



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

Ceisteanna - Questions . . . . .	848
Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions . . . . .	848
Tax Exemptions . . . . .	848
Commemorative Events . . . . .	850
National Archives . . . . .	852
Údarás na Gaeltachta . . . . .	854
Ceisteanna Eile - Other Questions . . . . .	856
Meath na Gaeltachta . . . . .	856
Abbey Theatre . . . . .	858
Commemorative Events . . . . .	860
Creative Ireland Programme . . . . .	862
Arts Funding . . . . .	865
Aerfoirt Réigiúnacha . . . . .	867
Hare Coursing . . . . .	868
Ceisteanna ó Cheannairí - Leaders' Questions . . . . .	870
Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation . . . . .	880
Road Traffic (Bus and Cycle Lane) (Amendment) Bill 2019: First Stage . . . . .	889
Prohibition of Micro-Plastics Bill 2016: Leave to Withdraw [Private Members] . . . . .	890
Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters . . . . .	891
Aircraft Noise (Dublin Airport) Regulation Bill 2018: Report Stage (Resumed) . . . . .	892
Ábhair Shaincheisteanna Tráthúla (Atógáil) - Topical Issue Matters (Resumed) . . . . .	905
Gnó na Dála - Business of Dáil . . . . .	905
Sitting and Business of Dáil: Motion . . . . .	905
Homelessness: Motion (Resumed) [Private Members] . . . . .	907
Industrial and Provident Societies (Amendment) Bill 2018: Second Stage (Resumed) [Private Members] . . . . .	913
European Defence Agency Project: Motion (Resumed) . . . . .	915
Management Fees (Local Property Tax) Relief Bill 2018: Second Stage (Resumed) [Private Members] . . . . .	918
Message from Select Committee . . . . .	920
Fourth Interim Report of the Commission of Investigation into Mother and Baby Homes: Statements (Resumed) . . . . .	920
Prohibition of Above-cost Ticket Touting Bill 2017: Second Stage (Resumed) . . . . .	931
Saincheisteanna Tráthúla - Topical Issue Debate . . . . .	937
Ambulance Service Provision . . . . .	937
Hospital Equipment . . . . .	940
Light Rail Projects . . . . .	943
Accessibility of Public Transport for People with Disabilities: Motion . . . . .	948

# DÁIL ÉIREANN

*Déardaoin, 21 Feabhra 2019*

*Thursday, 21 February 2019*

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

*Paidir.*

*Prayer.*

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## Ceisteanna - Questions

### Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

#### Tax Exemptions

1. **Deputy Niamh Smyth** asked the Minister for Culture, Heritage and the Gaeltacht the actions she has taken to examine the extension of the artists' tax exemption to artists working through other mediums; if she has met with the Minister for Finance to discuss the expansion of the exemption; and if she will make a statement on the matter. [8695/19]

**Deputy Niamh Smyth:** As the Minister is aware, the artists tax exemption covers a limited number of mediums, namely, written works, music, the visual arts and sculptures, subject to a maximum of €50,000 per annum. What actions is the Minister taking to examine the expansion of the exemption to other mediums?

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** I thank the Deputy for raising the important issue of the artists tax exemption scheme which was introduced in 1969. Under the scheme, the profits or gains accruing to a writer, composer, visual artist or sculptor from the publication, production or sale of his or her work is exempt from income tax. Under section 195 of the Taxes Consolidation Act 1997, the Arts Council and the then Minister for Arts, Heritage and the Gaeltacht drew up guidelines for determining whether a work within specified categories is an original and creative work and whether it has, or is generally recognised as having, cultural or artistic merit. On receipt of an application for the artists tax exemption scheme, the Office of the Revenue Commissioners is empowered to make a determination that a certain artistic work is both original and creative and has, or is generally

recognised as having, either cultural or artistic merit. A work shall be regarded as original and creative only if it is a unique work of creative quality brought into existence by the exercise of its creator's imagination. A work shall be regarded as having cultural merit only if by reason of its quality of form or content or both it enhances to a significant degree one or more aspects of national or international culture.

The scheme allows the Revenue Commissioners to make a determination only in respect of artistic works in the following categories: a book or other writing, a play, a musical composition, sculpture; or a painting or other like picture. Where a determination is not made, in effect, the application is rejected. There is a right of appeal to an independent appeal body in the event that Revenue declines to issue a determination. The exemption only applies to income taxes and does not extend to VAT. The maximum amount of income exempted from tax is €50,000 per annum. The names of recipients of the artists exemption together with the art work for which the relief is claimed are published on the Revenue Commissioners website. I wish to advise the Deputy that although I have not discussed the expansion of the exemption with the Minister for Finance, these matters are kept under review.

**Deputy Niamh Smyth:** It is welcome that the matter is kept under review because, as the Minister is aware, the arts have expanded in terms of the mediums and forms in which art is created. We now have sound, multimedia and performing artists and it is very important that the scheme is updated to take account of contemporary art practice.

A recent review of pay and conditions by Theatre Forum found that low pay, poor conditions and precarious work for the performing arts are having a serious impact on artists and arts workers. Some of the statistics it uncovered are frightening. Some 30% of performing artists earned less than the minimum wage in 2018. Some 83% are paid flat fees rather than for hours worked. Some 53% of art organisations do not have a pension or personal retirement savings account arrangement for their staff, while four fifths of jobs in performing arts are precarious. Artists working through various mediums have raised the issue of working conditions with me.

I fully accept that the artists tax exemption is a complicated area on which the Minister must work closely with the Minister for Finance, but it may be one avenue which could be used to address these issues. Culture 2025 committed the Government to a critical analysis of direct and indirect supports funding arts and cultural activities and to improve funding structures through multi-annual and cross-stream funding and investment in regional and local services. Will the Minister commit to working with the Minister for Finance to consider the inclusion of artists working through other mediums in the tax exemption scheme?

**Deputy Josepha Madigan:** It is important to note that just over 1,000 artists have been granted a favourable determination by the Revenue Commissioners since 2017 under the categories of writing, plays, musical composition, painting and sculpture. The focus of the Government is on increasing funding for the arts in general, as evidenced by the Taoiseach's repeated commitment to double the amount of funding over a ten year period. My Department received a 13% increase in funding in the Estimates for this year. There has been a €6.8 million or 10% increase in funding for the Arts Council, while €1.2 billion in capital funding for culture, heritage and the Gaeltacht has been allocated over the ten years to 2028 as part of the national development plan. That includes €460 million for an investment programme in our national cultural institutions and a €200 million audiovisual action plan which I launched last summer. The Government will continue to give consideration to any measures to further deliver on its commitments, including the artists tax exemption which is kept under constant review.

**Deputy Niamh Smyth:** It is wonderful that 1,000 artists have availed of the exemption but I assure the Minister that thousands of artists in the creative industries are unable to access or avail of the exemption. That is why I urge the Minister to keep an open mind on reviewing and broadening the scheme. I invited representatives of Theatre Forum to Leinster House at the beginning of the year. It is stark and frightening that some artists are unable to afford certain basic services such as rent, childcare and healthcare.

Global Ireland 2025 committed the Government to implementing a range of further measures internationally, including the promotion of Irish arts, heritage and culture to new generations and audiences across the world. One of the key issues raised by the representatives of Theatre Forum in January is the position of Irish artists in Ireland compared to the esteem in which they are held when they represent Ireland abroad. This is a valid issue. When artists attend embassies or go abroad, they are held in high esteem, but the reality when they come home is that many cannot afford rent, childcare or healthcare.

**Deputy Josepha Madigan:** I do not believe Fianna Fáil is in a position to lecture this Government on the funding of the arts or artists' pay and conditions. As we know, Fianna Fáil, when in government between 2007 and 2011, cut funding for the arts by €67 million. The majority of the funding available was for the Arts Council, which the Deputy has mentioned before. There was a decrease from €206 million to €139 million, which is a funding cut of 33%. In budget 2019, Fine Gael saw funding rise by 37% since the time of the cuts in 2011. This is a rise to a sustainable level. Fianna Fáil, when in government between 2007 and 2011, cut the budget to an unsustainable level. I have outlined a commitment the Taoiseach has given to double funding in this area by 2025. We are doing a considerable amount to achieve that.

## **Commemorative Events**

2. **Deputy Aengus Ó Snodaigh** asked the Minister for Culture, Heritage and the Gaeltacht the planned permanent or capital projects that will be undertaken as part of the decade of centenaries commemorations for the period 2019 to 2023; and if she will make a statement on the matter. [8854/19]

**Deputy Aengus Ó Snodaigh:** The reason for this question is that we are in a centenary commemoration period. In the run-up to the centenary commemoration of 1916, a number of capital projects were announced. They were completed in the years running up to 2016. What are the plans for permanent capital projects for the forthcoming period?

**Deputy Josepha Madigan:** A capital programme of major restoration and development projects was initiated under the Ireland 2016 centenary programme to mark the centenary of the 1916 Rising. The most recent guidance of the expert advisory group on centenary commemorations, which I published on 8 January, highlighted the fact that the decade of centenaries created unprecedented opportunities for people of all ages to consider and explore some of the most significant events and themes in the history of modern Ireland. The group recommended that this positive engagement and the associated tangible, long-term benefits continue to be supported beyond the conclusion of the decade in 2023 and that State support be considered for specific, significant decade of centenaries permanent legacy initiatives. This is a view that I very much share.

One such legacy initiative is Beyond 2022: Ireland's Virtual Record Treasury, which the ex-

pert advisory group has endorsed as a potentially very significant and lasting decade of centenaries legacy initiative, combining historical research, archival conservation, technical innovation and international collaboration. This project seeks to reimagine and recreate, through virtual reality, the Public Record Office of Ireland and its archival collections, which the Deputy may know were destroyed on 30 June 1922 in the opening engagement of the Civil War. It is recognised that, while incomparable with the loss of human life, this cultural loss was one of the great tragedies of the Civil War. A significant national legacy project such as this, which emphasises the importance of open, inclusive and participatory access to authentic archival sources, would support the State very appropriately in its approach to the remembrance of the challenging and sensitive historical events over the remainder of the decade.

*Additional information not given on the floor of the House*

The expert advisory group also welcomed the Government's commitment to capital investment of almost €1.2 billion in Ireland's culture, language and heritage over the next ten years under Project 2040 — the National Development Plan 2018–2027. In its second statement of principles, published in October 2017, the advisory group expressed the strong view that “the opportunity to encourage scholarship at national and local level must be used as fully as possible, with particular emphasis on archival investment and development.” This significant capital investment will ensure that our cultural institutions and archives will continue to have a central role in continuing the process of broad public engagement, creating an important, tangible legacy that endures well beyond the decade of centenaries for generations to come.

**Deputy Aengus Ó Snodaigh:** I understand the need for digitisation. I welcome the information provided. Two major stores of historical information were destroyed, one when the Free State Army attacked the Four Courts and the other when, under de Valera, the IRA attacked the Custom House.

My question was trying to build on capital projects such as that at Richmond Barracks, the GPO, Teach an Phiarsaigh and the Military Archives, which are now permanent reminders of the events of 1916 and the role they played in developing our society. Other than the digitisation projects, is any specific project planned? Has the Minister invited the national cultural institutions to submit applications for substantial funding for new wings, for example, to add to our institutions, or even for local authorities to have appropriate commemorative statues and memorials built in the forthcoming period?

**Deputy Josepha Madigan:** With regard to Beyond 2022, I approved in January a funding allocation of €95,000 to support the transition phase of the project, which will, to some extent, be a capital project of the kind the Deputy speaks about. I have requested my officials to engage with the project team to ensure that an appraisal is carried out in line with the requirements of the public spending code and to ensure that the appropriate structures, governance and monitoring arrangements are put in place.

It might be helpful to the Deputy to be reminded of the expert advisory group's advice. It is suggesting a four-strand approach. It is talking about a State ceremonial strand, which will comprise a limited number of symbolic acts of national commemoration focusing on themes of remembrance and reconciliation and the commemoration of all those who lost their lives during the period in question. The group also talks about an historical strand, which will comprise a diverse range of activities designed to encourage authentic historical inquiry about the period and promote the use of primary archival sources. Some initiatives will be developed in col-

laboration with State partners, national cultural institutions, institutions of learning and other stakeholders. There will also be a community strand, which will involve a collaborative approach, similar to that adopted for the 1916 centenary commemorations, between the State, the local authority network, perhaps Dublin City Council in respect of the Deputy's area, as well as national community organisations, including in Northern Ireland, where appropriate. There will also be a creative imagination strand, which will continue to encourage artistic and creative expression in remembrance of the significant historical events.

**Deputy Aengus Ó Snodaigh:** The answer the Minister has given me is that there is nothing planned for the period between now and 2023 or 2024 by way of a substantial, permanent structure. Will the Minister revisit this aspect? To have a permanent structure built and opened as part of the centenary events over the coming years, planning would have to have begun.

**Deputy Josepha Madigan:** I am not ruling anything in or out. What I am trying to point out to the Deputy is the advice of the expert advisory group on commemorations in general. The local authorities will have a significant role, including Dublin City Council. There will be an event on 13 March at which the local authorities will come together collectively and will be in a position to explore ideas they may have for the commemorations over the next decade. A number of events are planned. I outlined the general themes. There will be ceremonial events in 2021 on the signing of the Truce. In 2022, the centenary of the foundation of the State will be commemorated. There will be a ceremony of reconciliation and there will be a significant academic conference. The President is involved in respect of a sculpture related to last part of the decade of centenaries. It will be up to the local authorities and all the people in this country to decide whether they wish to have something suitable in terms of a capital project.

### **National Archives**

4. **Deputy Catherine Murphy** asked the Minister for Culture, Heritage and the Gaeltacht if she will initiate a dialogue with the Department of Agriculture, Food and the Marine in order to make available or release, or both, Land Commission records in the context of the decade of the centenaries events and themes for the period 2019 to 2023; and if she will make a statement on the matter. [8923/19]

**Deputy Catherine Murphy:** My question is on the same theme. I have written to the Minister about the Land Commission records, which were an all-Ireland set of records. They are publicly available in Northern Ireland but completely private in the Republic. They date back to approximately 1892. The critical issue is that a new arrangement came into place in 1922 across all Departments. This is an example of something that could give some sort of lasting legacy in the same way as the military pension records resulted in a lasting archive in regard to the 1916 commemorations.

**Deputy Josepha Madigan:** I thank the Deputy for her question. I received her letter and I understand an acknowledgement was issued.

All matters concerning records of the Irish Land Commission are a matter for the Minister for Agriculture, Food and the Marine and I have no function in this regard. As the Deputy will be aware, this is a very complex and sensitive area. I have had initial inquiries made of the Department of Agriculture, Food and the Marine and it has no immediate plans to make the estimated 8 million former Irish land Commission records, located at the record storage facility

21 February 2019

in Portlaoise, generally available to the public for research purposes or otherwise as these are, in its view, still working documents. Officials of the Department of Agriculture, Food and the Marine regularly access these records to service queries from the public relating to current and past transactions and for the full completion of the work of the former Irish Land Commission.

Owners and purchasers of land and their personal or legal representatives are allowed access to and copies of relevant documents and maps. The records storage facility in Portlaoise is not in a position to provide a research facility, as the provision of such a service would require much greater resources than those currently available. I am advised that many of these files contain private and personal information and, as such, are subject to data protection, including estates' title deeds lodged in the former Irish Land Commission by landed families when the land was being transferred. I am conscious of the enthusiastic public interest in obtaining access to the vast repository of former Irish Land Commission documents held. However, wider access will be a matter for consideration when the completion of the work of the former Irish Land Commission is at a more advanced stage. Furthermore, the records that are available in paper format are fragile, some of them dating back as far as the early 1800s and this resource is irreplaceable in the event of loss or damage. To maintain the records, it is essential they are handled and stored appropriately. I am advised that opening up access to these files cannot be considered until appropriate measures are undertaken to minimise potential damage from routine handling.

**Deputy Catherine Murphy:** They are a treasure trove. The corresponding records up to the foundation of our State are publicly available in the Public Record Office of Northern Ireland so it is difficult to understand why they are not publicly available here. I accept these are paper records and that they are fragile and need to be handled and digitised to enable access without compromising the data source. The type of information available in some of these records is of enormous genealogical value. They include tenant books and other means of establishing title that will be a very valuable resource. It is entirely appropriate to consider these in the context of the decade of centenaries because land played such an important part in our history. It would be a legacy for the future if the records up to 1922 were made available. I would argue that publication of records dating further back would be appropriate.

**Deputy Josepha Madigan:** Following Independence the commission's records were divided between the jurisdictions. In 1923, the Land Commission was reconstituted to recognise the Free State. The Land Commission archive has two main components, the records branch and the administration branch. The Deputy mentioned these records are publicly available in Northern Ireland. We do not hold the records in question in the same way as the corresponding records are held by the Public Record Office of Northern Ireland. We cannot, therefore, make them available for public scrutiny.

As I said, these documents remain, in part, working records of the Department of Agriculture, Food and the Marine and any proposals for public access would, therefore, require careful consideration. The commission's work obliged it to establish who had legal title to the properties, which is a hugely complex task and so it began to collect wills, correspondence, State records, family tree records, lease books, tenants' lists, maps, deeds and more.

**Deputy Catherine Murphy:** Some of the documents about which the Minister speaks are wills and so on and they are publicly available in the National Archives. We are discussing historical documents. While our lifespan is pretty good I do not think it stretches back to the early 1880s or, for most people, the early 1920s. What I am hearing is the Minister's refusal,

put in a nice way. This is a missed opportunity. I ask that the commission be specifically asked about these records.

**Deputy Josepha Madigan:** We have to understand the constraints involved in regard to the endeavour which the Deputy mentions. As of 1 February 2019 the National Archives has received transfers of 154,579 files in archival boxes, relating to the termination of fair rents by the former Irish Land Commission, which the Deputy mentioned in her letter. Unfortunately, the National Archives are currently unable to make these publicly available owing to a lack of suitable storage space from which they could be retrieved for public consultation in its reading room. This situation is likely to continue until such time as the archives repository project is completed. In addition, the National Archives does not have sufficient archival staff to carry out the processing and checking work necessary before the records can be released to the public.

I am advised that as these archives are still required by the Irish Land Commission for the purpose of the discharge of its ongoing statutory functions it is not possible to transfer the fair rent order files to the National Archives.

### **Údarás na Gaeltachta**

3. D'fhiafraigh **Deputy Aindrias Moynihan** den Aire Cultúir, Oidhreacht agus Gaeltachta an bhfuil sí sásta leis na hullmhúcháin le haghaidh Brexit atá déanta chun go mbeidh cliantchuideachtaí Údarás na Gaeltachta ábalta dul i ngleic le Brexit; cén t-éileamh atá ar na scéimeanna éagsúla i measc na gcliantchuideachtaí; cén teagmháil atá déanta aici leis an Údarás faoi; agus an ndéanfaidh sí ráiteas ina thaobh. [8883/19]

**Deputy Aindrias Moynihan:** Tá spriocdáta an Breatimeacht ag druidim linn go tapaidh faoin tráth seo anois. Níl ach cúpla seachtain fágtha agus tá baol do fostaíocht agus gach rud eile a bhaineann leis. Tá 28% de chliantchomhlachtaí Údarás na Gaeltachta ag easpórtáil €148 milliún de earraí go dtí an Ríocht Aontaithe agus tá go leor eile ag gabháil trí an Ríocht Aontaithe go dtí an mór-roinn. Cad iad na hullmhúcháin atá déanta maidir leis an mBreatimeacht i measc cliantchomhlachtaí an údaráis? An bhfuil an Aire Stáit ag bualadh leis an údarás? Conas a bhfuil na hullmhúcháin?

**Minister of State at the Department of Culture, Heritage and the Gaeltacht (Deputy Seán Kyne):** Gabhaim buíochas as ucht an ceist fíor-thábhachtach. Is ar mhaithe le haon ábhar inní maidir leis an mBreatimeacht a chíoradh leis atá teagmháil leanúnach ar bun ag Údarás na Gaeltachta lena chuid cliantchomhlachtaí, chomh maith, ár ndóigh, le tacú leis na comhlachtaí agus iad a spreagadh le hanailís a dhéanamh ar thacaíochtaí margaíochta agus forbairtí straitéiseacha ar a ngnó. Tuigtear dom sa chomhthéacs seo gur eagraigh an t-údarás seimineáir agus seisiúin eolais ar an mBreatimeacht chun taispeáint do na comhlachtaí an tábhacht a bhaineann le bheith ullamh ina leith. Ina theannta sin, tuigtear dom go mbíonn an t-údarás páirteach in ócáidí eolais faoin ábhar a bhíonn á reáchtáil ag gníomhaireachtaí Stáit eile lena n-áirítear Enterprise Ireland.

Chomh maith leis sin, tá curtha in iúl ag an údarás go bhfuil sé ag comhoibriú le gníomhaireachtaí Stáit eile i ndáil le cur chuige comhordaithe maidir leis an mBreatimeacht agus go bhfuil sé i mbun an scéim tacaíochta agus comhairleoireachta 'bí réidh' a riar dá chuid comhlachtaí. Lena chois sin, cuirtear scéimeanna tacaíochta eile ar shúile comhlachtaí maidir le feabhas a chur ar ghnéithe sonracha dá ngnó.

Ar chomhairle na Roinne Fiontraíochta, Gnó agus Nuálaíochta, tá Údarás na Gaeltachta tar éis anailís cothrom go dáta a dhéanamh ar mhaithe le leochaileacht comhlachtaí Gaeltachta do thionchar na Breatimeachta a bhreithniú agus tá sé i dteagmháil le comhlachtaí a bhfuil ard-scór acu san anailís sin chomh maith le comhlachtaí atá ag brath ach go háirithe ar an Ríocht Aontaithe mar phríomhmhargadh acu. Sa chomhthéacs seo, tá an t-údarás ag tacú leis na comhlachtaí seo chun athbhreithniú a dhéanamh ar a gcuid straitéisí gnó, iarratais a dhéanamh i gcomhair tacaíocht i leith nuálaíochta agus éifeachtachta, margáí nua a aimsiú agus scileanna nua a fhorbairt i measc a gcuid fostaithe.

*11 o'clock*

Tuigtear dom chomh maith go bhfuil an t-údarás i dteagmháil le Corparáid Baincéireachta Straitéiseach na hÉireann agus go bhfuil faisnéis maidir leis na scéimeanna iasachta atá á riar ag an eagraíocht sin a scaipeadh ar a gcuid cliantchomhlachtaí.

Ní call a rá chomh maith go mbíonn Údarás na Gaeltachta ag obair as lámh a chéile le Enterprise Ireland chun a chinntiú go bhfuil an tacaíocht atá ar fáil maidir le scéim iasachta na Breatimeachta ar fáil do chomhlachtaí Gaeltachta. Sa chomhthéacs sin, is fiú a lua go bhfuil meamram comhthuisceana i bhfeidhm le tamall de bhlianta anuas idir Údarás na Gaeltachta agus Enterprise Ireland, rud a chinntíonn go bhfuil fáil ag comhlachtaí Gaeltachta ar scéimeanna éagsúla tacaíochta a chuireann Enterprise Ireland ar fáil ar fud na tíre. De thoradh seo agus, go deimhin, de thoradh an comhoibriú leanúnach atá idir an dá eagraíocht, táim sásta go mbeidh fáil ag cliantchomhlachtaí Údarás na Gaeltachta ar na deiseanna agus na hacmhainní céanna atá ar fáil do chomhlachtaí atá faoi scáth Enterprise Ireland.

Ar deireadh, is fiú dom a chur in iúl don Teach gur aontaigh Údarás na Gaeltachta comhaontú ceangal comhalartach oifigí gnó le cumainn tráchtála na hAlban ag deireadh 2018 faoina mbunófar oifigí trádála comhalartaithe chun tacú le comhlachtaí i nGaeltacht na hÉireann agus in Albain agus chun infheistíocht agus deiseanna trádála a éascú. Feidhmeoidh an socrú seo mar acmhainn luachmhar d'fhiontair bheaga agus mheánmhéide atá ag iarraidh a bpáirtíocht idirnáisiúnta gnó go gnó a leathnú.

