action is to consolidate into one statute all existing industrial and provident societies legislation and to modernise it to eliminate outdated provisions and align it with the realities of a 21st century business and regulatory environment. This will ensure a level playing field between co-operatives and the other legal options for structuring enterprise activities and will provide a conducive framework for the full potential of the co-operative model to be realised. Deputy Kelleher made reference to the importance of a level playing field earlier.

Deputies asked why it is taking so long to complete the review in order to modernise this whole area. The Government recognises the continued importance of the co-operative movement throughout Ireland, particularly to local rural communities, with over 200,000 such companies registered in Ireland. The focus of the Department in recent years has been on consolidating, reforming and modernising our companies legislation and getting that piece right. This has been a major contributory factor to continued investment and new start-ups during the years when we needed new jobs in large numbers. This Department has form in producing legislation and action plans to facilitate the provision of additional jobs. That was the Department's focus and this significant undertaking, involving the largest volume of substantive legislation in the State's history, has been completed successfully and the new legislation now forms the basis for Ireland's business regulatory environment. The Companies Act 2014 was followed by the transposition of a number of EU directives including EU 2006/43/EC, as amended by EU 2014/56EU, the coming into force of EU Regulation No. 537/2014 as well as the Companies (Accounting) Act 2017 and the Companies (Statutory Audits) Act 2018. There was a lot happening in this space and a lot of change. The Friendly Societies and Industrial and Provident Societies (Miscellaneous Provisions) Act which came into effect in 2014 was aimed primarily at easing the regulatory burden on co-operative societies. It addressed particular problems that were identified in the co-operative sector and has helped to ensure that this model thrives and grows.

The Minister wants to ensure that the review currently under way takes on board all of the views of interested parties. The public consultation process is complete and it is important that the review takes into account all of the views expressed, some of which differ to those expressed by Deputies in the House today. Deputies Pringle and Kelleher referenced the Irish Co-Operative Organisation Society, ICOS. Interestingly, ICOS made a submission to the Department only yesterday with some observations on this Bill. It was very clear that it favours

retaining the seven member minimum because it believes that a lower number might bring visibility and sustainability into question. Deputies have portrayed as gospel the need to lower it but that is not gospel according to members of the sector. It is important that we have proper consultation and tease out all of the issues involved. ICOS also emphasised the importance of annual returns for transparency purposes. It said that it would prefer the audit exemption to be in primary legislation rather than by ministerial order. I make these points to demonstrate that there are other views out there on these issues. The Deputies seemed to suggest that everything they have put forward is right but it is the job of the Department to tease it through, to get everyone's views and to bring forward legislation of which we can all be proud.

Deputy Catherine Connolly: Independents 4 Change Deputies would appreciate a copy of the ICOS submission, if possible. The Minister of State has said that the Government is with us regarding co-operatives. While I welcome that, the problem is that I have not seen any evidence of it. I have not seen any evidence of a sense of urgency either. We are talking about 121 years to bring in the 2014 Act, 123 years to bring in the review and 126 years later, we are looking at Victorian legislation. As I have said previously, it is ironic that the English have changed it for the better in terms of facilitating and encouraging co-operatives on the ground in every way possible.

In terms of the Bill itself, I will be the first to admit that it is not perfect. However, it is a Bill that is being supported by almost everyone in Dáil Éireann, with the exception of Fine Gael Members, although I am not sure where the Labour Party stands on the Bill. It is interesting to note that when the Labour Party was in power with Fine Gael, that Government had a massive majority but the legislation was not changed. That is when it should have been changed, as I am sure the Minister of State would agree. That Government had a massive majority and if it was seriously interested in supporting the co-operative movement, it should have done so then. That said, if the Government has had a moment on the road to Damascus, I welcome that. I truly welcome the fact that this Dáil is going to work on behalf of the co-operative movement.

The Minister of State pointed out that events have overtaken us in some senses and I welcome that. Deputy Joan Collins has already pointed out that the Bill has forced a tiny bit of change in that electronic filing has been possible since December. Again, that could have been done much earlier. If we are to accept the bona fides of this Government, and I do not wish to be negative-----

Deputy Damien English: The Deputy should try to say something positive-----

Deputy Catherine Connolly: I am saying something positive in the sense that I have said that the Government has had a moment on the road to Damascus, which is good. This new Dáil is making changes. This is only my third year in this House but I have spoken about this to longer-serving colleagues. When was the co-operative movement last discussed in the Dáil? Was legislation for co-operatives ever discussed in the Dáil in the Minister of State's time? When Fine Gael and the Labour Party had an overwhelming majority and prior to that, when was it discussed? I do not think it was ever-----

Deputy Damien English: The point is that the review began in 2017.

Deputy Catherine Connolly: I did not interrupt the Minister of State.

Deputy Damien English: The Deputy asked me a question.

Deputy Catherine Connolly: I will wait for the Minister or State to come back to me on this but to my knowledge, it was never discussed.