**Deputy Aindrias Moynihan:** Tuigim ón bhfreagra sin go mba féidir nach bhfuil an tAire Stáit tar éis bualadh leis an údarás in aon chor fós mar gheall ar an mBreatimeacht agus an baol a bheidh ann do na cliantchomhlachtaí. Tá sé go sonrach sa cheist agam, cén teagmháil atá ag an Aire Stáit leis an údarás. Táim cinnte, dá mba rud é go raibh an tAire Stáit tar éis bualadh leis, go mbeadh sé tar éis é a insint dúinn. An féidir leis an Aire Stáit é sin a chinntiú? An bhfuil sé tar éis bualadh leis an údarás mar gheall ar an mBreatimeacht agus na hullmhúcháin? Cad go díreach é an teagmháil atá ag an Roinn mar gheall air? Tá an tAire Stáit freagrach as an nGaeilge, an Ghaeltacht agus na hOileáin agus is aige atá an fhreagracht chun fostaíocht agus tacaíocht a thabhairt i measc na nGaeltachtaí. Shamhlóinn go mbeadh an tAire Stáit ag bualadh leis go rialta mar gheall ar rud chomh tubaisteach leis an mBreatimeacht.

Chomh maith leis sin sa cheist, táim dírithe ar an éileamh. Níl aon fhigiúirí ag an Aire Stáit sa fhreagra go fóill mar gheall ar an éileamh. An féidir é sin a shoiléiriú? Cad é an t-éileamh i measc na gcliantchomhlachtaí ar na scéimeanna éagsúla atá ann mar tuigimid go bhfuil sé lag go leor mórthimpeall an cuid eile den tír? An bhfuil an tAire Stáit ag déanamh rud éigin faoi leith chun a chinntiú go mbeidh éileamh níos fearr agus go mbeidh níos mó déanta sna Ghaeltachtaí?

**Deputy Seán Kyne:** Casaim le hÚdarás na Gaeltachta go minic. Casaim leis an bpríomhfheidhmeannach agus leis na stiúrthóirí. Bíim i dteagmháil leo ar an bhfón agus bíonn cruinnithe agam sna Forbacha freisin maidir lena lán cúrsaí, an Breatimeacht ina measc. Ag deireadh 2018, bhí os cionn 100,000 cliant ar an mbunchláir cliant de Údarás na Gaeltachta, an cuid is mó acu cliantchomhlachtaí beaga agus meánméide. Tá os cionn 150 cliantchomhlacht de chuid Údarás na Gaeltachta a fhostaíonn níos mó na deichniúr agus a seasann do 80% den fhostaíocht i gcliant an údaráis ina iomlán. Tá 25 acu seo aitheanta againn ón anailís nua mar na comhlachtaí is leochailí ó thaobh an Bhreatimeachta de agus tá teagmháil déanta leo ag an bpríomhfheidhmeannach agus ag stiúrthóirí ón údarás. Tá an-réamhobair déanta ag Údarás na Gaeltacht leis na cliantchomhlachtaí chun fáil réidh leis an mBreatimeacht.

**Deputy Aindrias Moynihan:** Tuigim go bhfuil teagmháil idir Albain agus an t-údarás mar gheall ar socrú a bheadh ansin chun cabhair a thabhairt do chomhlachtaí a bheadh ag plé leo in Alban. Cad é an scéal go díreach mar gheall ar chomhlachtaí a bheidh ag plé leis an gcuid eile den Bhreatain ar nós Sasana agus an Bhreatain Bheag nó fiú ag gabháil tríd an Tuaisceart nó Dún na nGall agus tríd an Bhreatain go dtí an mór-roinn? An bhfuil socrú faoi leith á chur ar fáil ar son na comhlachtaí sin nó an bhfuil siad dírithe go huille agus go hiomlán ar an socrú leis an Albain? An bhfuil an Conradh don socrú sin sínithe go fóill? Mura bhfuil, cad é an mhoill? Cathain a bheidh an tAire Stáit ag súil leis sin a bheith ar fáil?

**Deputy Seán Kyne:** Mar is eol don Teachta, rinne an t-iar-Aire Stáit, an Teachta McHugh, an-obair le hÚdarás na Gaeltachta agus le cumainn tráchtála na hAlban ag deireadh 2018 faoina mbunófar oifigí trádála comhalartacha chun tacú le comhlachtaí i nGaeltacht na hÉireann agus in Albain agus chun infheistíocht agus deiseanna trádála a éascú. Tá an obair agus an ceangal sin ag dul ar aghaidh. Beidh feidhmeannaigh ón údarás ag dul go hAlban ag tús mhí Aibreáin freisin chun cúrsaí a phlé maidir leis na deacrachtaí ó thaobh trádála de. Mar a dúirt mé, tá thart ar 25 cliantchomhlachtaí aitheanta anois ag an údarás agus bíonn an cuid is mó de na comhlachtaí sin ag trádáil leis an Ríocht Aontaithe in iomlán. Tá mé sásta go bhfuil an réamhobair sin déanta agus go bhfuil chuile cliantchomhlacht ón údarás ar an eolas maidir leis an mbagairt ón mBreatimeacht agus an méid atá ar fáil ón údarás tríd an scéim ‘bí réidh’ agus ag Enterprise Ireland freisin.

## **Ceisteanna Eile - Other Questions**

### **Meath na Gaeltachta**

5. D’fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Cultúir, Oidhreacht agus Gaeltachta an bhfuil cóip den tuarascáil ó duine (sonraí tugtha) a foilsíodh anuraidh léite aici; agus cad iad na gníomhartha atá, nó a bheidh, á nglacadh aici chun déileáil leis na míbhuntáistí do phobail Ghaeltachta atá soiléir sa tuarascáil sin. [8506/19]

**Deputy Aengus Ó Snodaigh:** Cad iad na gníomhartha atá chun tarlú de thairbhe ar an tuairisc mhór, Próifil Shocheacnamaíoch de na seacht gceantar Gaeltachta in Éirinn, a foilsíodh anuraidh ag an gComhairle um Thaighde in Éirinn, an tIonad Breathnaithe um Thaighde Uile-Éireann agus an institiúid i gcomhair seirbhísí sóisialta in Ollscoil Mhá Nuad?

**Deputy Seán Kyne:** Théis go léirítear cuid de na dúshláin atá roimh an Ghaeltacht sa tuairisc atá luaite ag an Teachta, ní mór a thuiscint go bhfuil céimeanna praiticiúla á dtógáil ag an Stát chun feabhas a chur ar chúrsaí. Is í an Straitéis 20 Bliain don Ghaeilge 2010-2030 polasaí an Rialtais i leith na Gaeilge. Tá a fhios ag an Teach gur foilsíodh Plean Gníomhaíochta don Ghaeilge 2018-2022 anuraidh. Ag croílár an phlean sin atá á chur i bhfeidhm, tá breis is 180 beart comhaontaithe a chuirfear i bhfeidhm i gcomhar le os cionn 60 páirtí leasmhar. Feicfear go bhfuil forbairt na Gaeltachta mar réimse oibre faoi leith sa phlean agus níl aon amhras orm ach gur ar mhaithe na Gaeltachta a rachaidh cur i bhfeidhm na mbearta sin agus bearta ábhartha eile an phlean.

Mar a bhaineann sé le gnóthaí airgeadais, beidh a fhios ag an Teach go bhfuil ardú suntasach tagtha ar an gcistíocht atá curtha ar fáil do ghnóthaí Gaeltachta sa bhliain reatha. Áirítear san ardú seo, an ciste atá ar fáil do mo Roinn féin agus go deimhin d'Údarás na Gaeltachta. Mar is eol don Teachta is é Údarás na Gaeltachta atá freagrach as forbairt eacnamaíochta, shóisialta agus chultúrtha na Gaeltachta agus creideann an eagraíocht sin go bhfuil an cur chuige agus na straitéisí cuí acu chun tabhairt faoi na dúshláin éagsúla a shonraítear sa tuairisc ar thagair an Teachta dó ina gceist.

Is iad an nuálaíocht agus fiontraíocht agus an Ghaeilge an dá théama a chuimsíonn plean straitéiseach reatha Údarás na Gaeltachta don tréimhse 2018 go dtí 2020. Leagann an plean seo amach cur chuige na heagraíochta chun pobal agus eacnamaíocht rathúil, inbhuanaithe Gaeltachta a fhorbairt agus, tríd sin, chun áit na Gaeilge mar phríomhtheanga phobal na Gaeltachta a chinntiú. Ina theannta sin ar fad, ar ndóigh, tá mo Roinn agus Údarás na Gaeltachta ag obair chun cúram a dhéanamh de chur i bhfeidhm na mbearta ábhartha sa phlean gníomhaíochta d'fhorbairt tuaithe.

**Deputy Aengus Ó Snodaigh:** An léiriú is mó a fuair mise as an obair mór atá déanta sa tuairisc seo ná go rinne sé leagan amach ar an bpróifíl de na ceantair Gaeltachta agus na dúshláin mhóra atá roimh clanna atá ag iarraidh fanacht sa Ghaeltacht agus a chlanna a thógáil le Gaeilge agus daoine eile a bheadh ag smaoineamh air. Leag an tuairisc amach go han-soiléir cé chomh deacair agus a tá sé agus leagann sé amach na ceantair ina bhfuil míbhuntáiste mór ag baint leo, i dTír Chonaill agus ar Árainn Mhór ach go háirithe. Is ceantair atá go mór faoi mhíbhuntáiste iad. Níl i gceist ach beagnach 100,000 duine sa Ghaeltacht ag an stad seo agus gan éigeandáil agus géarchéim a aithint agus deifir agus fuadar a chur faoi na beartanna atá luaite ag an Aire Stáit sa phlean is déanaí, níl i ndán don Ghaeltacht ach meath amach anseo. An impí atá mise ag cur ar an Aire Stáit agus an ceist ná, bunaithe ar na figiúirí atá an-soiléir anseo, an deifir nó fuadar a thiocfaidh faoi na pleananna atá ann faoi láthair.

**Deputy Seán Kyne:** Tá sé ceart go bhfuil dúshlán mór sa Ghaeltacht ó thaobh an daonra de. Chun an Ghaeilge a chur chun cinn agus a brú ar aghaidh, teastaíonn daoine a bheith ina gcónaí i gceantair Gaeltachta agus sa chuid is mó den Ghaeltacht tá siad in áiteanna iargúlta ina bhfuil brú ó thaobh an daonra de. Sin an fáth go bhfuil an plean gníomhaíochta againn mar chuid den straitéis. Is í an straitéis buncloch an pholasaí atá ag an Rialtas agus ag an Roinn. Sin an fáth go bhfuil na limistéir pleanáil teanga againn agus go mbeidh 23 cinn in iomlán ceadaithe faoin bpróiseas faoi dheireadh na bliana. Sin an fáth go bhfuil an t-ardú suntasach ar an mbuiséid d'Údarás na Gaeltachta. Tá an-tábhacht ag baint le hÚdarás na Gaeltachta ó thaobh fostaíocht sna ceantair iargúlta. Gan an t-údarás agus gan an fócas atá aige ar áiteanna iargúlta, beidh i bhfad níos mó fadhbanna sna ceantair sin. Má bhreathnaímid ar na figiúirí a d'fhoilsigh Údarás na Gaeltachta ag tús na bliana ó thaobh fostaíocht de, feicimid an tábhacht a bhaineann le hÚdarás na Gaeltachta.

**Deputy Aengus Ó Snodaigh:** Is í an fhadhb is mó, agus is fadhb í seo nach mbaineann leis an Aire Stáit amháin ach le gach uile Rialtas, ná go bhfuil moill ann ó thaobh na céimeanna agus na beartanna a bhfuil gá leo. Glacaim leis go mbeidh pleananna teanga na 23 ceantar i bhfeidhm faoi dheireadh na bliana ach muna bhfuil fuadar fúthu agus muna bhfuil an t-airgead ann éireoidh an fhadhb níos measa, beidh laghdú níos mó ar na ceantair Ghaeltachta, agus leathnóidh úsáid an Bhéarla. Beidh clanna ag bogadh isteach agus bpáistí á dtógáil le Béarla. Déanfar damáiste a bheidh sé an-deacair é a chúlú amach anseo muna dhéantar beart de réir briathar.

**Deputy Seán Kyne:** Tá tábhacht ag baint le na pleaneanna contae i gcomhair chuile cheann den seacht gcontae ina bhfuil Gaeltacht freisin. Tá sé tábhachtach go bhfuil an córas pleanála féaráilte agus go gcuirfear béim ar an nGaeilge a bhrú ar aghaidh. Sin an fáth go bhfuilimid ag tacú le na naíonraí agus le mná tí na gcoláistí Gaeilge. Tá an t-airgead a bhfuil an Roinn ag infheistiú i seirbhísí teanga tábhachtach d'eacnamaíocht na gceantar sin. Sin an fáth go bhfuilimid ag tabhairt níos mó tacaíochta d'eagraíocht cosúil le Tuismitheoirí na Gaeltachta, Ealaín na Gaeltachta, agus Comhar Naíonraí na Gaeltachta. Tá a fhios againn an tábhacht a bhaineann le na heagraíochtaí sin ó thaobh na Gaeltachta agus a daonra.

### **Abbey Theatre**

6. **Deputy Niamh Smyth** asked the Minister for Culture, Heritage and the Gaeltacht if pathways by which additional funding could be provided for productions by independent companies in the national theatre on the condition that there would be increased remuneration for artists will be examined. [8699/19]

**Deputy Niamh Smyth:** At the heart of the recent issues at the Abbey Theatre has been a growing concern about the differential between those who work for independent production companies and those who work directly for the Abbey Theatre. The differential would be addressed by closing the gap. I understand the content of independent productions was of equal but a separate concern and it should be addressed separately. For those who work on the ground in the sector, closing the gap would make a major difference. Have actions been taken to examine the differential and mechanisms by which it could be closed?

**Deputy Josepha Madigan:** I am aware of the issues referred to in the question and continuing to deliver additional supports to the arts and culture sector in line with Government commitments, as evidenced by budget 2019.

Primary support for the arts is delivered through the Arts Council, the funding for which has increased in recent years. I was very pleased to be in a position to increase funding for it to €75 million in 2019, an increase of €6.8 million, which is equivalent to an increase of 10% on the figure for 2018. I understand the council recently announced the level of its 2019 funding for the Abbey Theatre to enable it to undertake an extensive programme of work for audiences, both in its home theatre and on tour. The council will also support the development and presentation of new work in co-productions with some of the most exciting theatre artists making work in Ireland today. Separately, the council continues to invest in established theatre producing organisations such as the Gate Theatre, the Druid Theatre Company and Rough Magic, as well as companies which are presenting new work to audiences in new ways such as ANU, Broken Talkers and Thisispopbaby.

The Arts Council which is independent in its funding decisions under the Arts Act 2003

21 February 2019

operates within a published ten-year strategic framework entitled, Making Great Art Work. The strategy prioritises support for artists throughout their careers by the involvement of many agencies in cultural provision, the impact of the arts on the creative economy and the depth and breadth of people's engagement with the arts. In the area of artist support the council now includes as an assessment criterion an organisation's policy on the remuneration of artists. It aims to ensure organisations in receipt of Arts Council funding will offer fair and equitable remuneration to artists.

As Minister for Culture, Heritage and the Gaeltacht, I have responsibility for setting the overall vision and strategic direction of Ireland's cultural sector. In the first instance, issues raised by theatre practitioners should be resolved by dialogue between the theatre chair and board, directors and the theatre practitioners. I am pleased to report that this dialogue is taking place between the parties, including, I understand, on the legal and commercial issues surrounding remuneration for artists.

**Deputy Niamh Smyth:** I take on board the fact that the Arts Council funds independent companies, etc. but the differential between what artists are by independent theatre companies and by the Abbey Theatre has been a major part of the current problems at the Abbey Theatre. The Minister did not address that issue in the first part of her response, although perhaps she might do so in further replies.

The Arts Council will, of course, have a pivotal role to play in terms of the future of the Abbey Theatre in the light of the decision to restrict funding. The response to the issue in hand is punitive and there may be an opportunity to introduce a co-operative element. Independent productions are vital to the long-term success of Irish theatre. We risk being in a position where too much focus will be placed on the Abbey Theatre, with other sources of talent potentially being left behind in the rush to protect the national theatre. The Abbey Theatre's letter stated the national theatre reducing its production output would mean that there would be less diversity, but the opposite is also true. Removing opportunities to access the national theatre, where appropriate, could also represent a loss. What mechanisms are being considered to improve remuneration for those who work in independent productions?

**Deputy Josepha Madigan:** Ultimately, the matters raised by the Deputy in the main are issues theatre practitioners had with the Abbey Theatre. I can inform her that a meeting took place between representatives of theatre practitioners and the Abbey Theatre on 1 February. I am pleased to report the meeting was described by both parties as positive and a productive first step. They have agreed to continue the process of having bilateral meetings to deal with the matters raised by the theatre practitioners, to some of which the Deputy alluded. They have agreed to provide a progress report for the Arts Council and my Department. It should be noted the council has been engaging with the Abbey Theatre in recent months on the employment opportunities and remuneration rates it provides for Irish-based artists. The Abbey Theatre has made it clear that it pays the actors it employs the terms and conditions agreed with Irish Equity, the actors' union. In presentation or association arrangements it does not set rates of pay. That has been the prerogative of the producing companies. The Abbey theatre has stated the matter will be reviewed in the dialogue with theatre practitioners.

**Deputy Niamh Smyth:** I agree that a co-operative approach is the most appropriate. I appreciate that in the initial meetings the response appeared to be positive. However, there is a question about the supports in place for independent productions. As a result, there has been a reduction of 54% in the number of actors appearing on stage who are directly employed by

the national theatre. The reduction in pay can be as much as 25%. As there is a matter to be addressed, will the Minister expand on what her approach will be in dealing with the disparity?

**Deputy Josepha Madigan:** With respect, the dialogue between the Abbey Theatre and theatre practitioners will continue until the end of April and the issues will need to be worked out between them. As I stated, I acknowledge the necessity for the national theatre to have a degree of artistic freedom in its programming, as all theatres should, but I also recognise the necessity for a strong working relationship with theatre practitioners. This is vital for the continued success of theatre in this country. I am very supportive of the collective endeavours of theatre practitioners and the Abbey Theatre to resolve the matters raised. I welcome the commitment they have given to participate in dialogue and engagement. I look forward to there being a mutually satisfactory outcome.

### **Commemorative Events**

7. **Deputy James Browne** asked the Minister for Culture, Heritage and the Gaeltacht her plans for War of Independence and Civil War commemorations in County Wexford; and if she will make a statement on the matter. [8499/19]

**Deputy James Browne:** What are the Minister's plans for War of Independence and Civil War commemorations in County Wexford?

**Deputy Josepha Madigan:** My objective in approaching the development of the State commemorative programme for the years from 2019 to 2023 is to ensure that, in remembering this complex period in our history, which includes the struggle for independence, the Civil War, the foundation of the State and partition, we promote a deeper understanding of the significance of these events, which accepts that the shared historical experience of those years gave rise to very different narratives and memories.

On 8 January, I outlined how the Government plans to approach the development of the commemorative programme for the coming period. Under the community strand, I am encouraging a collaborative approach, similar to that adopted for the 1916 centenary commemorations, between the State, the local authority network and community organisations, including in Northern Ireland where appropriate. It is, I believe, very fitting that local authorities have a leading role in supporting inclusive, respectful and meaningful community-led commemorations that remember all of the lives lost, augmented as appropriate with support from the State, which will be considered on a case-by-case basis. In recognition of the very important role that local authorities have played to date, and will continue to play, in encouraging measured and authentic citizen engagement, which is sensitive to the local context, I have requested my officials to organise a special decade of centenaries forum for local authorities, which, as I have said, will take place on 13 March.

With regard to the Deputy's specific query, I can confirm that I have approved funding of €5,000 to support each local authority, including Wexford County Council, in developing commemorative activities in 2018. I will make a further announcement in respect of funding for 2019 shortly. Funding allocations over the coming years will be considered as part of the annual budgetary Estimates process. I encourage local authorities to adopt a broad focus in responding to the significant events and themes of this period, which recognises all of the dimensions interwoven with the conflict, including military activity, the political context and the

21 February 2019

social, economic and cultural aspects and legacies.

*Additional information not given on the floor of the House.*

I believe that, building on the success of the commemorative programme to date, local authorities, our national cultural institutions, trade unions, the media, institutions of learning, and custodians of records, together with creative communities, will have a leading role in supporting the national conversation about the events of this period and encouraging respectful and authentic engagement, debate and analysis

**Deputy James Browne:** I have been asking this question for some time. Obviously the period between 1916 and 1923 was very turbulent throughout the country but particularly in Wexford. In 1916, Wexford rebels took Enniscorthy town during the Easter Rising and subsequently Wexford was very active in the War of Independence and the Civil War. During the War of Independence there were numerous attacks on Royal Irish Constabulary barracks, the Black and Tans were introduced and there were raids and counter raids. It became quite vicious. Many people in Wexford were imprisoned and often mistreated and tortured. Many escaped from these prisons. After the treaty was signed, the IRA in Wexford was very much split down the middle and Wexford was very heavily involved in the subsequent Civil War. In their book, local historians Nicholas Furlong and John Hayes state the split between anti-treaty and pro-treaty adherents was countrywide but County Wexford became one of the most violent counties in the Civil War. The conflict, which scarred and divided families, followed the pattern of guerrilla warfare.

Will the Minister outline what the Department intends to do in terms of commemorating in County Wexford events from the War of Independence and the Civil War? She mentioned an announcement of further funding. When will that be made? Will a list be available of the events it is intended to commemorate in County Wexford?

**Deputy Josepha Madigan:** I will be making the announcement shortly. I have heard what the Deputy said about 1916 and the commemorative events that took place in Wexford. The restoration of the Enniscorthy Athenaeum was important. There was an interactive 1916 exhibition and a local authority grant scheme. It might be good for the Deputy to know Wexford County Council did not make a submission in the public consultation on commemorating the decade of centenaries. A total of 20 submissions from local authorities were received, none of which was from Wexford. This is not to say it would be precluded from participating in the local authority collective group on 13 March. It would then be in a position to make a submission by 30 April with any idea it has on the key themes from the expert advisory council and the points it wishes to take on board.

**Deputy James Browne:** I thank the Minister. Obviously careful thought and planning of these events must take place. To this day, memories are still raw. The 2016 events were very well received in County Wexford and it is imperative the same sensitive note is forthcoming for upcoming events. Commemorations should take place and sensitivity should not be an excuse for avoidance. This is about our history, the birth of our nation and Ireland rightly taking its place among the independent nations of the world. I am somewhat surprised that Wexford County Council did not make a submission as it was very heavily involved in 1916 events. Perhaps it may have been an oversight on its part.

**Deputy Aengus Ó Snodaigh:** I urge the Minister to make a substantial announcement

given that the most successful aspect of the centenary in 2016 comprised the many local events that were funded by the Department and local authorities throughout the country. The €5,000 for each local authority mentioned by the Minister is obviously an initial payment to help them with their plans. I hope the Minister will ensure a substantial amount will be available to encourage local authorities to match whatever funding she comes up with and to follow on the success they had to deal with the next five or six years of the centenary programme.

**Deputy Josepha Madigan:** I can tell Deputy Ó Snodaigh that Dublin City Council did make a submission and, no more than Deputy Brown's Wexford County Council, all local authorities will be in a position to contribute to the forum on 13 March and all local authorities will be in a position to make a submission by 30 April with any ideas and suggestions they have for their particular counties in commemorating the next decade of centenaries, taking into account the expert advisory group's recommendations and the key themes. It is worthwhile reiterating some of these, including that local stories and experiences, which both Deputies have mentioned, will be significant and local research scholarships and access to local archival sources will support communities in exploring and reflecting upon these events. A collaborative approach is something that would be of assistance. Local cultural organisations and the library networks have a significant role to play as cultural brokers in managing conversations, building relationships and engaging communities in a meaningful way through the various forms of creative expression. There will be great opportunities for each county to become involved.

### **Creative Ireland Programme**

8. **Deputy Joan Burton** asked the Minister for Culture, Heritage and the Gaeltacht the amount of Creative Ireland funding committed for 2019 and 2020; and the committed funding, by county and project, in tabular form. [8691/19]

**Deputy Joan Burton:** Will the Minister set out the amounts being committed in 2019 and 2020 for Creative Ireland's budget? Will she set out in an ancillary table the committed funding, by county? Will she highlight the significant projects in various parts of the country that Creative Ireland will fund? What interaction, if any, does it have with the Arts Council?

**Deputy Josepha Madigan:** I thank the Deputy for the question. A budget of €7.15 million was provided as part of budget 2019 to further the delivery of the Creative Ireland programme. This will ensure the Department can build on the work accomplished in 2017 and 2018, continue to drive implementation of the programme at local level and fund specific projects, actions and priorities that further the wider aims of the programme.

A total of €1.86 million of the above budget has been allocated to the implementation of the creative youth plan in 2019. This includes doubling the number of creative schools from 150 to 300 primary, post-primary and Youthreach schools, increasing continual professional development courses and broadening our reach beyond the arts to creative practices among other initiatives.

A sum of €2 million has been allocated among all 31 local authorities to enable them implement their five-year culture and creative strategies, which I launched last September with An Taoiseach and the Minister, Deputy Eoghan Murphy, whose Department is providing an additional sum of €1 million to local authorities. Each local authority will, therefore, receive a total of approximately €96,000 in 2019 to fund a comprehensive local programme of activi-

21 February 2019

ties. Some €800,000 has been allocated to Cruinniú na nÓg, which will take place on 15 June 2019 and which aims to get children and young people involved in creative activities with an emphasis on making, doing, seeing and experiencing. Every local authority has been allocated specific funding in addition to its programme funding for local activities. We will also be running an extensive awareness-raising campaign nationally and regionally to get as many young people involved on the day as possible.

Approximately €1 million has been allocated to the national creativity fund, which was launched in May 2018. The 30 partnership projects being funded under this scheme were initiated in 2018 and will significantly add value, scale or both to the wider implementation of the programme. They will also help inform policy and cross-sectoral development in the area of culture, creativity, health and well-being. The scheme focuses on three areas: individual and collective well-being; innovation; and connecting communities.

*Additional information not given on the floor of the House*

The remainder of the budget will be agreed in the coming weeks in line with the priorities for the Creative Ireland programme in 2019. These priorities include enhancing the potential of the wider creative industries. Other costs relating to targeted citizen engagement initiatives, research and costs associated with the effective running of the Creative Ireland programme office will also be agreed in the coming weeks.

The Deputy will appreciate that the overall allocations to each of the above elements at this point are approximate and may vary throughout the year as the programme unfolds. The matter of funding in 2020 will be examined in the context of the usual annual budgetary Estimates.

**Deputy Joan Burton:** Did I understand the Minister to say that the programme will be expanded from 150 schools to 300?

**Deputy Josepha Madigan:** Yes.

**Deputy Joan Burton:** There are thousands of schools in the country. I am really anxious that schools in the delivering equality of opportunity in schools, DEIS, system and schools in less well-off areas are able to access this very important programme as soon as possible. Perhaps the Minister could tell us about that.

The second point I want to make is that much of Creative Ireland will result in events at local community and regional level. That is all to the good. However, there is a crisis in the arts community concerning remuneration for people who work in the arts, who are employed not on a full-time basis but part-time or as events arise. Does the Minister's Department have an embedded policy to ensure that people working at different levels in these programmes get a living wage, or at least a minimum wage? I am not aware of the Department having a policy of ensuring that all the people employed on a part-time, full-time or temporary basis at the events it supports are paid a living wage.

**Deputy Josepha Madigan:** The Deputy has raised a few questions there. DEIS schools are the subject of another parliamentary question, as is the issue of the minimum wage. I can address those now. I will go into DEIS schools in more detail in reply to the Deputy's other question. If my memory serves me correctly, 41 DEIS schools are involved. Many schools can participate in the creative youth scheme. It cannot be open to just one type of school. It has to be a cross-section. If my memory serves me correctly, 41 out of the 150 schools participating

in the present scheme are DEIS schools. I note also that the scheme will be expanded to 300 schools.

In regard to the national minimum wage and a living wage, I note that as a voluntary initiative the living wage has no legislative basis and confers no statutory entitlement. The national minimum wage, on the other hand, has a legislative basis. It confers a statutory entitlement on employees and a statutory obligation on employers. I am not sure of the other questions the Deputy mentioned. In general, Creative Ireland will receive funding of €7.15 million, which is an increase of €1.15 million this year. It will primarily support the culture and creativity teams established in every local authority and allow for the continued roll-out of the creative youth programme, which is of wonderful assistance to children.

**Deputy Joan Burton:** The reason I am raising the issue of DEIS schools and a living or minimum wage in this and in other questions is this that the young people to whom the Minister has referred, who are at the start of their career working in the arts, find it difficult to get adequate remuneration. The Minister and the Government will be aware that rents are now sky high. If people involved in the arts are to live independent lives it is critical that all the funding organisations that deal with the arts support a move to at least a minimum wage, and preferably a living wage. When I was Tánaiste, I secured a deal with Fine Gael to advance a minimum wage in this country and set up a Low Pay Commission to look at issues affecting people on very low pay and in precarious work. The arts are particularly affected by this. Is the Minister developing any kind of policy to deal with the real problem of very low and precarious pay and work in the arts sector, particularly among young people?

**Deputy Josepha Madigan:** The Deputy was part of the Fine Gael-Labour Party coalition which cut funding for the arts and culture from the already low level of €139 million in 2011 to €125 million in 2013, a decrease of almost 10%. The current Government and I, as Minister for Culture, Heritage and the Gaeltacht, have been increasing capital and current funding for the arts back to sustainable and required levels. While the Deputy criticises support for artists, as Minister for Social Protection she introduced the heavily criticised JobBridge programme, which the National Youth Council of Ireland said required significant reform if it was to provide participants with a worthwhile experience that would help them to secure employment.

The Deputy raised the idea of precarious employment, which she has done on numerous occasions in this House. With regard to legal protections for workers across the arts sector, it is important to note that employees in every industry and sector are entitled to all existing legal protections. As Members will be aware, legislation sponsored by my colleague, the Minister for Employment Affairs and Social Protection, is working its way through the Houses. This should improve the security and predictability of working hours for employees on insecure contracts and for those working variable hours. The existing protections of employment law also have a role to play. There are institutions for reporting abuse of employment legislation, as the Deputy is aware. I am satisfied that in general the industry works to a high standard.

**Deputy Joan Burton:** I am sure the Minister is aware that there is a thriving arts community in Ireland. I know she has met various people. We had a searing presentation a couple of weeks ago from mostly young people working in the arts outlining how precarious and low their income was. The Minister chose to go back to the bank collapse in this country. Happily, I was part of the Government that got the country out of the mess it was in but we do not have time to debate that now. Now, on the Minister's watch, young people in the arts are increasingly finding it next to impossible to make a decent living. Does the Department have a policy? Does

21 February 2019

the Minister have a policy for practitioners and people working in the arts? What we heard in the recent presentation in the AV room would draw a tear from a stone. Young people cannot afford rent because they are working in the arts. They love what they do but they need a living wage. Older people in the arts literally cannot afford rent and cannot qualify for social housing. I am asking the Minister to get engaged.

**Deputy Josepha Madigan:** Labour Party was in government and was a party to the cuts in public expenditure, although the party dishonestly campaigned against austerity before the election. The Government's focus is on increasing funding for the arts and we have been doing that. This is evidenced by the Taoiseach's repeated commitment to doubling funding over a ten-year period. As I said, there is a 13% increase in funding for my Department in this year's Estimates. There is a €6.8 million increase in funding for the Arts Council of Ireland - an increase of 10% - which the National Campaign for the Arts welcomed. Capital funding of €1.2 billion was announced, as part of the national development plan, for culture, heritage and the Gaeltacht over the ten years to 2028. It includes a €460 million investment programme in our national cultural institutions and a €200 million audiovisual action plan which I launched last summer. The Government will continue to consider measures to deliver further on its commitments. It will balance supports, however, to ensure they are felt across the sector. I am pleased that we, in Fine Gael, are doing everything we can to support artists with the resources available.

### Arts Funding

9. **Deputy Aindrias Moynihan** asked the Minister for Culture, Heritage and the Gaeltacht the funding streams which will be made available to redevelop a theatre (details supplied); and if she will make a statement on the matter. [8672/19]

**Deputy Aindrias Moynihan:** The Briery Gap has been closed since the May 2016 fire and the cultural heart of Macroom and the wider area has been hard hit. While there are temporary measures in place to try to facilitate some services, there is a cultural void in the absence of the theatre and the cinema. I have raised this issue with the Minister previously. It is going to be expensive to redevelop the Briery Gap. There is significant local funding, with almost €1 million allocated by the county council, but national funding, however, has been very poor. It comes to only 6% of the overall cost of the redevelopment. Will the Minister outline what kind of funding streams will be available?

**Deputy Josepha Madigan:** The recent arts and culture capital scheme is focused on the refurbishment and enhancement of the existing stock of arts and cultural facilities throughout the country. To date, funding of €10.214 million has been allocated to 134 projects under three complementary grant streams. This is the most significant investment in cultural infrastructure in a decade with funding provided to a range of facilities, including arts centres, theatres, galleries and museums, as well as artists' studios and creative spaces. A substantial grant was allocated before to the facility to which Deputy Aindrias Moynihan refers. A full list of all successful projects is available on my Department's website for his information.

Due to the exceptional circumstances in the case to which the Deputy refers, my Department was supportive of assisting with the reconstruction of this building, under the above mentioned scheme. My Department offered to provide funding of up to €250,000 to Cork County Council, in principle, to assist with restoration and enhancement of the Briery Gap. That funding offer was dependent on clarity concerning all reinstatement issues, including the contribution from

insurance, and subject to acceptance by the council of the conditions attached to this funding.

I understand, however, that the council's reinstatement proposal is significantly more ambitious than the available finance and the council has been in ongoing engagement with officials in my Department regarding the project and the funding shortfall. The council may also have other options open to it to close the funding gap. My Department will maintain contact with council in this regard. My grandfather was born outside of Macroom and it is a place close to my heart. We only have certain resources available to us, however. Project Ireland 2040 has given explicit recognition to the importance of our culture, language and heritage in general. It sets out significant investment on a phased basis over the next ten years, including €40 million to secure existing investment in arts and culture infrastructure nationwide and to ensure a regional balance.

**Deputy Aindrias Moynihan:** There is an ambitious programme to redevelop the Briery Gap and it will cost up to €4 million. Substantial funding has been put in place from a number of different sources but there is still a gap of about €1.5 million. We need somebody with deep pockets, such as the Government, to bridge a gap of that size. The county council has already committed more than €1 million to the project. The €250,000 made available by the Department is positive but it is still only 6% of the overall cost. Additional funding is needed. We understand an arts and cultural capital scheme is being discussed. Is that scheme in place? How much funding is available for the scheme?

Project Ireland 2040 is far away and we have been without the theatre and the cultural centre for several years already. Realistically, we need to move on this faster than 2040, 2030 or even 2025. Is there a scheme in place at present from which the Minister is considering funding? What kind of moneys are available in that scheme? Does the Minister have an active proposal for Briery Gap? There was great disappointment locally when the rural regeneration scheme did not provide any funding and we need to see if there is another active scheme from which the Minister might consider funding this project.

**Deputy Josepha Madigan:** We provided €250,000 before to the Briery Gap from the arts and cultural capital scheme mentioned by Deputy Aindrias Moynihan. That was due to the exceptional circumstances. There is no question of the merit of this theatre. It is unfortunate that the insurance did not cover all the costs and that there is a gap. It is a community arts and cultural facility which included a 200-seat theatre space and associated sports facilities, as well as a public library and an exhibition space on the ground floor. It has been operating as a theatre since 2000.

I will be opening the capital scheme again shortly and I am sure the Briery Gap will be in a position to apply. It will be a competitive process requiring a combination of funding sources to bridge the existing gap. We also gave other capital funding to the Briery Gap, including €30,000 under the ACCESS II scheme in 2007 for health and safety works and other equipment. It also got €10,000 in 2013 under the small capital grants scheme for the purchase of carpets and I know that funding was drawn down.

**Deputy Aindrias Moynihan:** I thank the Minister for confirming she will be opening a scheme. How much will be available to distribute to places such as the Briery Gap? Have there been applications already? We are being told locally by party colleagues that funding has already been committed for Briery Gap and that it is on the way. Will the Minister confirm that or is somebody else approving arts funding on this project? Will she also clarify how much will

be able to distribute through that new scheme when it is up and running? Given the gap in funding is about €1.5 million, and the council has already put in substantial funding, what scale of funding would the Minister expect to be distributing through those schemes? Sums of €30,000 and €250,000 are positive but when a job costing more than €4 million is being undertaken, we need a commitment of more than just 6% from the Government.

**Deputy Josepha Madigan:** I assure Deputy Aindrias Moynihan that no funding commitments have been given in respect of this particular scheme. From experience to date, the Department has noted better value for money from providing smaller grants to organisations. When a new round opens, therefore, the maximum grant most likely will be in the region of €200,000 to €300,000. It is most likely, however, that a smaller capital scheme for amounts up to €50,000 will be announced. We are in the process of elaborating and expanding on that scheme. I already mentioned some of the funding Briery Gap has received in the past. I also know that under the Department's philanthropy leverages scheme, Briery Gap received €2,500 for the production of "Titanic: Message in a Bottle" in 2012. The organisation again applied in 2013 and received another €2,000 towards the all-Ireland transition year drama festival. It is an important cultural venue and I am aware of that.

### Aerfoirt Réigiúnacha

10. D'fhiafraigh **Deputy Catherine Connolly** den Aire Cultúir, Oidhreacht agus Gaeltachta cén dul chun cinn atá déanta maidir le hAerfort na Mine a cheannach [8685/19]

**Deputy Catherine Connolly:** Tá a fhios ag an Leas-Cheann Comhairle cé chomh tábhachtach agus atá an aersheirbhís do mhuintir oileáin Árann. Tá ceist dhíreach agam, cén dul chun cinn atá déanta ag an Roinn chun Aerfort na Mine a cheannach?

**Deputy Seán Kyne:** Rinne Galway Aviation Services Limited, GASL, cinneadh i Mí Meitheamh na bliana seo caite, péire de na conarthaí a bhí ag an gcomhlacht leis an Roinn maidir le seirbhísí aeir Oileáin Árann a thabhairt ar ais. Mar thoradh air seo, b'éigean do mo Roinn socruithe a dhéanamh chun go leanfaí ag cur seirbhís ar fáil do na hoileáin. Tar éis tairiscintí phoiblí a lorg, aontaíodh conradh eatramhach le GASL maidir leis an tseirbhís aeir, a sheasfaidh go dtí 30 Meán Fómhair 2019.

Comhthreomhar leis sin, tá comhaontú sínithe idir mo Roinn agus GASL faoina dtabharfar faoi phróiseas chun an poitéinseal go gceannódh an Stát Aerfort Chonamara a scrúdú. Chuige sin, tá luachálaithe fostaithe ag an dá pháirtí agus tá suirbhé innealtóireachta déanta ag mo Roinn ar an suíomh. Leanfaidh an teagmháil idir an dá pháirtí chun gach iarracht a dhéanamh teacht ar shocrú maidir le ceannach an aerfoirt, ar théarmaí a bheidh sásúil don dá thaobh.

Anuas ar an méad thuas, bíonn cruinnithe rialta á dtionól ag mo Roinn le hionadaithe na n-oileáin agus tá tús curtha le próiseas comhairliúcháin phoiblí ar mhaithe le mianta phobail na n-oileáin maidir le dearadh na seirbhíse don chéad conradh public service obligation, PSO, eile a bhailiú.

**Deputy Catherine Connolly:** Tá a fhios agam go bhfuil an tAire Stáit ar an eolas cé chomh tábhachtach agus atá an aersheirbhís agus i ndáiríre, ba scéal dearfach é go rinne an Roinn an cinneadh an t-aerfort a cheannach agus is dul chun cinn suntasach é sin. Áfach, níl aon cinnteacht fós agus ba mhaith liom a fháil amach an tréimhse ama atá i gceist. Mar is eol don Aire Stáit,

tá muintir oileáin Árann ag streachailt le fada an lá chun cinnteacht a bheith acu ó thaobh na seirbhísí de. Cuireann an easpa cinnteachta isteach go mór orthu mar bíonn orthu streachailt seachtain i ndiaidh seachtaine chun cinnteacht a fháil. An bhfuil tréimhse ama i gceist leis an bpróiseas seo chun an t-aerfort a cheannach?

**Deputy Seán Kyne:** Táimid ag déanamh chuile iarracht go gcríochnóimid an próiseas roimh dheireadh Mí Márta. Sin an méid a bhí leagtha amach roimh an Nollaig. Léiríonn na céimeanna atá tógtha ag an Roinn go dtí seo go bhfuil tuiscint mhaith againn ar thábhacht na seirbhísí ar na hoileáin Árann agus tá sé sin luaite ag an Teachta freisin. Tá an comhaontú sínithe idir na húinéirí agus mo Roinn a leagann amach slí maidir leis an bpoitéinseal an suíomh a cheannach. Caithfear praghas a aontú agus caithfear riachtanas an cód caitheachais poiblí a shásamh tríd an bpróiseas. Tá luach faighte ag an Roinn ó Aer Arann agus tá luach faighte ag Aer Arann ón Roinn ar an suíomh. Tá suirbhéireacht déanta ag innealltóirí an Roinn ar an suíomh agus anois caithfimid dul i gcaidreamh maidir leis an bpraghas agus teacht ar phraghas atá sásúil don dhá thaobh.

**Deputy Catherine Connolly:** Tuigim é sin agus cuirim fáilte roimh an bpróiseas sin ach is dócha go n-aontaíonn an tAire Stáit liom nach féidir dul ar aghaidh mar a bhfuil cúrsaí faoi láthair agus le cúpla bliana anuas. Caithfimid cinnteacht a bheith againn agus caithfimid an t-aerfort a cheannach chomh sciobtha agus is féidir agus ansin caithfimid Conradh a chur i gcrích ionas go mbeidh cinnteacht ann. Níl a fhios agam an bhfuil tuiscint mhaith ag an Roinn ar seo. Cloisim é sin agus de réir mar a thuigim, tá an Roinn ag caint faoi helicopter arís. B'fhéidir gur ráfla atá i gceist agus b'fhéidir go bhfuil mé mícheart ach iarraim ar an Aire Stáit a rá liom nach bhfuil an Roinn ag caint faoi sheirbhís helicopter a chur ar fáil agus go bhfuil an Roinn dáiríre faoi chumarsáid chiallmhar a bheith aici le muintir Árann chun seirbhís a chur ar fáil do mhuintir oileáin Árann?

**Deputy Seán Kyne:** An rud is tábhachtaí ná go bhfuil seirbhís ar fáil do mhuintir Árann ó Aerfort na Mine agus go bhfuil siad sásta leis an tseirbhís a bheas á chur ar fáil. Tá a fhios agam go bhfuil tuairimí á lorg ag an Roinn ar an tseirbhís faoi láthair agus tá a fhios agam go bhfuil ceist an helicopter ann fós ach tá tuairimí á lorg i scríbhinn ó na comharchumainn maidir leis an tseirbhís. Táimid dáiríre gurb é ceannach an t-aerfort an rud gur ceart a dhéanamh don Roinn, do mhuintir na hoileáin agus don Stát ach caithfimid teacht ar phraghas atá an dhá thaobh sásta leis agus sin mar a táimid ag dul ar aghaidh. Mar a dúirt mé, tá mé dóchasach go mbeimid in ann an próiseas sin a chríochnú roimh an dáta a bhí leagtha amach roimh an Nollaig, sé sin deireadh Mí Márta.

## **Hare Coursing**

11. **Deputy Clare Daly** asked the Minister for Culture, Heritage and the Gaeltacht if a pilot project will be introduced to microchip hares at some coursing meetings during the 2019-2020 coursing season in consultation with an organisation (details supplied); and if submissions in relation to the matter will be considered from animal welfare organisations directly concerned with the protection of hares. [8629/19]

**Deputy Clare Daly:** The Minister indicated previously that she agrees with us that there is some merit in considering the issue of microchipping hares at coursing meetings in order to protect them from being illegally traded or trafficked from one coursing event to another. I understand from replies to me that the Minister has asked her Department to examine this issue.

21 February 2019

Has there been any progress? Would the Minister consider taking submissions from organisations, such as the Irish Council Against Blood Sports?

**Deputy Josepha Madigan:** First, I would say that we would.

My Department issued the Irish Coursing Club with licences in August 2018 on behalf of its affiliated clubs to capture and tag hares for the 2018-2019 coursing season which included conditions relating to the reporting of coursing trials.

There are 29 conditions associated with the licences issued to the Irish Coursing Club which have been developed and refined over the years. One of the conditions requires that hares may not be coursed more than once on the same day. In addition, the licence specifically requires that hares that have been coursed can be readily identified to ensure that this condition is rigidly observed.

I agree that there may be some merit in considering the issue of microchipping of hares at coursing meetings and I have requested officials of my Department to examine the possibility of perhaps introducing a pilot project at some coursing meetings during the 2019-2020 season in consultation with the Irish Coursing Club. Officials of my Department have already made contact with the Irish Coursing Club in this regard. It is certainly a method used in the tracking, quantification and assessment of certain species in the wild and if it aids the welfare of the wild animal and can be feasibly, safely and cleanly done, then it merits that consideration. I thank Deputy for suggesting it as a way to ensure the safety and welfare of hares. I would be open also to receiving submissions from animal welfare bodies on the question of microchipping, as the Deputy mentioned.

I am aware that the Deputy has raised the issue of illegal - the Deputy mentioned trafficking - trading of hares previously and the suggestion of microchipping is made in that regard too. I can assure the Deputy that any allegations made to my Department about illegal trading of hares will be investigated where possible.

**Deputy Clare Daly:** I am glad the Minister has confirmed that she is progressing with the idea of a pilot scheme for either this year or next year. While recognising that the opinion of the ICC have been sought already, I would ask how the welfare groups, such as Irish Council Against Blood Sports, ICABS, have an input. Can they now contact the Department? Is there someone they can talk to? Of course, the licence currently states that one cannot do this activity. One cannot traffic in or reuse hares, but the reason the issue of microchipping is being raised is it is difficult to police that, even with the tagging. There have been some graphic examples of unscrupulous characters hanging around outside coursing events selling on hares to clubs.

This is a significant concern for many rural communities as well. Gardaí in Kerry have been on the airwaves about pursuing these hunters who are coming onto land, collecting hares which they should not be doing and then “casing the joint” as well. It is necessary that we would move to the next stage.

**Deputy Josepha Madigan:** Of course, it would be useful if any such allegation about trafficking were backed up by some evidence. If anybody the Deputy knows has any information, I ask her to get him or her to contact the Department or the National Parks and Wildlife Service.

The current position is that at a coursing meeting, the hares are tagged, normally, with an ear tag, in order to prevent them being coursed more than once a day. There would be a cost

to coursing clubs, that we would have to bear in mind, in introducing microchipping and it is important that we collaborate with it in terms of exploring the possibility of bringing this in. Hence, the proposal to undertake a pilot project in co-operation with the Irish Coursing Club is probably the way to go for the moment in order to get its buy-in and the buy-in of everybody involved. Details would have to be worked out. An ear tag is readily visible; a chip is not so.

Over the years, there have been a number of allegations relating to the use of hares by coursing clubs. Some allegations claim that individuals catch hares illegally and sell them on to coursing clubs and that is something that we obviously want to stamp out as much as we can.

**Deputy Clare Daly:** I thank the Minister. We have passed on specific allegations to the Minister and we will pass on more. I am sure the people watching will later on after this.

The illegal trafficking of hares between coursing clubs has always been a problem. As the Minister stated, in theory, the uninjured hares are supposed to be released but quite often they are caught again and traded on, which is something that we want to stamp out.

My understanding is that the National Parks and Wildlife Service, NPWS, mammal expert has indicated support for the use of microchipping.

*12 o'clock*

It is relatively cheap to do, as Dogs Trust will do it for roughly €4.50. I would be keen to see a compulsory system, even if only on a pilot basis at this stage. It would be a step in the right direction. Ideally, I would like to see coursing banned outright. The public would support that as well. Audiences are diminishing and it is an area that is dying out. In the meantime, we should be doing everything we can to ensure that the law is upheld and microchipping is cost-effective. The National Parks and Wildlife Service, NPWS, seem to be on for it and I am really hopeful that we could engage. Were the Minister in a position to give me the name of a person the groups could contact or to whom they could make their views known, that would be great.