I have the privilege of being the Chair of the Comhchoiste na Gaeilge, na Gaeltachta agus na nOileán. Yesterday we had a very good briefing from the Minister for Foreign Affairs and Trade, Deputy Coveney, on the omnibus Brexit legislation that will go through the Dáil in a record amount of time. We cannot put through Bille na dteangacha oifigiúla or even minimal legislation to make it easier for co-operatives on the ground but we can push through an enormous amount of Brexit legislation in a short number of weeks.

Interestingly, provision is being made for Enterprise Ireland. The legislation will be changed to facilitate all sorts of companies and to make things easier for them, with extra money being made available with no limits, changes with regard to research and development and money being paid up front. All of those changes can be made very quickly and perhaps rightly so, but I have not yet had a chance to go through it all in detail. The point is that they can be made very quickly without any problems and yet there is a big problem with regard to co-operatives, despite the overwhelming evidence on the ground, across Europe and elsewhere, of their importance. This is also despite the evidence from the Government's own documents which emphasise the importance of the co-operative movement, including the Forfás report on social enterprise in Ireland which was published in 2013 and the Government's White Paper on Ireland's transition to a low carbon future, among other policy documents. Both of the aforementioned documents identify the co-operative model as being core to developing community-based enterprises in each sector. What happened as a result of that? Not too much-----

Deputy Damien English: The consultation started in 2017.

Deputy Joan Collins: It is 2019 now.

Deputy Catherine Connolly: Deputy Clare Daly's office did tremendous work on this and I pay tribute to them for that. All Bills at this stage of the process are far from perfect but that is why we have a legislative process. That is why Bills go on to the next Stage, to be discussed in detail. That is also why there is pre-legislative scrutiny. The resources on the side of the Government are enormous. David and Goliath springs to mind in the context of the resources available to the Opposition, although things are changing slowly in that area. We will have access to draftsmanship in the future. At this point, however, this is a basic Bill which contains a number of provisions. The provision relating to electronic filing has been overtaken by events, which I appreciate. The provision relating to reducing the number to three was a common theme in the submissions and is also in keeping with Europe and other countries. At the very least, if the Government is sincere about supporting co-operatives on the ground, then it should let this Bill go to Committee Stage. Let it be teased out. Give an opportunity to the stakeholders to make their presentations to the committee. This would show real bona fides on the part of the Government. Co-operative legislation has never been discussed on the floor of the Dáil until now, 2019.

If the Minister of State thinks this is negative, he needs to refer to a dictionary. What we have done with the support of Fianna Fáil and Sinn Féin is table an important Bill. We tried to take the least offensive way forward by providing for only minimum changes, with no implications for the Government. This Bill presents the Government with an opportunity to show it is behind co-operatives. I accept there are deficiencies in the Bill.

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The Minister of State spoke about a lack of transparency and accountability. I, above anyone else, would never stand over a system that lessens accountability. I spend every Thursday at the Committee of Public Accounts where, week after week, we see the effect of bad governance and lack of processes. This Bill has nothing to do with that. The purpose of reducing from seven to three the number of members required to register a society brings it into line with other European countries to align it with the companies that do not have the same demands upon them. In regard to the accounts, it is an enabling provision. Regulations can be made. In regard to audited accounts, that can be included. It is one of the major requests from the various submissions because it is such an onerous task on small co-operatives.

Tá deis iontach anseo don Rialtas a chur in iúl do na comharchumainn ar an talamh go bhfuil sé taobh thiar den ghluaiseacht seo. Is deis iontach é chun cur in iúl go bhfuil sé oscailte breathnú ar an reachtaíocht seo agus leasuithe a dhéanamh ar an gcéad chéim eile atá le teacht.

In regard to the Minister of State's request that we not be negative, I do not believe any speaker tonight has been negative. We have pointed out the advantages for co-operatives on the ground and the wonderful opportunities that present, from agriculture, to recycling, to the energy we need urgently in terms of climate change.

I do not think the Minister of State is going to change his mind at this point. I ask him to look again at the positive aspects of this Bill. It has put the issue of co-operatives on the floor of the Dáil and it seeks only minimal changes. It is to be hoped it will put substantial pressure on the Government to deliver the legislation that is needed urgently. We do not need consolidating legislation. Rather, we need legislation that has a vision for co-operatives, spells out what a co-operative is, and enshrines within it the seven basic principles. We then need that legislation to be followed with regulations to roll out a competitive co-operative system on the ground that balances all of the aid and assistance being provided to Enterprise Ireland, IDA Ireland and, to a lesser extent, Údarás na Gaeltachta. There is a need for all of this. The Government is doing this for Enterprise Ireland in the context of Brexit. Let us see it in regard to the co-operative movement that is struggling on the ground and getting much more value for money.

Question put.

An Ceann Comhairle: In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 21 February 2019.

The Dáil adjourned at 7.35 p.m. until 2 p.m. on Tuesday, 19 February 2019.