*Written Answers are published on the Oireachtas website.*

### **Ceisteanna ó Cheannairí - Leaders' Questions**

**Deputy Dara Calleary:** As of today, we have 36 days to go before the Brexit deadline. As if that was not enough worry for many of our farming and rural communities, this morning they woke up to a story on the front page of the *Irish Independent* suggesting that rural communities and the beef sector in particular, will become the latest pawn in this Brexit debacle. The *Irish Independent* has reported that the British Government is suggesting the introduction of a range of what it terms are tariff rate quotas to allow produce into the UK without tariffs in the event of a no-deal Brexit. The suggestion being picked up from a speech made by the Secretary of State, Michael Gove, is that those tariff rate quotas will be particularly attractive to countries like Brazil, with which we are in intense competition in the British market. While we all know and accept there is no comparison between the quality of our beef and beef from countries such as Brazil, that will not make any difference on the supermarket shelves of Britain if their produce comes in on a tariff-free basis compared with ours.

The Tánaiste does not need to be told about the importance of the beef industry in Ireland.

21 February 2019

Each year, €2.5 billion worth of beef is exported, 52% of which goes to the UK. That is €1.25 billion worth of our economy currently in peril and awaiting clarity over the course of the next 36 days. Leaving Brexit aside, the beef sector is under enormous pressure, and beef farmers are hugely angry and frustrated at what they see as inaction on the part of the Government to resolve the pressure they are under.

Teagasc suggests that average incomes on cattle-rearing farms in 2018 is just over €10,000 per annum. Cattle prices are down in the beef sector by up to €200 per head, year on year. Thousands of farmers are turning out across the country in the hope of getting some sort of knowledge or indication from the Government that it understands where they are at, the pressure they are under and the importance of their sector to the Irish economy but they are not getting any signals of that understanding. All they are seeing is a Government and a Minister that take the attitude that it will be all right on the night and will be fine but no practical measures are being taken to support them. To add to that frustration, the remarks of the Taoiseach about cutting back on beef consumption did not help their case or situation.

I ask the Tánaiste to comment on that story in the first instance. Has he any knowledge, through his interactions on the Brexit issue, of Michael Gove's plans post 29 March? What plans has the Government in place now to assist the Irish beef sector and to assist Irish farmers in the coming days and weeks to get extra supports from Europe to get through this particular challenge? What work is being undertaken to deal with this threat to our sector?

**The Tánaiste:** First, I thank the Deputy for raising this hugely serious issue. As a former Minister for Agriculture, Food and the Marine, I assure the Deputy that I and Deputy Creed and the Cabinet as a whole are more than aware of the potential threats to the agrifood industry and the beef sector in particular.

There are about 130,000 farm families in Ireland and about 100,000 of these get income from beef. Some 60,000 to 70,000 get all of their farm income from beef. When it comes to Irish agriculture in terms of numbers, beef is the most important issue and we are aware of that. That is why the Department of Agriculture, Food and Marine has done a detailed assessment of what the impact a no-deal scenario could be in a worst-case scenario. That is not a report that shies away from outlining the stress and pressure that this sector could be put under if it is not supported and managed by the Government and by the EU in that worst-case scenario. As result, we have been speaking to the European Commission very directly and to the European Commissioner, Phil Hogan. We have made it clear, and the Commission has made it clear that it will support us, that we can, if it comes to it, support and protect a sector to ensure it survives through a Brexit transition period.

We are, of course, all working to ensure that no-deal Brexit does not happen. We have heard various rumours at different stages coming out of the UK. At one point, I was being informed that the UK Government was going to look at having no tariffs at all. Then we saw Michael Gove making announcements that he intends applying WTO tariffs on agrifood products. On top of that, we are being told that within certain sectors like beef, they may look at tariff-free quotas for certain volumes of beef. If they were to do that under WTO rules, they would not be able to apply a different tariff system or quota system to Ireland or to the EU, as they would to other parts of the world. The only thing that would then differentiate Irish beef from beef from other parts of the world would be quality restrictions, which of course are a factor. In of themselves, however, this will not be reassuring to Irish farmers, as we indeed see in the editorial of the *Irish Farmers' Journal* today.

The one thing I want to say on behalf of the Government, the Taoiseach and the Minister for Agriculture, Food and the Marine, Deputy Creed, is that we have been aware for many months of the vulnerability of agriculture. That is why in the last budget, the beef sector was targeted in a positive way for more supports. If it comes to it, the Government will not be found wanting to support and work with this sector through a very difficult period, should a no-deal Brexit materialise. That will involve a significant amount of money and a relaxation of the state aid rules that would allow us to be able to support the vulnerable sectors through the consequences of a no-deal Brexit.

**Deputy Dara Calleary:** The concept of the sector being under potential stress and pressure is ridiculous. They are under stress and pressure as it is. This statement from Mr. Gove this morning is adding to this stress and that pressure. What has the Government done in the last number of years to get access to other markets to reduce our dependence on the UK market? I put a question to the Minister, Deputy Creed, on lairage in Cherbourg and I got an answer back from him on Tuesday evening more or less shrugging his shoulders and stating that while there is an issue, it can be resolved privately.

There needs to be a lot more proactivity and involvement on the part of the Government in dealing with blockages in the system. There needs to be a lot more proactivity on the Government's part in standing up to factories that are not paying decent prices. We have the lowest cattle prices in the EU, far lower than in the UK, and meanwhile the Government is just shrugging its shoulders and hoping it will be all right on the night.

President Juncker has said this morning that he is not very optimistic about a deal at the moment. I am sure the Tánaiste has seen those remarks. The Government needs to give certainty and clarity to farming families and not speak about stress and pressure as something that might happen in the event of a no-deal Brexit. It is happening and is real. If he wants to understand frustration I advise him to look at the minutes of the Oireachtas joint committee meeting on agriculture last Tuesday. He should read the presentation that was given by the Department of Agriculture, Food and the Marine on beef and examine the reaction of members, including those from his own party, to the poorness of that presentation and the complete lack of understanding of the pressure the sector is under and, frankly, the lack of any plan to deal with it.

**The Tánaiste:** I can assure the Deputy that the Government understands only too well the pressures that the sector is under. It has been a difficult year for beef on many levels. Regardless of the question marks and frustrations that some people may have concerning factories, their interactions with farmers and so on - that is an ongoing and testing relationship, as it should be - something much more fundamental needs to be dealt with in the context of Brexit, and that is the issue on which we are focusing. This is a Government that has always prioritised agriculture and farming and always will while my party is a part of it. Given that we realised and focused on the vulnerabilities of the agriculture and farming sector at an early stage in the Brexit discussions, we will be prepared if necessary in the context of there being no deal.

The Deputy asked for certainty and clarity, but one cannot provide absolute certainty if the other partner in the decision making - the UK - cannot provide it either. We have always approached Brexit by necessity, having to adapt to decisions that are being made in Westminster. That is what we will continue to have to do, but we have a close and ongoing co-operation, discussion and partnership-----

**An Ceann Comhairle:** Time is up, Tánaiste, please.

21 February 2019

**The Tánaiste:** -----with other EU member states and the Commission, which recognise the unique vulnerability of Ireland, particularly in the beef space but in agrifood generally. We will respond accordingly.

**Deputy Pearse Doherty:** Child and adolescent mental health services, CAMHS, across the State are in disarray. We can all agree on that. Every Deputy knows patients and families struggling to access appropriate care and help for themselves and their loved ones and children. We are all aware of the inadequate staffing levels across CAMHS that make it impossible for the services to meet demand.

Approximately 2,560 children and young adults are on the CAMHS waiting list. Those 2,560 are being failed. Almost 300 of them have been waiting for more than a year to be seen. These figures are shocking and unacceptable, and this situation needs to be addressed. Early intervention is crucial, but early interventions in mental health cases are not possible when there are extensive waiting lists and a sheer lack of capacity within the system. CAMHS is not meeting the needs of a large cohort of our children and young adults. The situation has been this way for far too long.

Children and young adults who are desperately in need of care and help and who are reaching out for same are not getting the appropriate support in a timely manner. This is primarily due to the failure to recruit the staff needed to operate CAMHS teams. Some services are operating on barely half the number of staff identified in A Vision for Change. When that policy was launched, it was supposed to be a ten-year plan. It is 12 years since it was launched, though, and it has ceased to have any real meaning because it has been left unimplemented for so long.

In my area of CHO 1, which includes Cavan, Monaghan and the north west, there are ten vacant CAMHS posts and 240 children who are waiting to be seen. This is not acceptable. The Tánaiste knows that, given that the situation in his area is even worse. In CHO 4, which covers Cork and Kerry, 650 young people are on the waiting list, and more than 100 of them have been waiting for longer than a year to be seen and supported in respect of their mental health. It is little wonder that this is the case in Cork and Kerry, given that CHO 4's staffing is at roughly 56% of the recommended level. Approximately 74 CAMHS positions are vacant in Cork and Kerry. This is shocking and confirms the serious lack of capacity in the system.

In the interests of our children, we cannot allow this situation to persist. Where children or young persons need care and help, they cannot be forced to stay on an extended waiting list that puts them and their mental health at serious risk.

**An Ceann Comhairle:** Time is up, Deputy, please.

**Deputy Pearse Doherty:** I will finish on this. It is not the first time that I have raised this matter. I raised it during Leaders' Questions with the Taoiseach in November. He stated that he would seek a report on a comparison between resources, staffing and outcomes in CAMHS. He was going to take a personal interest in this. Has that report been compiled? What does it contain? When will it be published? We need to see real action and for this issue to be tackled head on so that CAMHS are properly resourced and meet the needs of children who need serious help.

**The Tánaiste:** First of all, this is an area that needs more resources and better results. I do not believe that anyone in this House, and certainly not on this side, would contest that. However, it is an area into which we are putting many more resources. In the budget, an extra €55

million was assigned to mental health services, bringing the overall budget for 2019 to nearly €1 billion. It is not like financial resources are not being increased. That said, it is not just about financial resources.

The HSE is committed to ensuring that all aspects of CAMHS are delivered in a consistent and timely fashion, including improved access to age appropriate units. In 2015, the executive introduced a new standard operating procedure for inpatient and community CAMHS. This has contributed to improving services overall, including a reduction in inappropriate admissions of adolescents to adult units. It is also designed to reduce CAMHS waiting lists, particularly for those waiting longer than a year. Access is based on professional clinical assessment and urgent cases are seen as a priority.

Last year, 114 new assistant psychologists and 20 psychologists were recruited to HSE primary care services to help relieve pressure on the specialist CAMHS. The Minister of State, Deputy Jim Daly, recently approved ten new advanced nurse practitioner posts to improve CAMHS. On the policy front, work is ongoing to complete and refresh A Vision for Change and to produce a draft report, which will be completed shortly. I do not have a draft timeframe, but I will try to get the timetable for the Deputy, as this is not the first time he has raised the issue.

The key objective - it is the only objective, really - is to enhance services overall. There is a recognition that we have had recruitment difficulties in this area. We have provided more funding to address that and recruitment is happening. It needs to continue to happen so that we provide consistent timelines across the country and there are no black spots where young children wait for far too long to get the support and care they need. It is an ongoing process to improve those services by increasing funding and recruitment. Both are happening.

**Deputy Pearse Doherty:** The reality is we are failing these children. I am sure the Tánaiste, like anyone else, knows their parents, perhaps people who are close to him, and the torture that they go through worrying about their children, who have already been assessed as needing mental health supports, about the risk posed to their children's mental health increasing and about there being a bad end to all of it. This is the torture that they tell us about constantly and that they are experiencing.

The problem is that the situation is getting worse. Three hundred people have been waiting longer than a year for their initial assessments and 2,560 are on waiting lists. Of the 72 CAMHS beds, 33 are not operational because of staffing issues. A Vision for Change told us that we should have 100 beds. This is complete and utter chaos.

The Taoiseach told me in November that he would take a personal interest in this matter and would look for a report. Has the report been compiled, will it be published and what will it contain?

**An Ceann Comhairle:** I thank the Deputy, but time is up, please.

**Deputy Pearse Doherty:** We hear from the Minister of State at the Department of Health that it is not an issue of resources and that he had called all the CHOs and chief executives together. What is coming out of all that? In the middle of it all, more and more children's mental health and, indeed, lives are being put at risk because of inaction.

**An Ceann Comhairle:** Deputy, please. The time is up.

21 February 2019

**The Tánaiste:** The report is being done and is being finalised. I am told that it will be ready shortly. I will revert to the Deputy with an exact date if I can get one, as it is not an unreasonable request.

Members on this side of the House get the same representations that the Deputies opposite get. In fact, we probably get more because we are in government and there is a responsibility that comes with that.

**Deputy Dessie Ellis:** I doubt it.

**Deputy Thomas Byrne:** I doubt it.

**The Tánaiste:** Believe me, we know the stories and frustrations of parents who are trying to get supports and access to professional services for their children. There is no lack of motivation on this side of the House to improve services. My understanding is recruitment is the biggest challenge in getting the professionals we need, but the recruitment process is well under way. I have given the Deputy some of the figures for improvements, but we have a long way to go yet. That is the why the report, to which he referred, which will be finalised soon will help us to move in the direction we need to take to make sure we accelerate progress in this area.

**Deputy Pearse Doherty:** After eight years in government that is the result.

**Deputy Clare Daly:** The Tánaiste and I can both agree that the situation in Venezuela is very difficult. The economy is in crisis and the people are divided. While the Taoiseach believes the Donald Trump narrative that it is due to a failure of socialism, personally I am more inclined to believe the UN special rapporteur Alfred de Zayas who made an extended visit to Venezuela late last year and is, in fact, an international law expert.

**Deputy John Deasy:** He was not the only one to visit.

**Deputy Clare Daly:** Mr. de Zayas blames illegal US sanctions which he says have caused many deaths and aggravated, directly and indirectly, the shortage of medicines, including insulin, which are crimes against humanity which should be referred to the International Criminal Court. They are strong words from a renowned expert. Even if we do not agree on the causes of the problems, I am sure the Tánaiste agrees that Venezuela is not the only divided country with economic problems, but it is the only one in which there is an unelected, self-proclaimed President who has been recognised as a head of state without any basis in law, including by Ireland. It is the only one which the US military is circling. We believe it is landing in the Dominican Republic, Puerto Rico and Colombia under the guise of delivering humanitarian aid. It is eerily like the weapons of mass destruction lie that was used to sell the Iraq war and it is happening on a continent where the provision of humanitarian aid has been used as cover for death squads by the same Elliot Abrams who is now at the head of the US operation in Venezuela. This is incredibly serious. One does not need to be a genius to work out that the humanitarian aid narrative is just a Trojan horse. Even the official organisations, the International Red Cross and the United Nations, want to have nothing to do with it, as it is not aid but provocation. It is being used as cover for military intervention and regime change.

The question for us is: are we going to go along with the herd, say nothing, wring our hands and say afterwards, "If only we had known," or are we going to speak out now and add our voice to those opposing military aggression and intervention and in favour of respecting the sovereignty of Venezuela and assisting its people in resolving their differences through dia-

logue and respect for internal law? Surely that is what a neutral country should be doing. Anything less is a facilitation of the latest resources war. We know that Venezuela has the largest oil resources in the world. We know that because President Trump and John Bolton have told us that they are in discussions with American oil companies to take the oil from the Venezuelan people. We know that they have wanted to do this for a long time. We also know that they tried to overthrow Hugo Chávez and about the sanctions that followed, but this is a turning point. We know what will happen next. Look at what happened in Libya, Iraq and Syria and President Trump says Nicaragua and Cuba are next. Are we going to stay silent or are we going to speak out against US military aggression and intervention and in defence of international law?

**The Tánaiste:** This is very serious. We have spoken out and will continue to speak out against military intervention. As the Deputy will be aware, the most recent EU 28 statement on Venezuela was delivered by the High Representative, Federica Mogherini, on 26 January. It reiterated that “a peaceful and inclusive democratic solution is the only sustainable way out” of the crisis in Venezuela which, by the way, is the worst political, social, economic and humanitarian crisis in its history. Some 3 million refugees have left the country in the past three years and moved to neighbouring states. It was clear that if no announcement on the holding of fresh elections was made by President Maduro in the days after that EU statement, the European Union would take further actions, including on the issue of recognition of the country’s interim leadership. I have been strongly in favour of co-ordinated EU action on Venezuela and fully subscribe to the European Union’s common position. Far too often, the European Union speaks with multiple voices and, therefore, has no impact or effect. Instead it allows other countries to have that impact and effect.

On 3 February, in the absence of an announcement by President Maduro calling fresh elections in Venezuela, a number of EU member states began to issue statements recognising Juan Guaidó as interim President of Venezuela with responsibility to facilitate the holding of democratic elections and nothing else. Not to take a decision lightly, I took a number of days to consider our position and on 6 February decided that Ireland should join the vast majority of its EU partners, including Spain, Croatia, Poland, the Czech Republic, Lithuania, Estonia, Latvia, Portugal, the United Kingdom, the Netherlands, Denmark, Germany, Hungary, Finland, Austria, Belgium, Luxembourg, Sweden, Slovakia and France, all of which recognise the interim arrangements and support the call for free, fair and democratic elections. They include neutral and independent countries, countries with socialist and EPP governments and so on. There is a collective effort within the European Union to try to create pressure. In our view, the only way to resolve the issue is by facilitating the holding of free and fair presidential elections which we have not seen in Venezuela for many years. I join the other EU member states mentioned in acknowledging and supporting Juan Guaidó as interim President of the democratically elected national assembly to enable him to call free and fair democratic elections. We share this position with 24 other EU member states, virtually every state in South America and many others in different parts of the world. I cannot be neutral on the dramatic humanitarian crisis unfolding in Venezuela. If any Member of the House have evidence to the contrary, I encourage him or her to share it. I reiterate that Ireland does not and will not support military intervention in this case and we have been vocal in expressing our concerns in that regard.

**Deputy Clare Daly:** The Carter Center and others have recognised that the elections held in Venezuela were democratic, but there is a certain irony in people being concerned about the elections held in Venezuela when they have no problems with dictators in countries such as Egypt and Saudi Arabia. This is not about democracy and the Tánaiste did not in any way ad-

dress the points I made about the situation having moved on. Since the backing of Juan Guaidó, the situation has changed on the ground. Troops are amassing on the borders of Venezuela under the guise of the provision of humanitarian aid. This is a country that needs such aid. I have a picture of a 12 year old Yemeni girl who is starving. She weighs 22 lbs. There is a need for a humanitarian aid intervention in Yemen, but there cannot be because the Americans are blocking the Saudis. I am not arguing for military intervention in Saudi Arabia. What I am arguing for is respect for international law. Within a very short space of time we will be in a situation where the fate of people not only in Venezuela but also in Nicaragua, Cuba and throughout Latin America will be seriously undermined in what is a resources war, about which I have not heard the Tánaiste say anything. The situation has moved on and it is becoming incredibly dangerous.

**The Tánaiste:** It is becoming incredibly dangerous, but it is important that Members know that Ireland is not alone in the position it is taking to try to avoid conflict. Countries in South America, including Colombia, Brazil, Argentina, Chile, Paraguay, Costa Rica, Peru and Ecuador, support the position we have taken.

*(Interruptions).*

**The Tánaiste Simon Coveney:** Neighbouring countries are trying to deal with the humanitarian aid consequences of what has been happening in Venezuela. Aid is badly needed by ordinary people, but it is not being allowed to enter the country. Therefore, tension is building, which is a real concern. The EU's position is very clear: we do not support the amassing of troops in a threatening way anywhere near Venezuela. We support facilitating the access for aid to support a population that badly needs medicines and other basic provisions, which they cannot get from their own Government. That is what we are trying to do.

**Deputy Mick Wallace:** Because of US sanctions.

**The Tánaiste:** Deputy Clare Daly knows my position with regard to Yemen. I have spoken about it with her and with many others on many occasions. We continuously advocate for the facilitation of access of humanitarian assistance on the ground in Yemen.

**Deputy Michael Collins:** Today I raise an issue that has previously been raised, which shows the importance of the issue, namely, the crisis in Irish agriculture with beef sector farmers and what they have gone through and continue to go through basically to try to provide an income on their family farms.

All farming sectors will face major difficulties post Brexit but Brexit has come already to the many beef farmers throughout the State. The very mention of Brexit two years ago seems to have given factories across the country the right to cut the prices on cattle. Prices have fallen by 20 cent to 25 cent per kilogram or in the region of €100 per head. This leaves many beef farmers unable to cover their costs and causes them to sell their cattle at a serious loss, which leads to huge stress in these family farms.

Factory prices currently do not meet the costs of producing the cattle. Some beef producers are also fattening some of their own cattle in their own feed lots. It is estimated that up to 20% of finished cattle are coming from factory controlled units. This is putting farmers in west Cork and throughout the State at a serious disadvantage. Some factories were found to be underweighing the cattle, thus underpaying our farmers for their meat. Little or nothing is done for the farmer in this regard.

For a farmer to break even, he or she needs to be getting €4.60 per kilogram but at the moment, the farmer is getting €3.40 per kilogram. Who is creaming off the farmers' back? The Tánaiste and I know who it is but nothing is done to stop this carry-on. Factories are arrogant in this country and have been left arrogant by the Government as we stand idly by and see many farmers who have farmed for generations go out of business. All we have to do is look across to the UK where farmers are getting €150 per head more for their cattle than Irish farmers get. How can this happen there and not here? Our farmers are putting out the best quality cattle and getting a shockingly poor return. Here lies the crisis for our farmers to simply survive.

The last budget was a great opportunity for Ireland to stand up for these farmers by giving them a €200 suckler cow grant. The Government, however, failed these farmers by only giving them €40. Many believe it would not be worth the trouble financially of weighing the cow and calf to just get €40 in return. The Government has had ample opportunity in the past three years to turn the fortunes of the beef farmer around but on the ground nothing has happened. This morning we see a new crisis looming for farmers as reported in leading articles in national newspapers. It looks like our friends in Britain are upping the ante in the battle over the Brexit backstop. Their plan aims to allow beef-producing countries such as Brazil to dodge the brunt of new import taxes or tariffs after Brexit. This will mean huge quantities of Brazilian beef being pushed into the UK market and quality Irish beef being priced out.

Agriculture and fisheries are two of the major industries in Ireland but at present, one senior Minister is responsible for both industries. This may have worked in the past but now with a very serious Brexit looming, the situation has changed completely. I see the crisis we are in and the bigger one facing us. I have called for a senior Minister to be responsible for each of the two industries and I call for that again today. Will the Tánaiste and the Government see what Ireland sees and appoint a stand-alone Minister with responsibility for agriculture and food to fight to save the livelihood of thousands of farmers?

**The Tánaiste:** I can assure the Deputy that I understand only too well the pressures of the beef sector. I chaired a beef forum for a number of years and I know the personalities in the sector well on the factory side and on the farm side. We have supported and will continue to support the beef sector through the rural development programme, where we have invested €300 million in the current development programme to support the suckler sector. Another €20 million was announced in the last budget and another €25 million was added to the area of natural constraint, ANC, payments, primarily focused on beef suckler farmers. The Government has not and will not be found wanting in support for this sector, especially when there are pressures from outside, such as those decisions we do not control that are linked to Brexit.

On the Deputy's question, I do not believe it would make any sense for us to restructure the Department of Agriculture, Food and the Marine right now, with regard to the fish sector. There have been conversations and preparations under way for many months around Brexit and that Department has focused on the pressures and vulnerabilities for both fishermen and farmers. The idea that we would go through some kind of restructure now with 36 days to go to a no-deal Brexit would not make any sense. That is about as polite I can be about that.

I have had the discussion with the Taoiseach and with others at different times on whether we should separate the fishing portfolio from agriculture. Having thought about it I do not think we should. It is the food sector and I believe that fishing in particular is enhanced in its representation around the Cabinet table by being linked to the broader food sector, especially when it comes to exports and Brexit, with the potential need for compensation packages and EU

intervention in both sectors to ensure they can survive should we have a worst-case scenario of a no-deal Brexit. Incidentally, I do not believe it will happen but if it did, we would need to be ready and we have a Department that is working night and day to put contingency plans in place should it come to that. The idea that we would restructure and change our personalities at this late stage is not a decision we should be taking now.

**Deputy Michael Collins:** Approximately 170,000 people are employed directly in the agrifood sector and 250,000 people employed indirectly in the wider rural areas in agrifood production. Does the Tánaiste realise the extent of the crisis these farmers are in? I truly do not think he does.

Tonight hundreds of farmers will attend the beef plan meeting in the Westlodge Hotel in Bantry. The Tánaiste may ask how do I know there will be hundreds. I will tell him why: they have had two meetings already in Kerry and hundreds of people turned up. West Cork will be no different tonight. These farmers are near the edge and are attending in their hundreds hoping this group or someone out there will step in and deal with this crisis. The Tánaiste keeps telling me that we cannot have a stand-alone Minister with 36 days to go to Brexit. This should have been done two years ago.

**Deputy Mattie McGrath:** Hear, hear.

**Deputy Michael Collins:** The Government should have had a vision. It had no vision for farmers or the fishing people of this country - the people on the ground will say this - to tackle the crisis we are in head on. Will the Tánaiste please tell me what I can offer the farmers at tonight's meeting? What can I offer as a hope or a solution to the disaster they are dealing with, which is not being able to get a proper price or market for their cattle or feed their families at home?

**The Tánaiste:** All of us in the House have a responsibility to try to give farmers guidance, reassurance and information.

**Deputy Mattie McGrath:** The Government is letting them down.

**The Tánaiste:** To state there is no vision for farming in Ireland is a blatant misrepresentation of the facts.

**Deputy Mattie McGrath:** Abandon the fishermen first.

**The Tánaiste:** We have a plan called Food Wise 2025, which was preceded by Food Harvest 2020, which itself was preceded by a good Fianna Fáil plan. Farming is one of the few sectors-----

**Deputy Mattie McGrath:** Not a beef plan.

**The Tánaiste:** If the Deputy would just listen, he might learn for a change.

**Deputy Mattie McGrath:** I am listening.

**The Tánaiste:** Farming is one of the few sectors in Ireland where consecutive Governments have planned five years ahead and this has been hugely effective in building and supporting a strong industry.

**Deputy Mattie McGrath:** It is a crisis now.

**The Tánaiste:** It did not happen by accident that in the middle of a recession in Ireland, the agrifood industry and farming actually prospered. It did not happen by accident that Ireland-----

**Deputy Mattie McGrath:** You want to get rid of them.

**The Tánaiste:** -----has changed the approach of the European Commission to the CAP to reflect the realities of farming in Ireland. Moreover, if Irish agriculture and farming face an emergency and crisis linked to decisions made in Westminster, it will not happen by accident that we will be able to support that industry and those family farms through that crisis period, which the Government will do.

**Deputy Michael Collins:** Will the Tánaiste come with me to Bantry tonight to see the crisis on the ground?

**The Tánaiste:** The Deputy should not be raising fears.

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

**Deputy Michael Collins:** I am not.

**The Tánaiste:** The Deputy is playing politics with it. This is serious.

**Deputy Michael Collins:** No. I am being honest.

### **Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation**

**An Ceann Comhairle:** For questions on promised legislation, 28 Deputies have indicated.

**Deputy Dara Calleary:** Flight operations at Dublin Airport were suspended this morning for a short period because of a drone sighting. Members were assured in the House by the Minister for Transport, Tourism and Sport, who probably does not know a lot about transport, that this would not happen. The Taoiseach also has assured us that this would not happen. This was in response to queries by my colleague, Deputy Troy, and to Deputy Lawless, who has tabled legislation on the matters but it did happen, albeit temporarily. What action has the Government taken to protect our transport services and our airport services from this new scourge of drone activity?

**The Tánaiste:** I confirm, as I am sure the Deputy has already had it confirmed to him, that flights have resumed at Dublin Airport. There was a temporary suspension of flights due to reports of the sighting of a drone. This is an issue which has been raised with the Minister for Transport, Tourism and Sport who has given a commitment to look into the issue and ensure an appropriate response is put in place.

**Deputy Mattie McGrath:** Where is he?

**The Tánaiste:** There are some very sophisticated airports in some very well-resourced countries which have not been able to deal easily with this issue.

**Deputy Dara Calleary:** He told us it would not happen.

**The Tánaiste:** We saw that most recently in the USA and UK. We should not pretend that

Ireland is immune to challenges which are difficult to deal with from a technical perspective. We will, of course, learn from the lessons of others, in particular from our closest neighbour, to ensure we put measures in place which are as effective as possible.

**Deputy Pearse Doherty:** The British Prime Minister and the President of the European Commission met in Brussels last night. Today, British Ministers are in Brussels for talks with Michel Barnier. We are told that, thus far, the talks have centred on the interpretation of the backstop and what fudge can be sold to the House of Commons in that regard. We are all agreed in this House that the basic protections afforded to Ireland in the withdrawal agreement and in the backstop in particular are non-negotiable and cannot be unpicked or diluted in any way. As such, can the Tánaiste assure the House in the context of the ongoing talks that what has been agreed in respect of the backstop and its interpretation by this House thus far is what is on the table and will not be altered or watered down in any way?

**An Ceann Comhairle:** The Tánaiste has one minute for a reply.

**The Tánaiste:** I thank the Ceann Comhairle. It is a pretty serious question but I will try to answer it within one minute. I thank Opposition parties in particular in the House for their support on the broader efforts on Brexit. We will be asking them for more co-operation next week on the legislation being published tomorrow. I met Michel Barnier on Monday and received reports from the Juncker-May meeting yesterday. Our position has been consistent for many months and will not change. The backstop is a necessary guarantee to reassure people on this island that they will not face the re-emergence of border infrastructure between the two jurisdictions on this island as an unintended consequence of Brexit at any point in future. That is also the EU's position, which is why it has said that it is not willing to reopen or renegotiate the withdrawal agreement. The agreement is already a finely-balanced document involving compromises on both sides to achieve important outcomes, in particular from an Irish perspective. The focus now is on how to give the House of Commons the reassurance it needs around the temporary nature of the backstop which will hopefully never be used but which needs to be in place unless and until it can be replaced by something more permanent which must do the same job the backstop has been designed to do. That is where this issue of alternative arrangements comes in. Alternative arrangements are already catered for in the existing withdrawal agreement and in the future relationship declaration. If there are alternative arrangements that can replace the backstop, as long as they do the same job, they can, of course, be considered. However, we cannot have time limits or unilateral exit clauses on the backstop without knowing what will come after that. If we had, it would not be a backstop at all.

**Deputy Brendan Howlin:** Last week, I raised with the Tánaiste the failure to extend the retirement age of community employment supervisors. On Monday, community employment supervisors were on strike due to the failure of the Government to engage in discussions on a pension scheme for those who supervise community employment schemes. This relates back to a Labour Court recommendation of 2008. The Tánaiste may be aware that a process was established in 2015, following discussions with SIPTU and Fórsa, to address this difficult issue. As Minister for Public Expenditure and Reform at the time, I put a subhead in the environment Vote to provide for *ex gratia* payments through Pobal but this process stopped when the Labour Party left Government. Will the Government reopen and restart that process now to address a legitimate grievance? I see that the Minister for Employment Affairs and Social Protection may well be about to answer the question. Will she commit to ensuring funding is not cut to supervisors who were on strike last week?

**Minister for Employment Affairs and Social Protection (Deputy Regina Doherty):** I thank the Deputy for raising the matter. I have to disagree with him slightly in that there has been no failure to engage. There have been numerous occasions in the last year when we have engaged through the Department of Finance with the two unions to which the Deputy referred to try to resolve this outstanding issue that goes back to 2008.

**Deputy Brendan Howlin:** The template was there and the money was put in place.

**Deputy Regina Doherty:** We have had a number of meetings and both unions have come forward with their own ideas in an attempt to resolve an issue everyone wants to resolve. There is no cessation of that and I hope to God that we continue to work together to find a resolution to the issue. I cannot comment on why the Deputy's subhead was altered in the Department of Public Expenditure and Reform except to say that any suggested solution put on the table thus far has had the unintended consequence that it would impose a liability of €600 million on the State's purse.

**Deputy Brendan Howlin:** That was always the argument and it was never valid.

**Deputy Regina Doherty:** I appreciate that the Deputy might disagree with that. I take the opportunity to record in the House our gratitude to the community employment host companies and all of our supervisors and assistant supervisors for their efforts to continue to express 19.5 hours per week for all participants on community employment schemes.

**Deputy Brendan Howlin:** And there will be no cuts.

**Deputy Richard Boyd Barrett:** In a cynical and, frankly, despicable effort to protect the interests of the fossil fuel industry and oil exploration companies, Fine Gael and its Independent Alliance colleagues are abandoning their promise in the programme for Government to take "radical and ambitious action to deal with climate change" in which regard they said they would be world leaders. Simultaneously, they are sabotaging the democratic process of the Dáil to prevent Deputy Bríd Smith's Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018 to progress, notwithstanding the fact that it was passed overwhelmingly by the House. The Bill seeks to ban the issuing of further exploration licences for gas and oil exploration in Ireland. This is an abandonment of the Government's so-called commitment to deal with climate change as well as a very serious abuse of the democratic processes of the Dáil.

**An Ceann Comhairle:** The democratic processes have laid down the time available on these matters and I am afraid we are not adhering to it.

**Deputy Richard Boyd Barrett:** No. When Deputy Michael Lowry, Senator Michael McDowell, Deputy Hildegard Naughton, Deputy Seán Canney and Senator Joe O'Reilly are used to block a Bill and hold it hostage - many are Senators - notwithstanding the fact that it was passed by this House, to prevent it from progressing further, it is an abuse of the democratic process.

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

**Deputy Richard Boyd Barrett:** We learned yesterday-----

**An Ceann Comhairle:** Will you resume your seat as we are out of time?

21 February 2019

**Deputy Richard Boyd Barrett:** No, I will not. We learned yesterday-----

**An Ceann Comhairle:** Deputy, will you please resume your seat?

**Deputy Richard Boyd Barrett:** -----that this was being done for political reasons because the Taoiseach and the Government do not agree with the content of the Bill.

**Deputy Regina Doherty:** It was a democratic vote.

**An Ceann Comhairle:** Deputy, do not force me to suspend the House.

**Deputy Richard Boyd Barrett:** They are using and abusing procedure to hold the Bill hostage.

**An Ceann Comhairle:** Resume your seat.

**Deputy Richard Boyd Barrett:** It is an absolute disgrace and the Government must be called out for it.

**An Ceann Comhairle:** Resume your seat, please.

**Deputy Richard Boyd Barrett:** They think they can get away with these shenanigans.

**An Ceann Comhairle:** The Deputy is bringing the House into disrepute.

**Deputy Richard Boyd Barrett:** They are dancing to the tune of fossil fuel companies.

**An Ceann Comhairle:** I am suspending the House for five minutes.

*Sitting suspended at 12.49 p.m. and resumed at 12.55 p.m.*

**An Leas-Cheann Comhairle:** We will proceed.

**Deputy Richard Boyd Barrett:** On a point of order, a Leas-Cheann Comhairle.

**An Leas-Cheann Comhairle:** I am not taking a point of order.

**Deputy Richard Boyd Barrett:** Well then I will keep talking until it is addressed.

**An Leas-Cheann Comhairle:** No, you will not. If I stand, you will sit.

**Deputy Richard Boyd Barrett:** No, I will not.

**An Leas-Cheann Comhairle:** If you do not, I will have to ask you to leave the House. You do not have to obey me as-----

**Deputy Richard Boyd Barrett:** A Leas-Cheann Comhairle, there is an abuse of Standing Orders and Dáil procedures.

**An Leas-Cheann Comhairle:** Hold on, Deputy Boyd Barrett. You are normally orderly. You must abide by the ruling of the Chair.

**Deputy Richard Boyd Barrett:** It is right that I am normally orderly-----

**An Leas-Cheann Comhairle:** That does not give you the right to stand-----

**Deputy Richard Boyd Barrett:** -----but when the Government is abusing the democratic processes of the Dáil and sabotaging-----

**An Leas-Cheann Comhairle:** I might adjourn the House for the day. Do you want to be responsible for adjourning for the day? You must sit.

**Deputy Richard Boyd Barrett:** I am sorry, a Leas-Cheann Comhairle, but it cannot get away-----

**An Leas-Cheann Comhairle:** Read the Standing Orders. I will decide, not you.

**Deputy Richard Boyd Barrett:** The Government could resolve it fairly easily.

**An Leas-Cheann Comhairle:** I will decide, not you. I am suspending the sitting.

**Deputy Bríd Smith:** A Leas-Cheann Comhairle, are you the custodian of Standing Orders or not? You and the Ceann Comhairle are the custodians of Standing Orders and if so, you should make sure they are applied. It is the two of you who are responsible for the abuse, not us.

**An Leas-Cheann Comhairle:** I am suspending the sitting for ten minutes.

*Sitting suspended at 12.57 p.m. and resumed at 1.08 p.m.*

*1 o'clock*

**An Leas-Cheann Comhairle:** To respond to the question raised by Deputy Boyd Barrett, I understand he attended the meeting of the Business Committee this morning and is possibly even more familiar with the matter than I am. Will he, please, resume his seat? We are going to make progress.

**Deputy Sean Sherlock:** Deputy Boyd Barrett is not a little boy.

**An Leas-Cheann Comhairle:** He has not yet seen the real me.

**Deputy Richard Boyd Barrett:** You have not seen the real me either.

**An Leas-Cheann Comhairle:** We have.

**Deputy Mattie McGrath:** Me, too.

**An Leas-Cheann Comhairle:** We will deal with Deputy Mattie McGrath next. Will the Tánaiste advise the House of the current position on the Bill. I know that it is with the joint committee where it is blocked, but Deputy Boyd Barrett will be aware, having attended the meeting of the Business Committee this morning, of how the matter can be dealt with.

**The Tánaiste:** My understanding is the Business Committee decided this morning that, because of the disagreement on the issue and the fact that the Bill had stalled on Committee Stage, the way to deal with the matter was for the sponsor of the Bill to introduce a motion in Private Members' time to agree on the way forward.

**Deputy Richard Boyd Barrett:** That is not what was agreed to.

**Deputy Mattie McGrath:** It is.

21 February 2019

**An Leas-Cheann Comhairle:** The Tánaiste to continue, without interruption, please.

**The Tánaiste:** That is my understanding from my Whip of what was agreed to at the Business Committee this morning. If there is a different interpretation, I would like to hear it, but that is my understanding of what the Business Committee recommended and agreed to. It is not a matter for the Government but the Business Committee.

**Deputy Thomas Byrne:** On a point of order-----

**Deputy Richard Boyd Barrett:** I will not hold up the business of the House for much longer, but I seek clarification.

**Deputy Fiona O'Loughlin:** The Deputy has held up the business of the House for 20 minutes.

**An Leas-Cheann Comhairle:** Hold on; we want to resolve the issue.

**Deputy Richard Boyd Barrett:** The Bill was passed in February 2018-----

**An Leas-Cheann Comhairle:** Deputies who wish to raise a point of order should refer to the provision under which they are doing so and we will deal with it.

**Deputy Richard Boyd Barrett:** What was requested of the Government was that it allow a motion to be tabled in the Dáil to enable it, not a committee made up of Senators, to decide what should happen to the Bill. Senators do not have the right to block a Bill passed by the Dáil. We are asking for Government time, even without debate, for a motion to allow for a debate on the Bill.

**An Leas-Cheann Comhairle:** Perhaps it will be necessary to discuss the matter again at the Business Committee next week. My understanding, however, is that the matter was clear.

**Deputy Richard Boyd Barrett:** I am asking the Tánaiste.

**The Tánaiste:** It is a matter for the Business Committee.

**Deputy Richard Boyd Barrett:** No, it is a matter for the Government.

**Deputy Thomas Byrne:** On a point of order, the clock is incorrect and needs to be reset.

**An Leas-Cheann Comhairle:** No, it is not incorrect.

**Deputy Thomas Byrne:** It was not paused for the first break in the Dáil proceedings but it was paused for the second one.

**An Leas-Cheann Comhairle:** In that case, we are down to four minutes.

**Deputy Mattie McGrath:** I agree that there are many questions and there should be a policy that if someone interrupts like that-----

**An Leas-Cheann Comhairle:** Do you have a question?

**Deputy Mattie McGrath:** Yes, of course. I have a serious question. Will the Tánaiste outline today or early next week the financial cost of buying votes from Deputies Lowry, Grealish and Naughten to oppose the no-confidence motion yesterday? It was a grubby deal and I would

like to know the cost. They are announcing on Facebook schools, hospitals, roads and other projects and the Government is down to the level of picking up the phone and begging people to come in for an open chequebook. It is outrageous to buy confidence in the Minister like that and to get votes. It is despicable.

**Deputy Thomas Byrne:** Which schools were promised to Independent Deputies in exchange for their votes of confidence in the Minister for Health, Deputy Harris, yesterday? There was much wheeling and dealing but many schools around the country require building work. I understand some Independent Deputies had their favourite schools placed higher on the list in exchange for their votes of confidence in the Minister.

**The Tánaiste:** I have absolutely no information to give the House on that issue.

**Deputy Mattie McGrath:** Why not? Has the Tánaiste not received an update?

**Deputy Joan Collins:** I am seriously concerned by the Government's stance on climate change after what happened this morning. Yesterday, we all received an email addressed to the Minister for Business, Enterprise and Innovation, Deputy Humphreys, and the Tánaiste, Deputy Coveney, saying:

We the undersigned write as a matter of urgency in advance of the informal meeting of EU trade ministers of February 21st [that is today]. We understand that it is proposed to advance two negotiating mandates for trade talks with the United States of America at these meetings. This is despite the US President's position on withdrawing from the Paris Climate Agreement and the clear and unequivocal position set out by the EU Commission and EU leaders in 2018 that real commitment to climate action, the Paris Agreement, is a precondition to any trade deal providing access to the EU market, the second largest economy in the world.

Are we getting involved in those negotiations today or are we stepping out of them?

**The Tánaiste:** For many years, Ireland has been in favour of progressive trade talks between the EU and the US and we are still in favour of that. Of course, we want to advocate for an adherence to the Paris Agreement on climate change, which we will do, but the idea that Ireland would not be supportive of improved facilitation of trade between the EU and the US would be totally counter-productive.

**Deputy Eamon Ryan:** There is real confusion about the future development of the Metro-Link on the southside of Dublin. It seems that various Ministers are briefing the press on the Government's position, with measures apparently coming from the Minister for Transport, Tourism and Sport, Deputy Ross, with a four-year delay and, therefore, the project will not go ahead. Can the Tánaiste clarify the Government's timeline to consider the issue? Has it been discussed in Cabinet? Does the Government intend to present a proposal? Has there been any agreement? How can the Government solve the confusion that has arisen from Ministers briefing on the project without any of us having the engineering details to which the Ministers refer?

**The Tánaiste:** I am glad the Deputy has asked the question to allow me to give some clarity to the House. I am aware of today's media reports on the MetroLink project to which the Deputy refers. As he will know, the National Transport Authority, NTA, and Transport Infrastructure Ireland, TII, held a public consultation last year on what was called an emerging preferred route. That route generated much commentary and there were different views on the various

impacts in particular areas, including the potential disruption to the Luas green line service. I understand that the NTA and TII will shortly publish a preferred route which will reflect the NTA's and TII's consideration of the issues raised and how best to address them, including how to minimise disruption. That is the position and we must wait for that formal recommendation to come from both of those parties.

**An Leas-Cheann Comhairle:** Now that peace has broken out, with the agreement of the House we will add five minutes to the debate as a compromise, which means a total of eight minutes. I have a list of Deputies wishing to contribute but I will have to cut it off because the Aircraft Noise (Dublin Airport) Regulation Bill 2018 and postponed divisions are to follow.

**Deputy Declan Breathnach:** We are approaching the third anniversary of the formation of the current Dáil. Under the programme for Government, with the aim of minimising the cost of insurance there have been insurance reports and the insurance working group. Is the Tánaiste aware of a cartel-style operation that is currently operating among insurance companies, whereby insurance companies and brokers refuse to give a direct quote to persons seeking to shop around for insurance once that quote has been given to one broker? Further, the treatment of notification of accidents, regardless of whether a claim is imminent, is experiencing a 50% premium addition for a two-year period regardless of whether the claim is made after an accident is reported.

I call on the Tánaiste and the Minister with responsibility to insist that, particularly in the latter case, that any premium top-up is refunded once no claim is been made on an accident.

**Deputy Robert Troy:** The cost of insurance, in particular that of public liability, is crippling business the length and breadth of the country. One of the key recommendations of Mr. Justice Kearns' report requires the passage of the Judicial Council Bill 2017 but it has yet to be brought into the Seanad. The reason it has not been brought to the Seanad is due to the time that has been spent on the Judicial Appointments Commission Bill 2017. Will the Government prioritise the former Bill to help long-suffering businesses, as opposed to helping the long-suffering Minister for Transport, Tourism and Sport, Deputy Ross, who has a personal crusade in respect of the latter Bill?

**Minister for Finance (Deputy Paschal Donohoe):** The Government is committed to the Judicial Council Bill 2017. We have made a number of changes to the law, most notably last year through the passage of the national claims database. To respond to Deputy Breathnach, there should be no co-ordination in how insurance companies deal with claims. As the Deputy will be aware, last year there was a raid to gather evidence of any collusion or anti-competitive behaviour.

**Deputy Robert Troy:** What about the Judicial Appointments Commission Bill 2017?

**The Tánaiste:** The Judicial Appointments Commission Bill 2017 is important legislation that is consistent with the programme for Government. It is effectively being filibustered in the Seanad which, unfortunately, is delaying other legislation. There are consequences to filibustering and people should know what they are.

**Deputy Dessie Ellis:** There is ongoing concern about the privacy of women availing of abortion facilities, as well as the potential for intimidation of those who have made hard and difficult decisions to have an abortion. The Minister for Health has indicated that he will introduce a Bill to create safe zones around the facilities to provide an area where women will not

be subjected to possible abuse, intimidation or demonstrations. Will the Tánaiste outline when the Government intends to bring the legislation forward?

**The Tánaiste:** The Deputy is referring to the safe access Bill that the Minister has promised, on which he will have the full support of the Government. I do not have an exact date for it but I suspect it will be towards the end of the year.

**Deputy Brian Stanley:** My question relates to page 63 of the programme for Government, which pledges to “Implement the new procedures to ensure more efficient and timely recruitment of” staff in health services. I raise the matter in the light of the ongoing uncertainty about the future of emergency services at Portlaoise hospital. When the Minister for Health met me, Deputy Fleming and the Minister for Justice and Equality, Deputy Flanagan, in December 2017, he committed to begin a public consultation on the future of those services. That was 15 months ago. The facilitator has not been appointed yet according to the most recent replies to the Minister. When will we see the facilitator recruited? The uncertainty about the future of the hospital is also causing difficulty with the recruitment of staff. When will the facilitator be appointed and when will the consultation process in Portlaoise begin?

**The Tánaiste:** I will have to ask the line Minister to come back to the Deputy on that.

**Deputy Niamh Smyth:** The programme for Government contains a commitment to the Heritage Ireland 2030 plan. There is a historic markethouse building in the middle of Castleblayney in County Monaghan which has had to be sealed off by Monaghan County Council because it has got into such disrepair that it is about to collapse. President Higgins recently unveiled a beautiful statue of Big Tom, which has attracted thousands of visitors and has been a significant boost to the economy in Castleblayney. Monaghan County Council does not have the funds to restore this building and make it safe. Will the Minister for Culture, Heritage and the Gaeltacht please engage with Monaghan County Council to provide the proper support and funding to restore this important building?

**The Tánaiste:** I suggest that the local authority needs to take the initiative by contacting the Minister’s office and trying to make some progress if it is as important as the Deputy suggests.

**Deputy Fiona O’Loughlin:** Some 80,000 people are on our waiting list for surgery, which is a terrible indictment of the HSE. Many are choosing to leave Ireland and go to Northern Ireland and the UK because of the cross-border directive, especially for smaller surgeries, including joint replacements and for cataracts. In 2017, more than 2,000 people went and in 2018, more than 3,000 people went. There is significant concern that, in the event of a no-deal Brexit, people who are scheduling appointments for after 29 March may not get them. I know a lady who has to have two eyes operated on for cataracts. One will be operated on before 29 March and the other after 29 March. What advice would the Tánaiste give to people in that situation?

**Deputy Mary Butler:** With Brexit looming in 36 days, it may have many difficult consequences for all of us in this country. It has recently been brought to my attention that the supply of pendants for the senior alert scheme, worn by elderly people living alone or in rural areas, may be impacted because they are sourced in the UK. If a person applies for one of these pendants, he or she will currently get it within two weeks. It is very reliable. I am very worried that if we have a hard Brexit, this may be impacted.

**The Tánaiste:** I am glad that Deputy O’Loughlin asked her question because it gives me an opportunity to hopefully give some reassurance to people. We will publish legislation tomor-

row morning. That is the omnibus Bill that will come into this House for Second Stage next week. One section of that legislation deals with cross-border healthcare. Even in a no-deal, worst case Brexit scenario, the Bill will facilitate the UK and Ireland working together in certain areas, including cross-border health, to ensure that people who are availing of health services in Northern Ireland and *vice versa* can continue to do so, since it goes both ways to access expertise and so on. That will maintain the services that are available today after 29 March, should there be a no-deal Brexit. We will deal with it in the emergency legislation that will be introduced to the House next week.

I do not have the exact information for Deputy Butler on the product concerned. There are some products that require EU approval by an EU approving or certifying body. If it is in one of those categories, there may be an issue. If the Deputy sends me the detail of it, I may be able to get her a more exact answer.

**An Leas-Cheann Comhairle:** A number of Deputies are on the list and I will request whoever is in the Chair next week to take them in this order after Leaders' Questions: Deputies Jackie Cahill, Aindrias Moynihan, Michael Fitzmaurice, Eamon Scanlon, Donnchadh Ó Laoghaire, Imelda Munster, Michael Collins, Gerry Adams, Bernard Durkan, Peter Fitzpatrick and Martin Kenny.

### **Road Traffic (Bus and Cycle Lane) (Amendment) Bill 2019: First Stage**

**Deputy Robert Troy:** I move:

That leave be granted to introduce a Bill entitled an Act to amend the Road Traffic Act 2010 to make provision for the use of digitally recorded data from electronic devices of footage and/or other readings from road traffic safety cameras/closed circuit television cameras as evidence of the unlawful entry into or parking in a bus lane or cycle track and to provide for related matters.

The purpose of this Bill is to permit the usage of footage or other readings from safety cameras as evidence for the enforcement of certain road traffic offences. Section 81 of the Road Traffic Act 2010 provides a list of traffic offences that CCTV evidence may be used for, for example, speeding. It is not, however, possible to use evidence from these cameras to enforce the following offences: parking in bus lanes, which is prohibited under SI 182 of 1997, Road Traffic (Traffic and Parking) Regulations 1997; parking in cycle lanes, which is prohibited under SI 274 of 1998; driving in bus lanes, which is prohibited under section 32 of SI 182 of 1997; and driving in cycle lanes.

Unfortunately, these laws related to cycle and bus lanes are frequently violated and present a significant inconvenience to bus drivers, the people who use buses and to cyclists. In the case of bus lanes, the presence of non-authorized vehicles slows down bus traffic and it takes longer for service users to get to their destination. It can also result in bus drivers having to swerve unexpectedly to avoid them. This presents a considerable challenge to bus drivers and clearly poses a safety risk to both car and bus users. In the case of cycle lanes, the presence of vehicles also presents a significant risk as cyclists must swerve into traffic to avoid parked vehicles. Ireland's cycling infrastructure is wholly inadequate as it is without it being rendered unusable by the presence of parked cars, skips and multiple other items being put in the way.

These are widespread issues. I frequently take Dublin Bus. One morning, I spotted at least 15 cars parked illegally in a bus or cycle lane in a relatively short distance between Portobello and College Green.

We need to drastically improve our detection of these traffic violations. I believe that this could be done through the use of CCTV cameras to reinforce these new road traffic laws and increase detection of these offences. For example, Dublin Bus vehicles could be fitted with CCTV cameras to detect violations of these laws. This is already the case in the United Kingdom, New Zealand and many other jurisdictions. Evidence from these jurisdictions suggests that this enforcement works. In the borough of Gateshead in the United Kingdom, there was an initial surge in the number of fixed charge notices issued to motorists, which quickly fell by nearly a half. It is evidence that as drivers became aware that they were taking risks by using the bus lane, they wanted to avoid a fine.

A report last week by INRIX, a global company which specialises in transport analytics, confirmed that Dublin is now the slowest city centre in all of Europe. We are robbing people of one of their most valuable assets, time. This legislation is but a small measure that would help to speed up buses and make them more attractive, and be safer for cyclists. I hope that the Bill will enjoy cross-party support, given its importance to all transport users in Ireland. Our capital city is becoming one of the most congested in Europe. We must do all we can in the short and medium term to get Dublin moving again.

**An Leas-Cheann Comhairle:** Is the Bill opposed?

**Minister of State at the Department of the Taoiseach (Deputy Seán Kyne):** No.

Question put and agreed to.

**An Leas-Cheann Comhairle:** Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

**Deputy Robert Troy:** I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

### **Prohibition of Micro-Plastics Bill 2016: Leave to Withdraw [Private Members]**

**Deputy Sean Sherlock:** I move:

That, notwithstanding anything in Standing Orders, leave be given to withdraw the Prohibition of Micro-Plastics Bill 2016.

I seek leave to withdraw my Prohibition of Micro-Plastics Bill 2016 on the basis that I gave a commitment that, if the Government published legislation or moved on the area of banning microplastics and microbeads, I would yield to it.

We have, to be fair to the Government, a general scheme of the Prohibition of Certain Products Containing Plastic Microbeads Bill 2018. I am quite happy to withdraw my Bill. I do so in good faith on the basis that in 2016 the Tánaiste gave a commitment that this would be legislated for. The Minister for Housing, Planning and Local Government has published the general

21 February 2019

scheme of the Bill and I trust that the Government will now proceed in a timely fashion with the publication of the legislation and see it through to its logical conclusion and ban microplastics and microbeads from this jurisdiction for now and for all time.

**An Leas-Cheann Comhairle:** The Tánaiste may speak briefly but I cannot allow a debate.

**Tánaiste and Minister for Foreign Affairs and Trade(Deputy Simon Coveney):** I thank the Deputy for this because he was one of the people who really got the microbeads issue onto the agenda, along with Senator Grace O'Sullivan. I said to him at the time when I was in a different Department that we were going to legislate for this but that we had to go through some EU procedures before we could do it. It was agreed on that the Government would try to make this happen as quickly as we could. That is now proceeding and I assure the Deputy we want to get this done before the end of the year if we can.

Question put and agreed to.

### **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 Richard Boyd Barrett - to discuss the social housing delivery figures for 2018; (2) Deputy David Cullinane - to discuss the provision of an Educate Together national school in Dungarvan; (3) Deputy Peadar Tóibín - to discuss the impact of the insurance industry on Irish business; (4) Deputies Fiona O'Loughlin, Thomas Byrne, Barry Cowen and Sean Fleming - to discuss the status of a new school building at St. Paul's in Monasterevin; (5) Deputy Maurice Quinlivan - to discuss the need to bring void houses in Limerick city back into use; (6) Deputies John Lahart, Noel Rock and Jim O'Callaghan - to discuss the MetroLink project for the Rathfarnham, Knocklyon and Firhouse in the south Dublin region and alternative options; (7) Deputy Joan Collins - to discuss the Labour Court recommendation from 2008 regarding CE supervisors and assistant supervisors on occupational pensions; (8) Deputy Mick Wallace - to discuss the humanitarian aid plans for Venezuela; (9) Deputy Pat Buckley - to discuss the future of services at Midleton hospital, Cork; (10) Deputy Brian Stanley - to discuss funding for a new building at Kolbe special school in Portlaoise; (11) Deputy Robert Troy - to discuss the progress regarding accommodation at Midland Regional Hospital, Mullingar, for a new CT scanner; (12) Deputy Declan Breathnach - to discuss the shortage of ambulance paramedic staff and vehicles across Louth, Meath, Cavan and Monaghan; and (13) Deputy Joan Burton - to discuss the shortage of specialised training for educators of vulnerable children with autism spectrum disorder, ASD.

The matters raised by Deputies Breathnach, Buckley, Lahart and Rock and Burton have been selected for discussion.

### **Aircraft Noise (Dublin Airport) Regulation Bill 2018: Report Stage (Resumed)**

Debate resumed on amendment No. 48:

In page 10, between lines 21 and 22, to insert the following:

“(c) the likely effect of the identified noise mitigation measures and operating restrictions (if any) is thoroughly evaluated in relation to its projected impact on the well-being and health of local residents;”.

- (Deputy Imelda Munster)

**Deputy Robert Troy:** The Minister must have been out at Dublin Airport shooting down the drone. That is what delayed him coming here today. On a serious note, when there was traffic chaos in Gatwick Airport he said we had no reason to have any fears and that, in his opinion and on the advice available to him, this would not happen in Dublin. It is an appropriate issue to raise with the Minister today now that it has happened. Thankfully, there was only very minor disruption but the potential for much more serious disruption is there and given that we are talking about Dublin Airport today, I would like the Minister at some stage in his seven minute contribution to outline what he has done. He has convened a working group on the regulation of drones at Dublin Airport. How often has that group met? What recommendations has it brought forward to mitigate against something like this happening again because we cannot have our national airport brought to its knees by a drone that might only cost €50? Perhaps the Minister would address that.

Last night I was making the point that, unfortunately, given that there is disagreement between the residents and the DAA, any decision to change, amend or modify the existing planning conditions that have been introduced by An Bord Pleanála will revert to An Bord Pleanála. We can have full confidence in it as in the past An Bord Pleanála has acted in a very balanced manner. In respect of this section and the amendment on health, will the Minister clearly outline why he has tabled amendment No. 59, which is grouped with amendments from other colleagues, to this part of the Bill? Can we have confidence that this amendment is a direct result of what we sought on Committee Stage?

**Deputy Clare Daly:** The Minister’s handling of this entire Bill has been utterly shambolic. The residents who were in attendance last night, whose lives and health are on the line because of this, are shocked at the Minister’s lack of knowledge and more particularly his lack of interest in these matters. The Chairman of the Joint Committee on Transport, Tourism and Sport, Deputy O’Dowd, raised some very important questions last night on the matters raised by a number of us regarding the correspondence between Fingal County Council and the Department expressing its reluctance to be the competent authority for a number of reasons that we outlined last night.

Deputy Darragh O’Brien made the point, which was confusing for many people, that Fingal was problematic but that for some reason, at some stage last week, it was posed that if Fianna Fáil pressed ahead with Fingal County Council and its motions that the Government would withdraw the Bill. What is this nonsense? This is the first time I heard this.

**Deputy Darragh O’Brien:** It is true.

**Deputy Clare Daly:** If it is true, it should have been said on the floor of this House last week before we made the decision to appoint Fingal County Council as the competent authority.

**Deputy Darragh O’Brien:** We have not made that decision yet.

21 February 2019

**Deputy Clare Daly:** What I am hearing is Fianna Fáil expressing concerns about Fingal but facilitating a process whereby this House has already decided on Fingal in circumstances where serious questions now arise about Fingal's role in terms of it flagged to the Department its concern about that role. Residents who have requested information under freedom of information tell us that after that letter from AnnMarie Farrelly, which was in *The Irish Times*, there is no other evidence under freedom of information of other correspondence of any significance between the Department and the council. There were emails in February 2018 where the Department said it did not have a clue about the council's rate base and asked to be told a bit more about that excuse. There are huge questions here and this Bill is seriously compromised as a result of this. I want those issues answered but I also want Fianna Fáil to take note, it facilitated this appointment, so it must remedy that as well.

**Deputy Brendan Ryan:** Continuing the discussion on the correspondence between Fingal County Council and the Department, the council stated that it had "an extensive remit in both shaping and determining the strategic direction of Dublin Airport", questioning, therefore, its independence to do the job. It also referenced the European legislation. The Minister replied that the letter was written in 2017, which we have confirmed. That makes absolutely no difference whatsoever. Nothing has changed in the intervening period to make Fingal County Council independent of this process. The Minister also said last night that the council's concerns have now been addressed. How could its concerns have been addressed if the relationship has not changed in that time? The issue is not whether Fingal County Council's concerns have been addressed. The issue is whether the independence required to comply with EU Regulation No. 598/2014 has been addressed. There are serious questions to be answered here.

I asked a question last night and I did not get an answer in the Minister's response. I will ask it again and demand an answer. Did the Minister bring it to the attention of his colleagues and of the Taoiseach that this was a factor and that Fingal County Council had written to him? Were the Taoiseach and his Cabinet colleagues aware of this, because it is a very important matter? I asked about this last night and I am looking for an answer. I would be surprised if the Taoiseach was to run with this.

Fianna Fáil's position on this is that, although there are some concerns about Fingal County Council, An Bord Pleanála is there to pick up the tab if there is an issue. That is like saying it is okay for a judge who has a vested interest in a case to hear that case on the basis that there is an appeals mechanism. It is absolute nonsense.

**Deputy Thomas P. Broughan:** The freedom of information correspondence on this matter is really disturbing. The reference from director of services, AnnMarie Farrelly, in respect of the 2018 rates bill for the DAA noted that it came to just under €18 million, which represents 14.76% of the total rates levied by Fingal County Council in 2018. It is a highly significant element of its income. The grave reservations this senior official had raise questions. I presume the whole Fingal management team had been entrusted with this role. It put it in an invidious situation.

Our Fianna Fáil colleagues are getting a reputation in this House as being the abstainers. It almost sounds like the name of an old showband or a rock group from the 1970s.

**Deputy Darragh O'Brien:** Deputy Broughan has always been a progressive.

**Deputy Thomas P. Broughan:** The abstainers are abstaining right, left, and centre to keep

this very shaky show on the road, as they did yesterday.

**Deputy Darragh O'Brien:** That is a memorable line.

**Deputy Thomas P. Broughan:** This is clearly an area in which they could decide, if they wanted to, to go for the Commission for Aviation Regulation.

**Deputy Darragh O'Brien:** We made many changes on Committee Stage. If Deputy Broughan had been at any of the debates he would know that.

**Deputy Thomas P. Broughan:** As I have said, the abstainers would be a good name for an old band.

The correspondence again shows the well-founded fears of Fingal County Council. One of my constituents has reminded me of the approximately 100 acres - I am not sure what that would be in hectares - of commercial land bought from NAMA located in the Dublin enterprise zone, which is right at the famous roundabout, the M1-M2 link at the Ward. This is one of many commercial conflicts of interest.

I tabled an amendment, No. 60, which was about having a dedicated health action plan based on the World Health Organization evidence. Deputies Munster and Clare Daly tabled similar amendments. One of those should be in the Bill. I have read SI 549 of 2018 again. Where is the reference to a health action plan? There were all kinds of comments, which I may come back to, but where are the health studies and the close invigilation of health? It is all missing. I certainly do not see it in this statutory instrument.

**Deputy Darragh O'Brien:** I will be quick, as I contributed last night. The health of residents and neighbours has to be paramount in all of this. I have lived beside the airport my whole life-----

**Deputy Thomas P. Broughan:** So have I. I have worked in the airport as well.

**Deputy Darragh O'Brien:** -----and I know thousands of people who work in the airport. I am also someone who wants to see job growth and who recognises the fact that the airport is an important piece of national infrastructure. Perhaps it is not seen that way in Howth Head but people who are working and who are actually-----

**Deputy Thomas P. Broughan:** This is total nonsense. The Ceann Comhairle should intervene.

**Deputy Darragh O'Brien:** He does not need to intervene.

**Deputy Thomas P. Broughan:** I walked into the lobby against Deputy Darragh O'Brien's party with Deputy Brendan Ryan's brother-----

**An Leas-Cheann Comhairle:** I told the Deputy not to invite interruptions.

**Deputy Thomas P. Broughan:** -----to defend the workers of Dublin Airport when Fianna Fáil was selling them down the river.

**An Leas-Cheann Comhairle:** The clock is ticking.

**Deputy Thomas P. Broughan:** I am not going to take that from Fianna Fáil. It is total crap.

The Deputy does not even live on the flight path. What is he talking about?

**Deputy Darragh O'Brien:** I am actually on the flight path for the new runway.

**An Leas-Cheann Comhairle:** It will be too bad if we have to suspend again. Deputy Darragh O'Brien should not invite interruptions and he should not interrupt.

**Deputy Darragh O'Brien:** I have not invited anything.

**An Leas-Cheann Comhairle:** I am making a general statement.

**Deputy Darragh O'Brien:** Deputy Clare Daly makes a very fair point. To deal specifically with items that are of relevance to this Bill, our transport spokesperson tabled an amendment on Committee Stage, which I moved on his behalf, to establish a separate unit within Fingal County Council. This amendment was debated on Committee Stage and was unfortunately voted down by five votes to two. Those who were there will know that. I received a note from the Department which I circulated to the forum on 8 February. I have the written note to hand. It effectively says that, taking all of this together, the proposed amendment undermines the coherence of the appointment of Fingal County Council as the competent authority and that, while it would have to consider the matter, it is unlikely that the Government could allow the Bill to proceed on that basis. That is it in black and white. I circulated that.

**Deputy Clare Daly:** It should have been discussed in the Chamber.

**Deputy Darragh O'Brien:** I circulated the exact note to the residents and to the group at the time. I actually put it on the floor of the House again yesterday, as did Deputy Troy. That is the unfortunate reality of it. We must now ensure, as we did yesterday evening, that residents' health is absolutely paramount in any surveys carried out in respect of decisions of the noise regulator. It has to be clear and transparent.

I understand where Deputy Brendan Ryan is coming from, but I am actually pleased that there is another arbiter involved. I am sure the Deputy is not saying that he does not want to have An Bord Pleanála involved at all, but it is good that it is there, should it be needed as an independent arbiter. If the DAA or residents take any further decision to the board, I would much rather that the board be involved than not.

**Deputy Imelda Munster:** I want to make reference to correspondence about which we heard yesterday evening and to the fact that at no stage did the Minister divulge or make reference to it. Is it not ironic that Fingal County Council had voiced the exact same concerns that many of us had voiced in respect of its capacity, its lack of in-house experience, and the fact that it determines planning applications and makes decisions? Many of us had raised all of those issues, including the issue of the potential for conflicts of interest arising from Dublin Airport being a source of revenue for the council. The reality is that the Minister made this decision in haste. I believe that is fair to say. He left it too late. All along he had been planning for the Irish Aviation Authority to be the competent authority. When he realised it was not permitted to carry out that function because it failed the independence test, he then rushed to Fingal County Council, completely ignoring the concerns it raised, the same concerns which many of us had raised. One has to ask again: how can Fingal County Council be truly independent in regulating an entity from which it receives an income? That income is quite substantial. The Minister may say that it is only 8% but 8% of a council's overall budget is pretty substantial.

The Minister has said that neither the Commission for Aviation Regulation nor Fingal County Council had the relevant expertise. If the Commission for Aviation Regulation is going to take on additional functions in the regulation of civil aviation, as we now know it will, would it not make perfect sense for it also to regulate noise? It is not even surprising that the Minister did not flag the correspondence. The concerns Fingal County Council has aired are the same as the ones many of us have aired. It is disappointing but not surprising.

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I have dealt with this issue before, but I want to be absolutely up-front with the House on it. As we said last night, the letter was written in 2017. It was well known to everybody that there was a discussion ongoing on the relative merits of Fingal County Council, the Commission for Aviation Regulation, the Environmental Protection Agency and anybody else. The letter expressed very sincere and perfectly legitimate concerns about Fingal County Council. The concerns were part of a discussion in which everybody was involved, publicly and privately. My officials were engaged intensively in discussions with all three of the main candidates and looking at other alternatives. When the issues arose, the issue of a conflict of interest which has been raised by everybody here was referred to one place, the Office of the Attorney General. That is the correct thing to do when such issues arise. The Office of the Attorney General which had rejected the Irish Aviation Authority as being conflicted came back and stated specifically that Fingal County Council would be given the all-clear. That is what happened.

**Deputy Imelda Munster:** It stated the exact same thing about the Commission for Aviation Regulation.

**Deputy Shane Ross:** It was the correct action to take. Fingal County Council is on record as stating it is satisfied that the reservations have been met and that it is clearly in favour of being the noise regulator.

**Deputy Brendan Ryan:** What record? There is no record.

**Deputy Shane Ross:** The reservations have been met and satisfied. That is and will remain the situation. People should not raise the issue at this stage and say there is some secret. I have not been sitting on any letter.

**Deputy Brendan Ryan:** What?

**Deputy Shane Ross:** The letter was not written to me. The discussion has been open and free. The issue of a conflict of interest has been resolved by the Attorney General.

**An Leas-Cheann Comhairle:** Deputy Brendan Ryan has had his two minutes. All of the Deputies present have had their two minutes.

**Deputy Brendan Ryan:** I may have had them, but if a specific question is asked and the Minister does not give an answer-----

**Deputy Shane Ross:** Come on.

**Deputy Clare Daly:** We can ask it again in the next set.

**An Leas-Cheann Comhairle:** Hold on. I do not know what the Minister meant by his remark, "Come on," in other words, move on. I want to treat everybody in the same - Ministers and Deputies.

21 February 2019

**Deputy Mattie McGrath:** Without fear or favour.

**An Leas-Cheann Comhairle:** I do what I think is right. All I can say is that if questions were asked, they should be answered, but I have no control over the Minister.

**Deputy Mattie McGrath:** Nobody has control over him.

Amendment put:

<i>The Dáil divided: Tá, 71; Níl, 48; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Adams, Gerry.</i>	<i>Bailey, Maria.</i>	
<i>Aylward, Bobby.</i>	<i>Barrett, Seán.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Breen, Pat.</i>	
<i>Brady, John.</i>	<i>Brophy, Colm.</i>	
<i>Breathnach, Declan.</i>	<i>Bruton, Richard.</i>	
<i>Broughan, Thomas P.</i>	<i>Burke, Peter.</i>	
<i>Browne, James.</i>	<i>Byrne, Catherine.</i>	
<i>Buckley, Pat.</i>	<i>Canney, Seán.</i>	
<i>Burton, Joan.</i>	<i>Cannon, Ciarán.</i>	
<i>Butler, Mary.</i>	<i>Carey, Joe.</i>	
<i>Byrne, Thomas.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Cahill, Jackie.</i>	<i>Coveney, Simon.</i>	
<i>Calleary, Dara.</i>	<i>Creed, Michael.</i>	
<i>Casey, Pat.</i>	<i>D'Arcy, Michael.</i>	
<i>Chambers, Jack.</i>	<i>Deering, Pat.</i>	
<i>Collins, Joan.</i>	<i>Doherty, Regina.</i>	
<i>Collins, Michael.</i>	<i>Donohoe, Paschal.</i>	
<i>Connolly, Catherine.</i>	<i>Doyle, Andrew.</i>	
<i>Cowen, Barry.</i>	<i>Durkan, Bernard J.</i>	
<i>Crowe, Seán.</i>	<i>English, Damien.</i>	
<i>Cullinane, David.</i>	<i>Fitzgerald, Frances.</i>	
<i>Daly, Clare.</i>	<i>Flanagan, Charles.</i>	
<i>Doherty, Pearse.</i>	<i>Grealish, Noel.</i>	
<i>Donnelly, Stephen S.</i>	<i>Griffin, Brendan.</i>	
<i>Dooley, Timmy.</i>	<i>Halligan, John.</i>	
<i>Ellis, Dessie.</i>	<i>Harris, Simon.</i>	
<i>Ferris, Martin.</i>	<i>Heydon, Martin.</i>	
<i>Fitzmaurice, Michael.</i>	<i>Kyne, Seán.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Madigan, Josepha.</i>	
<i>Funchion, Kathleen.</i>	<i>McEntee, Helen.</i>	
<i>Haughey, Seán.</i>	<i>McGrath, Finian.</i>	
<i>Howlin, Brendan.</i>	<i>McHugh, Joe.</i>	
<i>Kelleher, Billy.</i>	<i>McLoughlin, Tony.</i>	

*Dáil Éireann*

<i>Kenny, Martin.</i>	<i>Mitchell O'Connor, Mary.</i>	
<i>Lahart, John.</i>	<i>Moran, Kevin Boxer.</i>	
<i>Lawless, James.</i>	<i>Naughten, Denis.</i>	
<i>MacSharry, Marc.</i>	<i>Naughton, Hildegarde.</i>	
<i>McGrath, Mattie.</i>	<i>Neville, Tom.</i>	
<i>McGrath, Michael.</i>	<i>O'Connell, Kate.</i>	
<i>McGuinness, John.</i>	<i>O'Donovan, Patrick.</i>	
<i>Mitchell, Denise.</i>	<i>O'Dowd, Fergus.</i>	
<i>Moynihan, Aindrias.</i>	<i>Phelan, John Paul.</i>	
<i>Munster, Imelda.</i>	<i>Ring, Michael.</i>	
<i>Murphy O'Mahony, Margaret.</i>	<i>Rock, Noel.</i>	
<i>Murphy, Catherine.</i>	<i>Ross, Shane.</i>	
<i>Murphy, Paul.</i>	<i>Stanton, David.</i>	
<i>O'Brien, Darragh.</i>	<i>Varadkar, Leo.</i>	
<i>O'Brien, Jonathan.</i>	<i>Zappone, Katherine.</i>	
<i>O'Callaghan, Jim.</i>		
<i>O'Keefe, Kevin.</i>		
<i>O'Loughlin, Fiona.</i>		
<i>O'Rourke, Frank.</i>		
<i>O'Sullivan, Jan.</i>		
<i>O'Sullivan, Maureen.</i>		
<i>Ó Broin, Eoin.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Ó Laoghaire, Donnchadh.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Penrose, Willie.</i>		
<i>Pringle, Thomas.</i>		
<i>Quinlivan, Maurice.</i>		
<i>Ryan, Brendan.</i>		
<i>Scanlon, Eamon.</i>		
<i>Sherlock, Sean.</i>		
<i>Smith, Brendan.</i>		
<i>Smith, Bríd.</i>		
<i>Smyth, Niamh.</i>		
<i>Stanley, Brian.</i>		
<i>Tóibín, Peadar.</i>		
<i>Troy, Robert.</i>		
<i>Wallace, Mick.</i>		

Tellers: Tá, Deputies Imelda Munster and Denise Mitchell; Níl, Deputies Seán Kyne and Tony McLoughlin.

Amendment declared carried.

2 o'clock

**Deputy Clare Daly:** I move amendment No. 49:

In page 11, line 18, to delete “FCC” and substitute “the CAR”.

There are new circumstances; the Minister is refusing to answer questions. Fianna Fáil might want to change its tune.

Amendment put:

<i>The Dáil divided: Tá, 41; Níl, 47; Staon, 29.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Adams, Gerry.</i>	<i>Bailey, Maria.</i>	<i>Aylward, Bobby.</i>
<i>Boyd Barrett, Richard.</i>	<i>Barrett, Seán.</i>	<i>Breathnach, Declan.</i>
<i>Brady, John.</i>	<i>Breen, Pat.</i>	<i>Butler, Mary.</i>
<i>Broughan, Thomas P.</i>	<i>Brophy, Colm.</i>	<i>Cahill, Jackie.</i>
<i>Buckley, Pat.</i>	<i>Bruton, Richard.</i>	<i>Calleary, Dara.</i>
<i>Burton, Joan.</i>	<i>Burke, Peter.</i>	<i>Casey, Pat.</i>
<i>Collins, Joan.</i>	<i>Byrne, Catherine.</i>	<i>Chambers, Jack.</i>
<i>Collins, Michael.</i>	<i>Canney, Seán.</i>	<i>Collins, Niall.</i>
<i>Connolly, Catherine.</i>	<i>Cannon, Ciarán.</i>	<i>Donnelly, Stephen S.</i>
<i>Crowe, Seán.</i>	<i>Carey, Joe.</i>	<i>Dooley, Timmy.</i>
<i>Cullinane, David.</i>	<i>Corcoran Kennedy, Marcella.</i>	<i>Haughey, Seán.</i>
<i>Daly, Clare.</i>	<i>Coveney, Simon.</i>	<i>Kelleher, Billy.</i>
<i>Doherty, Pearse.</i>	<i>Creed, Michael.</i>	<i>Lahart, John.</i>
<i>Ellis, Dessie.</i>	<i>D'Arcy, Michael.</i>	<i>Lawless, James.</i>
<i>Ferris, Martin.</i>	<i>Deering, Pat.</i>	<i>MacSharry, Marc.</i>
<i>Fitzmaurice, Michael.</i>	<i>Doherty, Regina.</i>	<i>McGrath, Michael.</i>
<i>Fitzpatrick, Peter.</i>	<i>Donohoe, Paschal.</i>	<i>McGuinness, John.</i>
<i>Funchion, Kathleen.</i>	<i>Doyle, Andrew.</i>	<i>Moynihan, Aindrias.</i>
<i>Howlin, Brendan.</i>	<i>Durkan, Bernard J.</i>	<i>Murphy O'Mahony, Margaret.</i>
<i>Kenny, Martin.</i>	<i>English, Damien.</i>	<i>O'Brien, Darragh.</i>
<i>McGrath, Mattie.</i>	<i>Fitzgerald, Frances.</i>	<i>O'Callaghan, Jim.</i>
<i>Mitchell, Denise.</i>	<i>Flanagan, Charles.</i>	<i>O'Keeffe, Kevin.</i>
<i>Munster, Imelda.</i>	<i>Grealish, Noel.</i>	<i>O'Loughlin, Fiona.</i>
<i>Murphy, Catherine.</i>	<i>Griffin, Brendan.</i>	<i>O'Rourke, Frank.</i>
<i>Murphy, Paul.</i>	<i>Halligan, John.</i>	<i>Ó Cuív, Éamon.</i>
<i>O'Brien, Jonathan.</i>	<i>Harris, Simon.</i>	<i>Scanlon, Eamon.</i>
<i>O'Sullivan, Jan.</i>	<i>Heydon, Martin.</i>	<i>Smith, Brendan.</i>
<i>O'Sullivan, Maureen.</i>	<i>Kyne, Seán.</i>	<i>Smyth, Niamh.</i>
<i>Ó Broin, Eoin.</i>	<i>Madigan, Josepha.</i>	<i>Troy, Robert.</i>

<i>Ó Laoghaire, Donnchadh.</i>	<i>McEntee, Helen.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>McGrath, Finian.</i>	
<i>Penrose, Willie.</i>	<i>McHugh, Joe.</i>	
<i>Pringle, Thomas.</i>	<i>McLoughlin, Tony.</i>	
<i>Quinlivan, Maurice.</i>	<i>Mitchell O'Connor, Mary.</i>	
<i>Ryan, Brendan.</i>	<i>Moran, Kevin Boxer.</i>	
<i>Ryan, Eamon.</i>	<i>Naughten, Denis.</i>	
<i>Sherlock, Sean.</i>	<i>Naughton, Hildegarde.</i>	
<i>Smith, Bríd.</i>	<i>Neville, Tom.</i>	
<i>Stanley, Brian.</i>	<i>O'Connell, Kate.</i>	
<i>Tóibín, Peadar.</i>	<i>O'Donovan, Patrick.</i>	
<i>Wallace, Mick.</i>	<i>O'Dowd, Fergus.</i>	
	<i>Phelan, John Paul.</i>	
	<i>Ring, Michael.</i>	
	<i>Rock, Noel.</i>	
	<i>Ross, Shane.</i>	
	<i>Stanton, David.</i>	
	<i>Varadkar, Leo.</i>	

Tellers: Tá, Deputies Clare Daly and Brendan Ryan; Níl, Deputies Seán Kyne and Tony McLoughlin.

Amendment declared lost.

Amendment No. 50 not moved.

**An Leas-Cheann Comhairle:** Amendments Nos. 51, 52 and 90 to 92, inclusive, are related may be discussed together. Amendment No. 52 is a physical alternative to amendment No. 51. Amendments Nos. 90 and 92 are consequential.

**Deputy Shane Ross:** I move amendment No. 51:

In page 11, to delete lines 41 and 42, and in page 12, to delete lines 1 to 15 and substitute the following:

“(10) (a) The competent authority may, for the purposes of an assessment of the noise situation at the airport, by notice in writing direct the airport authority to carry out such assessments and give to it such information or plans arising from such assessments, or to give to it such other information or plans, or both, as specified in the notice, as the competent authority may reasonably require for those purposes.

(b) The airport authority shall comply with a direction given to it under *paragraph (a)* as soon as is practicable after it receives the notice concerned referred to in that *paragraph*.”.

**Deputy Shane Ross:** Before I get into the substantive issue of the amendment I want to acknowledge the constructive proposals made by Fianna Fáil to strengthen the safeguards and to reinforce-----

**Deputy Barry Cowen:** Hear, hear.

*(Interruptions).*

**An Leas-Cheann Comhairle:** Deputies, do not invite interruptions. The clock is ticking.

**Deputy Shane Ross:** I want to reinforce the accountability, transparency and independence provisions of the regulator. There was extensive debate last night and last week about which was the right organisation to appoint as the noise regulator. While some of it was not particularly well-informed, a number of very important issues were raised, particularly by Deputy Troy, which I wish to address.

I am willing to acknowledge that he has been consistently on my case for the last number of years in relation to regulation and has been vocal on the matter of Fingal County Council, especially. Indeed, it is fair to say he was the first out of the blocks on this particular issue, which is something I should point out to other people in this House. I want to acknowledge this because, while there has been heavy criticism from the Deputy, he has brought forward some sensible ideas which have improved the Bill overall.

I want to contrast that with some of the loopy ideas which have come from other people in this House.

*(Interruptions).*

**Deputy Shane Ross:** The Government amendments that were carried last week were a direct result of that engagement and serve to reinforce that the new regulatory regime will be fair for all stakeholders, will be seen to be fair and will be accountable to external assessment on that basis. The amendments passed include provision for a review to take place of the performance by the regulator of its functions under this Bill. The first such review must happen within seven years, and every five years thereafter. That first seven-year period is necessary to ensure the regulator and the appeals body have one full regulatory cycle under their belts, so that the first review can look at all aspects of how the structures have worked, including the assessment process, the consultation, the decision-making, any appeal and the monitoring. In practice, I expect the first review will happen sooner than this, but there is no point in forcing a review after three or five years and finding that it is too soon to provide a full picture of how things have worked and are working. The outcome of the review would be formally reported on that report to be published. If there are any matters of concern arising from the review, I would fully expect the Oireachtas committee to examine the matter further.

Furthermore, the amendments passed last week also provide that the regulator will produce an annual report detailing the work it has undertaken in the previous year and setting out its programme for the forthcoming year. This will be entirely separate from and in addition to any annual report produced by the council with regard to its other work.

I want to quickly come back to the matter of the references to health, which was an important debate. As I said, this Bill must be read in tandem with Regulation (EU) 598/2014 itself and with other related EU directives, including the environmental noise directive. All of these apply to Fingal County Council as the new noise regulator. I want to assure the House that in this Bill, as it is now drafted, whatever is decided at EU level in relation to the WHO guidelines will have full applicability to Fingal County Council, in its role as noise regulator. I have tried to explain that Ireland cannot move unilaterally on that front, when giving effect simultane-

ously to Regulation (EU) 598/2014 in this Bill.

Going back to the matter in hand, amendments Nos. 51 and 90 to 92, inclusive, introduce a practical and workable complaints procedure. In the first instance, under amendment No. 51, it would be a matter solely for the noise regulator to consider if there are grounds to review a noise assessment, where circumstances may have changed. It also gives power for the regulator to direct the airport authority to provide it with any necessary information it requires to undertake such an assessment.

Under amendment No. 91, a new subsection would be inserted into section 2, the section which relates to the regulator's monitoring powers. Under this new provision, any person can make a complaint to the regulator and ask it to review the effectiveness of noise mitigation measures which are in place. This provides for a mechanism by which a person with a genuine complaint has somewhere to go and be heard.

Amendment Nos. 90 and 92 are consequential to amendment No. 91. I note that my amendments have the effect of replacing Deputy Clare Daly's amendment on Committee Stage. The intention of that amendment, however, is retained and expanded on.

In summary, only the regulator can consider if there is good reason to open a regulatory decision in between the five-year regulatory cycle, but any person can complain to the regulator at any point and request an investigation into non-compliance with a regulatory decision.

**Deputy Clare Daly:** It is unfortunate the way this group of amendments have morphed a little bit and strayed. When this Bill was first drafted there was no facility whatsoever for residents to make representations to the competent authority. The Bill provided that the DAA could go to the competent authority and ask it to assess the situation. The select committee agreed with my amendments on Committee Stage and put in a provision for residents to be able to do that.

However, there was another part to that, that the decision on whether or not to investigate a complaint rested solely with the competent authority, which would decide whether or not to conduct an assessment. I do not have a particular problem with that. There may be spurious complaints and we do not want the authority to have to go through a full investigation. However, what I am merely providing for is that in the event that it decides not to carry out an assessment, it needs to inform the person in writing as to the reason for that. The way the Department has drafted these amendments means there is no facility that bit to go in, unless it goes into the original text, which the Department has dramatically changed by splitting it into two parts. I want to hear from the Minister that the bit about it being in writing will be resubmitted with amendments Nos. 90 and 91 in the Seanad to properly deal with this issue. If it is not, we have a bigger problem, and I will come back to that.

On the matters the Minister spent most of his time dealing with, clearly the officials had time to write the speaking note to deal with some of the issues he was not able to deal with when they were raised on the floor of the House. We have a substantial problem, as do the residents, with the perceived lack of independence of Fingal County Council being the competent authority. The Minister's responses to us have not been adequate. He got very blustered and

said that it was all history because when Fingal County Council's senior official wrote expressing these concerns, the Attorney General came back and said that there were no conflict of interest. Therefore, the matter was over. The Minister is, however, patently ignoring what the

21 February 2019

official said. She did not just raise an issue of a conflict of interest. She also raised the issue that Fingal County Council did not have the requisite competencies available of aviation operations noise and economic feasibility assessments and that another independent organisation would be better. That was in November 2017. On 30 January, the Minister announced Fingal County Council as the competent authority. In terms of freedom of information, and conveniently the freedom of information officer is on holiday this week, so cannot clarify this, no records have emerged to date of any meetings between Fingal County Council and the Department of Transport, Tourism and Sport to address those issues the Minister said were extensively discussed with the three candidates, the other two being the EPA and the Commission for Aviation Regulation Ireland, CAR. Interestingly enough, there is no information under freedom of information about any intensive discussions with them either.

Can the Minister explain how, between November and his announcement in January, all these issues were addressed, particularly when we have correspondence under freedom of information where his senior official wrote back to Fingal County Council? This was in May more than two weeks after he made the announcement about Fingal County Council. It read:

Hi AnnMarie

See the link below. This issue about independence is likely to have prominence.

The link was to a debate that took place in Fingal County Council, where the elected councillors expressed concern about the lack, or perceived lack, of independence of their council. The official in the Minister's Department went on to say that the Minister was, of course, defending this robustly. I have not seen much evidence of that but we will park that. The letter stated, "Any help you might be able to give around defensive points would be appreciated". It further stated: "For example, as a starting point, I do not know if the proportion of Fingal rates that it is claimed is paid by the DAA - 20% - is correct." If the senior official dealing with this issue, after the date the Minister announced Fingal County Council as the competent authority, did not know the level of rate base of Fingal County Council, and its reliance on the DAA, and the Minister does not think that is a problem, then I think there is something seriously wrong with him, to be honest about it.

It is a fundamental problem and shows that the points about Fingal County Council's independence have not been adequately addressed. We do not have to rely on that correspondence alone. We also have correspondence from the EU expressing its concerns about the issue of independence. The Minister is saying that everything is okay and the issues have been addressed because the Attorney General said that there was not a conflict of interest. Let us say that we accept that, but the Attorney General did not say that there would be a conflict of interest with the Commission for Aviation Regulation or the EPA either. The conflict of interest issue is not the only consideration, as the competent authority also has to have expertise.

We now have a major problem because of the manner in which this issue has been handled. In that sense, the complaints procedure takes on even greater prominence. When the Minister's own Government colleague and Chair of the Committee on Transport, Tourism and Sport asks questions about letters and this information not being brought before the committee, it is an unprecedented problem. The manner of the Bill's handling in the House has been shambolic from start to finish. In some ways, my heart goes out to the officials. It is a difficult job, but we have tried to engage. I recognise that we have made improvements to the Bill, but if the Minister believes he can shout and roar in the Chamber and say that there is no conflict of interest and

that the Attorney General will address the issues we have raised, he is wrong. Will he please address the issues that Deputies across the Opposition benches have raised about these points?

**An Leas-Cheann Comhairle:** Next is Deputy Darragh O'Brien, whom I will be calling on in approximately a minute to adjourn the debate.

**Deputy Darragh O'Brien:** I agree with Deputy Clare Daly, in that the structure of the competent authority has not been clarified. I have raised this issue with the Minister. We have discussed levels of competence, experience and so on with the officials. We have been told that there would be consultations on same. A great deal more work is needed on these matters.

On Committee Stage, amendments were passed regarding the making of complaints. It is good that we will have an authority to which residents can make a complaint, as that has been a major issue, with the DAA effectively being the only avenue open to people to date to make complaints. Most of us would agree that the majority of complaints have not been heard fairly.

The issue of complaints receiving written responses if the competent authority decided that a complaint was spurious or that it would not proceed with an investigation was the spirit of the Committee Stage debate. My colleagues in Fianna Fáil and I supported Deputy Clare Daly strongly on that amendment. While we acknowledge that there will be somewhere to make a complaint to and that the competent authority will be able to decide whether there is enough in the complaint to take the matter a step further, we agreed on Committee Stage that, if the authority decided that it could not or would not proceed, a written explanation would be given. That should be the bottom line. We understand that spurious complaints can be made and, hence, we were not saying that the competent authority had to investigate every complaint, but if there is a reason for it being unable or unwilling to investigate, that needs to be explained to the complainant in writing.

I support the request that, when the Bill is before the Seanad-----

**Deputy Clare Daly:** We need a commitment.

**Deputy Darragh O'Brien:** Yes. Does the Leas-Cheann Comhairle want me to adjourn the debate?

**An Leas-Cheann Comhairle:** Yes. The Deputy will have five minutes to continue when the debate resumes.

Debate adjourned.

### **Ábhair Shaincheisteanna Tráthúla (Atógáil) - Topical Issue Matters (Resumed)**

**An Leas-Cheann Comhairle:** I wish to advise the House that the Topical Issue in the name of Deputy Joan Collins will not be taken and is being replaced by one in the name of Deputy Joan Burton - to discuss the shortage of specialised training for educators of vulnerable children with autism spectrum disorder, ASD.

21 February 2019

## Gnó na Dála - Business of Dáil

**Minister of State at the Department of the Taoiseach (Deputy Seán Kyne):** It is proposed notwithstanding anything in Standing Orders or the Order of Business of Tuesday, 19 February, that No. 14b, motion re sitting and the business of the Dáil, on today's Supplementary Order Paper shall be taken now without debate.

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

### Sitting and Business of Dáil: Motion

**Minister of State at the Department of the Taoiseach (Deputy Seán Kyne):** I move:

That, notwithstanding anything in Standing Orders, and unless the Dáil shall otherwise order, the following arrangements shall apply in relation to the sittings of the Dáil on 26th, 27th and 28th February, 2019:

(a) on Tuesday--

(i) topical issues under Standing Order 29A, and private members' business under Standing Order 140, shall not be taken; and

(ii) the Dáil shall sit later than 10 p.m., and shall adjourn on the conclusion of the first and second speaking rounds on the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Bill 2019;

(b) on Wednesday--

(i) the Dáil shall sit at 9.30 a.m. to take Questions to the Minister for Foreign Affairs and Trade under Standing Order 38;

(ii) topical issues under Standing Order 29A shall be taken immediately following Leaders' Questions under Standing Order 29, and the deadline for such topical issues shall be 6 p.m. the previous day;

(iii) questions on promised legislation under Standing Order 28 shall not be taken;

(iv) Questions to the Taoiseach under Standing Order 38 shall not be taken;

(v) the suspension of sitting under Standing Order 25 shall take place at 3 p.m. for 60 minutes;

(vi) private members' business under Standing Order 140 shall not be taken; and

(vii) the Dáil shall sit later than 10.15 p.m., and shall adjourn not later than 11.30 p.m., but in any case, if there are no further speakers offering on the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Bill 2019, the debate shall be adjourned;

(c) on Thursday--

*Dáil Éireann*

(i) the Dáil shall sit at 9.30 a.m., to take Fianna Fáil's private members' business which would have been taken on Wednesday, for two hours;

(ii) Questions to the Minister for Finance under Standing Order 38 shall be taken at 11.30 a.m.;

(iii) Leaders' Questions under Standing Order 29 shall be taken at 1 p.m.;

(iv) questions on promised legislation under Standing Order 28 shall not be taken;

(v) the motion re the Special Committee on Climate Action shall be taken without debate following Leaders' Questions, and the weekly division time under Standing Order 70(2) shall be taken on the conclusion of proceedings on the motion;

(vi) no Committee report or private member's Bill under Standing Orders 91 or 140A respectively shall be taken;

(vii) topical issues under Standing Order 29A shall be taken as the last item of business; and

(viii) the Dáil shall sit later than 8.03 p.m., and shall adjourn not later than 11 .30 p.m.;

(d) the Order of the Dáil of 6th February, 2019, referring the European Parliament Elections (Amendment) Bill 2019 to the Select Committee on Housing, Planning and Local Government is hereby discharged, and Committee Stage of the Bill shall be taken in Committee of the whole Dáil;

(e) after Thursday, I4C's private members' business, which would have been taken on Tuesday, shall be taken on the next available occasion under Standing Order 140, with the private members' business rota resuming after that on the slot which would have next occurred under Standing Order 143F if the rota had not been temporarily adjusted; and

(f) the following arrangements shall apply in relation to the second reading of the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Bill 2019:

(i) the first speaking round shall consist of speeches by the Tánaiste and Minister for Foreign Affairs and Trade and the main spokespersons for each party or group, or a member nominated in their stead;

(ii) the second speaking round shall consist of speeches by the Taoiseach and the leaders of each party or group, or a member nominated in their stead;

(iii) all members may share time; and

(iv) any division demanded on the proceedings relating to the second reading shall be taken immediately.

Question put and agreed to.

21 February 2019

**Homelessness: Motion (Resumed) [Private Members]**

The following motion was moved by Deputy Thomas P. Broughan on Tuesday, 14 February 2019:

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.

Debate resumed on 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 Completion 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.”

21 February 2019

-(Minister for Housing, Planning and Local Government)

**An Leas-Cheann Comhairle:** I must now deal with a postponed division relating to the motion regarding homelessness. On Tuesday, 14 February 2019, on the question that the amendment to the motion be agreed to, a division was claimed and in accordance with Standing Order 70(2), that division must be taken now.

Amendment again put:

<i>The Dáil divided: Tá, 43; Níl, 71; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>	
<i>Barrett, Seán.</i>	<i>Aylward, Bobby.</i>	
<i>Breen, Pat.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Bruton, Richard.</i>	<i>Brady, John.</i>	
<i>Burke, Peter.</i>	<i>Breathnach, Declan.</i>	
<i>Byrne, Catherine.</i>	<i>Broughan, Thomas P.</i>	
<i>Canney, Seán.</i>	<i>Buckley, Pat.</i>	
<i>Cannon, Ciarán.</i>	<i>Burton, Joan.</i>	
<i>Carey, Joe.</i>	<i>Butler, Mary.</i>	
<i>Coveney, Simon.</i>	<i>Byrne, Thomas.</i>	
<i>Creed, Michael.</i>	<i>Cahill, Jackie.</i>	
<i>D'Arcy, Michael.</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>Collins, Joan.</i>	
<i>Doyle, Andrew.</i>	<i>Collins, Michael.</i>	
<i>Durkan, Bernard J.</i>	<i>Collins, Niall.</i>	
<i>English, Damien.</i>	<i>Connolly, Catherine.</i>	
<i>Fitzgerald, Frances.</i>	<i>Cowen, Barry.</i>	
<i>Flanagan, Charles.</i>	<i>Crowe, Seán.</i>	
<i>Griffin, Brendan.</i>	<i>Cullinane, David.</i>	
<i>Halligan, John.</i>	<i>Daly, Clare.</i>	
<i>Harris, Simon.</i>	<i>Doherty, Pearse.</i>	
<i>Heydon, Martin.</i>	<i>Donnelly, Stephen S.</i>	
<i>Kyne, Seán.</i>	<i>Dooley, Timmy.</i>	
<i>Madigan, Josepha.</i>	<i>Ellis, Dessie.</i>	
<i>McEntee, Helen.</i>	<i>Ferris, Martin.</i>	
<i>McGrath, Finian.</i>	<i>Fitzmaurice, Michael.</i>	
<i>McLoughlin, Tony.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Mitchell O'Connor, Mary.</i>	<i>Fleming, Sean.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Funchion, Kathleen.</i>	
<i>Naughten, Denis.</i>	<i>Grealish, Noel.</i>	
<i>Naughton, Hildegard.</i>	<i>Haughey, Seán.</i>	
<i>Neville, Tom.</i>	<i>Howlin, Brendan.</i>	

*Dáil Éireann*

<i>O'Connell, Kate.</i>	<i>Kelleher, Billy.</i>	
<i>O'Donovan, Patrick.</i>	<i>Kenny, Martin.</i>	
<i>O'Dowd, Fergus.</i>	<i>Lahart, John.</i>	
<i>Phelan, John Paul.</i>	<i>MacSharry, Marc.</i>	
<i>Ring, Michael.</i>	<i>McConalogue, Charlie.</i>	
<i>Rock, Noel.</i>	<i>McGrath, Michael.</i>	
<i>Ross, Shane.</i>	<i>McGuinness, John.</i>	
<i>Stanton, David.</i>	<i>Mitchell, Denise.</i>	
<i>Zappone, Katherine.</i>	<i>Moynihan, Aindrias.</i>	
	<i>Munster, Imelda.</i>	
	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Catherine.</i>	
	<i>Murphy, Paul.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Brien, Jonathan.</i>	
	<i>O'Callaghan, Jim.</i>	
	<i>O'Keefe, Kevin.</i>	
	<i>O'Rourke, Frank.</i>	
	<i>O'Sullivan, Jan.</i>	
	<i>O'Sullivan, Maureen.</i>	
	<i>Ó Broin, Eoin.</i>	
	<i>Ó Laoghaire, Donnchadh.</i>	
	<i>Ó Snodaigh, Aengus.</i>	
	<i>Penrose, Willie.</i>	
	<i>Pringle, Thomas.</i>	
	<i>Quinlivan, Maurice.</i>	
	<i>Ryan, Brendan.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Scanlon, Eamon.</i>	
	<i>Sherlock, Sean.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smith, Bríd.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Stanley, Brian.</i>	
	<i>Tóibín, Peadar.</i>	
	<i>Troy, Robert.</i>	
	<i>Wallace, Mick.</i>	

Tellers: Tá, Deputies Seán Kyne and Tony McLoughlin; Níl, Deputies Thomas P. Broughan and Joan Collins.

21 February 2019

Amendment declared lost.

Motion put and declared carried.

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

**An Leas-Cheann Comhairle:** I must now deal with a postponed division on Second Stage of the Industrial and Provident Societies (Amendment) Bill 2018, the debate on which took place on Thursday, 14 February 2019. On the question, “That the Bill be now read a Second Time,” a division was claimed. In accordance with Standing Order 70(2), that division must take place now.

Question again put:

<i>The Dáil divided: Tá, 64; Níl, 50; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Adams, Gerry.</i>	<i>Bailey, Maria.</i>	
<i>Aylward, Bobby.</i>	<i>Barrett, Seán.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Breen, Pat.</i>	
<i>Brady, John.</i>	<i>Brophy, Colm.</i>	
<i>Breathnach, Declan.</i>	<i>Bruton, Richard.</i>	
<i>Broughan, Thomas P.</i>	<i>Burke, Peter.</i>	
<i>Buckley, Pat.</i>	<i>Burton, Joan.</i>	
<i>Butler, Mary.</i>	<i>Byrne, Catherine.</i>	
<i>Byrne, Thomas.</i>	<i>Canney, Seán.</i>	
<i>Cahill, Jackie.</i>	<i>Cannon, Ciarán.</i>	
<i>Calleary, Dara.</i>	<i>Carey, Joe.</i>	
<i>Casey, Pat.</i>	<i>Coveney, Simon.</i>	
<i>Chambers, Jack.</i>	<i>Creed, Michael.</i>	
<i>Collins, Joan.</i>	<i>D’Arcy, Michael.</i>	
<i>Collins, Michael.</i>	<i>Deering, Pat.</i>	
<i>Collins, Niall.</i>	<i>Doherty, Regina.</i>	
<i>Connolly, Catherine.</i>	<i>Donohoe, Paschal.</i>	
<i>Crowe, Seán.</i>	<i>Doyle, Andrew.</i>	
<i>Cullinane, David.</i>	<i>Durkan, Bernard J.</i>	
<i>Daly, Clare.</i>	<i>English, Damien.</i>	
<i>Doherty, Pearse.</i>	<i>Fitzgerald, Frances.</i>	
<i>Donnelly, Stephen S.</i>	<i>Flanagan, Charles.</i>	
<i>Dooley, Timmy.</i>	<i>Griffin, Brendan.</i>	
<i>Ellis, Dessie.</i>	<i>Halligan, John.</i>	
<i>Ferris, Martin.</i>	<i>Harris, Simon.</i>	
<i>Fitzmaurice, Michael.</i>	<i>Heydon, Martin.</i>	

*Dáil Éireann*

<i>Fitzpatrick, Peter.</i>	<i>Howlin, Brendan.</i>	
<i>Fleming, Sean.</i>	<i>Kyne, Seán.</i>	
<i>Funchion, Kathleen.</i>	<i>Madigan, Josepha.</i>	
<i>Haughey, Seán.</i>	<i>McEntee, Helen.</i>	
<i>Kelleher, Billy.</i>	<i>McGrath, Finian.</i>	
<i>Kenny, Martin.</i>	<i>McLoughlin, Tony.</i>	
<i>Lahart, John.</i>	<i>Mitchell O'Connor, Mary.</i>	
<i>Lawless, James.</i>	<i>Moran, Kevin Boxer.</i>	
<i>MacSharry, Marc.</i>	<i>Naughten, Denis.</i>	
<i>McConalogue, Charlie.</i>	<i>Naughton, Hildegarde.</i>	
<i>McGrath, Michael.</i>	<i>Neville, Tom.</i>	
<i>McGuinness, John.</i>	<i>O'Connell, Kate.</i>	
<i>Mitchell, Denise.</i>	<i>O'Donovan, Patrick.</i>	
<i>Moynihan, Aindrias.</i>	<i>O'Dowd, Fergus.</i>	
<i>Munster, Imelda.</i>	<i>O'Sullivan, Jan.</i>	
<i>Murphy O'Mahony, Margaret.</i>	<i>Penrose, Willie.</i>	
<i>Murphy, Catherine.</i>	<i>Phelan, John Paul.</i>	
<i>Murphy, Paul.</i>	<i>Ring, Michael.</i>	
<i>O'Brien, Darragh.</i>	<i>Rock, Noel.</i>	
<i>O'Brien, Jonathan.</i>	<i>Ross, Shane.</i>	
<i>O'Callaghan, Jim.</i>	<i>Ryan, Brendan.</i>	
<i>O'Keefe, Kevin.</i>	<i>Sherlock, Sean.</i>	
<i>O'Rourke, Frank.</i>	<i>Stanton, David.</i>	
<i>O'Sullivan, Maureen.</i>	<i>Zappone, Katherine.</i>	
<i>Ó Broin, Eoin.</i>		
<i>Ó Laoghaire, Donnchadh.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Pringle, Thomas.</i>		
<i>Quinlivan, Maurice.</i>		
<i>Ryan, Eamon.</i>		
<i>Scanlon, Eamon.</i>		
<i>Smith, Brendan.</i>		
<i>Smith, Bríd.</i>		
<i>Smyth, Niamh.</i>		
<i>Stanley, Brian.</i>		
<i>Tóibín, Peadar.</i>		
<i>Troy, Robert.</i>		
<i>Wallace, Mick.</i>		

Tellers: Tá, Deputies Catherine Connolly and Thomas Pringle; Níl, Deputies Seán Kyne and Tony McLoughlin.

Question declared carried.

### European Defence Agency Project: Motion (Resumed)

The following motion was moved by the Minister of State at the Department of Defence, Deputy Kehoe, on Tuesday, 19 February 2019:

That Dáil Éireann approves Ireland's participation in a European Defence Agency Project in relation to Military Search Capability Building pursuant to section 2 of the Defence (Miscellaneous Provisions) Act 2009.

**An Ceann Comhairle:** I must now deal with a postponed division on the motion re the proposed approval by Dáil Éireann of Ireland's participation in a European Defence Agency project in relation to military search capability building which was debated on Tuesday, 19 February. On the question, "That the motion be agreed to," a division was claimed. In accordance with Standing Order 70(2), that division must take place now.

Question again put:

<i>The Dáil divided: Tá, 81; Níl, 33; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Aylward, Bobby.</i>	<i>Adams, Gerry.</i>	
<i>Bailey, Maria.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Barrett, Seán.</i>	<i>Brady, John.</i>	
<i>Breathnach, Declan.</i>	<i>Broughan, Thomas P.</i>	
<i>Breen, Pat.</i>	<i>Buckley, Pat.</i>	
<i>Brophy, Colm.</i>	<i>Collins, Joan.</i>	
<i>Bruton, Richard.</i>	<i>Collins, Michael.</i>	
<i>Burke, Peter.</i>	<i>Connolly, Catherine.</i>	
<i>Burton, Joan.</i>	<i>Crowe, Seán.</i>	
<i>Butler, Mary.</i>	<i>Cullinane, David.</i>	
<i>Byrne, Catherine.</i>	<i>Daly, Clare.</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>Kenny, Martin.</i>	
<i>Casey, Pat.</i>	<i>Mitchell, Denise.</i>	
<i>Chambers, Jack.</i>	<i>Munster, Imelda.</i>	
<i>Collins, Niall.</i>	<i>Murphy, Catherine.</i>	
<i>Coveney, Simon.</i>	<i>Murphy, Paul.</i>	

*Dáil Éireann*

<i>Creed, Michael.</i>	<i>O'Brien, Jonathan.</i>	
<i>D'Arcy, Michael.</i>	<i>O'Sullivan, Maureen.</i>	
<i>Deering, Pat.</i>	<i>Ó Broin, Eoin.</i>	
<i>Doherty, Regina.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>Donnelly, Stephen S.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>Donohoe, Paschal.</i>	<i>Pringle, Thomas.</i>	
<i>Dooley, Timmy.</i>	<i>Quinlivan, Maurice.</i>	
<i>Doyle, Andrew.</i>	<i>Ryan, Eamon.</i>	
<i>Durkan, Bernard J.</i>	<i>Smith, Bríd.</i>	
<i>English, Damien.</i>	<i>Stanley, Brian.</i>	
<i>Fitzgerald, Frances.</i>	<i>Tóibín, Peadar.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Wallace, Mick.</i>	
<i>Flanagan, Charles.</i>		
<i>Fleming, Sean.</i>		
<i>Griffin, Brendan.</i>		
<i>Halligan, John.</i>		
<i>Harris, Simon.</i>		
<i>Haughey, Seán.</i>		
<i>Heydon, Martin.</i>		
<i>Howlin, Brendan.</i>		
<i>Kelleher, Billy.</i>		
<i>Kyne, Seán.</i>		
<i>Lahart, John.</i>		
<i>Lawless, James.</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>McLoughlin, Tony.</i>		
<i>Mitchell O'Connor, Mary.</i>		
<i>Moran, Kevin Boxer.</i>		
<i>Moynihan, Aindrias.</i>		
<i>Murphy O'Mahony, Margaret.</i>		
<i>Naughten, Denis.</i>		
<i>Naughton, Hildegarde.</i>		
<i>Neville, Tom.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Connell, Kate.</i>		

21 February 2019

<i>O'Donovan, Patrick.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Keeffe, Kevin.</i>		
<i>O'Loughlin, Fiona.</i>		
<i>O'Rourke, Frank.</i>		
<i>Penrose, Willie.</i>		
<i>Phelan, John Paul.</i>		
<i>Ring, Michael.</i>		
<i>Rock, Noel.</i>		
<i>Ross, Shane.</i>		
<i>Ryan, Brendan.</i>		
<i>Scanlon, Eamon.</i>		
<i>Sherlock, Sean.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Stanton, David.</i>		
<i>Troy, Robert.</i>		
<i>Zappone, Katherine.</i>		

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

Question declared carried.

3 o'clock

### **Management Fees (Local Property Tax) Relief Bill 2018: Second Stage (Resumed) [Private Members]**

The following motion was moved by Deputy Darragh O'Brien on 19 February 2019: "That the Bill be now read a Second Time."

Debate resumed on Amendment No. 1:

To delete all words after "That" and substitute the following:

"Dáil Éireann resolves that the Management Fees (Local Property Tax) Relief Bill 2018 be deemed to be read a second time this day six months, in order to allow for completion of the Inter-Departmental review of the Local Property Tax; to enable the Government to consider the conclusions and recommendations of the review; for the measures proposed in the Bill to be costed; and for the identification of means by which the yield foregone can be made up."

- Minister of State at the Department of Communications, Climate Action and Environment

(Deputy Seán Canney)

**An Leas-Cheann Comhairle:** I must now deal with a postponed division relating to Second Stage of the Management Fees (Local Property Tax) Relief Bill 2018, which took place on Tuesday, 19 February 2019. On the question, “That the amendment to the motion be made”, a division was claimed, and in accordance with Standing Order 70(2), that division must be taken now.

Amendment again put:

<i>The Dáil divided: Tá, 44; Níl, 63; Staon, 7.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>	<i>Burton, Joan.</i>
<i>Barrett, Seán.</i>	<i>Aylward, Bobby.</i>	<i>Howlin, Brendan.</i>
<i>Breen, Pat.</i>	<i>Boyd Barrett, Richard.</i>	<i>O’Sullivan, Jan.</i>
<i>Brophy, Colm.</i>	<i>Brady, John.</i>	<i>O’Sullivan, Maureen.</i>
<i>Bruton, Richard.</i>	<i>Breathnach, Declan.</i>	<i>Penrose, Willie.</i>
<i>Burke, Peter.</i>	<i>Broughan, Thomas P.</i>	<i>Ryan, Brendan.</i>
<i>Byrne, Catherine.</i>	<i>Buckley, Pat.</i>	<i>Sherlock, Sean.</i>
<i>Canney, Seán.</i>	<i>Butler, Mary.</i>	
<i>Cannon, Ciarán.</i>	<i>Byrne, Thomas.</i>	
<i>Carey, Joe.</i>	<i>Cahill, Jackie.</i>	
<i>Coveney, Simon.</i>	<i>Calleary, Dara.</i>	
<i>Creed, Michael.</i>	<i>Casey, Pat.</i>	
<i>D’Arcy, Michael.</i>	<i>Chambers, Jack.</i>	
<i>Deering, Pat.</i>	<i>Collins, Joan.</i>	
<i>Doherty, Regina.</i>	<i>Collins, Michael.</i>	
<i>Donohoe, Paschal.</i>	<i>Collins, Niall.</i>	
<i>Doyle, Andrew.</i>	<i>Connolly, Catherine.</i>	
<i>Durkan, Bernard J.</i>	<i>Cowen, Barry.</i>	
<i>English, Damien.</i>	<i>Crowe, Seán.</i>	
<i>Fitzgerald, Frances.</i>	<i>Cullinane, David.</i>	
<i>Flanagan, Charles.</i>	<i>Daly, Clare.</i>	
<i>Griffin, Brendan.</i>	<i>Doherty, Pearse.</i>	
<i>Halligan, John.</i>	<i>Donnelly, Stephen S.</i>	
<i>Harris, Simon.</i>	<i>Dooley, Timmy.</i>	
<i>Heydon, Martin.</i>	<i>Ferris, Martin.</i>	
<i>Kyne, Seán.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Madigan, Josepha.</i>	<i>Fitzpatrick, Peter.</i>	
<i>McEntee, Helen.</i>	<i>Fleming, Sean.</i>	
<i>McGrath, Finian.</i>	<i>Funchion, Kathleen.</i>	
<i>McLoughlin, Tony.</i>	<i>Haughey, Seán.</i>	
<i>Mitchell O’Connor, Mary.</i>	<i>Kelleher, Billy.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Kenny, Martin.</i>	
<i>Naughten, Denis.</i>	<i>Lahart, John.</i>	

21 February 2019

<i>Naughton, Hildegarde.</i>	<i>Lawless, James.</i>	
<i>Neville, Tom.</i>	<i>MacSharry, Marc.</i>	
<i>O'Connell, Kate.</i>	<i>McConalogue, Charlie.</i>	
<i>O'Donovan, Patrick.</i>	<i>McGrath, Michael.</i>	
<i>O'Dowd, Fergus.</i>	<i>McGuinness, John.</i>	
<i>Phelan, John Paul.</i>	<i>Mitchell, Denise.</i>	
<i>Ring, Michael.</i>	<i>Moynihan, Aindrias.</i>	
<i>Rock, Noel.</i>	<i>Munster, Imelda.</i>	
<i>Ross, Shane.</i>	<i>Murphy O'Mahony, Margaret.</i>	
<i>Stanton, David.</i>	<i>Murphy, Catherine.</i>	
<i>Zappone, Katherine.</i>	<i>Murphy, Paul.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Brien, Jonathan.</i>	
	<i>O'Callaghan, Jim.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Loughlin, Fiona.</i>	
	<i>O'Rourke, Frank.</i>	
	<i>Ó Broin, Eoin.</i>	
	<i>Ó Laoghaire, Donnchadh.</i>	
	<i>Ó Snodaigh, Aengus.</i>	
	<i>Pringle, Thomas.</i>	
	<i>Quinlivan, Maurice.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Scanlon, Eamon.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smith, Bríd.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Stanley, Brian.</i>	
	<i>Tóibín, Peadar.</i>	
	<i>Wallace, Mick.</i>	

Tellers: Tá, Deputies Seán Kyne and Tony McLoughlin; Níl, Deputies Margaret Murphy O'Mahony and John Lahart.

Amendment declared lost.

Question, "That the Bill be now read a Second Time", put and declared carried.

*Sitting suspended at 3.10 p.m. and resumed at 3.50 p.m.*

#### Message from Select Committee

**An Ceann Comhairle:** The Select Committee on Finance, Public Expenditure and Reform, and Taoiseach has completed its consideration of the following Revised Estimates for public services for the year ending 31 December 2019: Votes 7 to 12, inclusive, 14, 15, 17 to 19, in-

clusive, and 39.

#### **Fourth Interim Report of the Commission of Investigation into Mother and Baby Homes: Statements (Resumed)**

**Deputy Joan Burton:** I am glad that the Minister of State at the Department of Health, Deputy Catherine Byrne, is present as she has a long-standing interest in this issue and much detailed knowledge of it.

There is a great deal of unhappiness at the fact that there is a further delay. Much of the delay is probably inevitable, but arrangements should be made to deal with a number of issues which I believe the Minister for Children and Youth Affairs, Deputy Zappone, could address with some speed. She is not present for the discussion, but she must bear in mind that we now know that there are approximately 150,000 adoption files held by Tusla, of which 50,000 or more are since adoption was legally introduced in Ireland in 1952. I have been asking questions and campaigning on this issue for a long period and one of the problems is that in most cases many of the parents of the children are now deceased, while many of the children are much older. The unfortunate part is that the Minister is continuing to cling to a social worker-led model when people just want to receive their information. They want to receive information on the mother and baby homes, with their personal information and files.

Since we last discussed this matter, the information on burials at Sean Ross Abbey has come to light, with suggestions the number of children buried there is far more significant than previously believed. This is very distressing for all of the people connected with Sean Ross Abbey, but everybody was aware of the information. Certainly, my mother used to say to me when I was a child that children had died like flies in these institutions. They died from what are now treatable illnesses such as gastroenteritis. They also died from a range of other illnesses which nowadays can still take babies' lives such as meningitis. If there was an infection in a home, it appears that it spread like wildfire. I welcome the Minister's decision to have excavations carried out at Sean Ross Abbey.

The biggest mother and baby home in the Dublin area was St. Patrick's on the Navan Road. I was always told and people connected with the home have repeatedly said approximately 2,000 babies are buried in the Holy Angels plot at Glasnevin Cemetery. In fact, others have suggested the figure is higher. In addition, many people living in Dublin at the time, particularly poorer people, who lost a baby buried him or her in the Holy Angels plot. That issue must be addressed. It is part of a very sad history in Ireland, but the people affected deserve to have it addressed.

I have with me the reply I received from Tusla last June about the number of people who were seeking to trace their origins. The numbers are extremely high, but, more importantly, where the process is still ongoing, the number amounts to many thousands. Last year the Minister made a public announcement on the 126 files related to St. Patrick's Guild which ran a home on Temple Hill in Blackrock. I am aware of many people from St. Patrick's Guild who have been approached with a letter from the Minister and Tusla offering social worker services. People do not particularly need social worker services unless they ask for them. They are adults. The people referred to were born between the late 1940s and the late 1960s; therefore, almost everybody is well over 40 years old. Some might need counselling and the help of a

social worker, but more than anything they need information.

My view is, given the way it is set up, Tusla will never be able to deal with more than 10% to 20% of the inquiries it faces. Before Christmas we received the news that St. Patrick's Guild which was one of the biggest adoption societies in Ireland had gone into liquidation. That means that almost 100 years of its history is gone. I believe Tusla has the records, as the Minister can confirm, but the position is far from satisfactory. I understand there were legal cases, some of which were in the public domain last year, and that the guild may have had to make legal redress to some of the people involved.

What is the current position? We are in the middle of a detailed mother and baby homes investigation which is being carried out by some eminent and trustworthy people, but the problem with the Government is that it is not prepared to expand its remit to address very important issues, some of which are relatively resolvable in the time that is left. I refer, first, to Bethany Home. After almost three years in office, the Government has not addressed the issues involved. Almost every Member is aware that the people from Bethany Home are now mainly of considerably advanced years and deserve to be addressed in a fair way. I ask the Minister of State to convey that message to her senior Minister colleagues.

Second, with regard to St. Patrick's Guild and the files on the 126 people mentioned, I introduced a Bill to deal with informal, false and illegally registered adoptions. It would provide people with a mechanism to approach the court to have their circumstances validated. There are a number of people who were registered as the natural children of their adoptive parents. I assume that the nun gave the happy parents the baby they were going to adopt and told them to register him or her. They probably never knew that they were doing anything untoward, but there must have been arrangements which facilitated it. An increasing number of cases came to my attention following publication of the Bill. Ms Anne O'Meara is a barrister who was adopted and whose birth certificate turned out to be illegal. She has spoken on the Sean O'Rourke radio programme and spoke at the launch of the Bill. She is quite clear that she was adopted by a very loving family who brought her up, with her siblings. However, when they were given her, they went and registered her as their natural born baby. Therefore, her birth certificate is invalid. In addition, she was born in Belfast. As in most cases, her adoptive parents always told her that she had been adopted. She was adopted in Belfast. She must have a remedy whereby she can go to court to have her life validated as it has been lived, in other words, that she was adopted by her parents. The registration of her birth was false and wrong and she needs a mechanism to resolve the issue.

*4 o'clock*

I really plead with the Minister of State because I know she knows a lot about this issue, to get the Government to act on the legislation I have brought forward.

Regarding St. Patrick's Guild, we are told there are another 746 cases that are of concern, to use the words of the Minister. As St. Patrick's Guild is just one of many adoption societies, if one uses one's imagination one will know this affected many people. I have dealt in recent days with a case of someone whose original birth certificate, when they obtained it, had been utterly falsified. Again, there was something irregular about the birth certificate they got. However, there is no remedy whatever available to this individual, and what is more, they do not even know how they should have registered their children in terms of their children's parentage and their own identity.

There is a lot that could be done about this. I stress that we can work together on this and with the various organisations which have been lobbying on this issue. We can help people without having to say, as is inevitable, that they will have to wait three, five or seven years for a social worker. That is just neither a practical nor a realistic solution.

The Department of Employment Affairs and Social Protection handles vast amounts of people's data, as do other Departments, such as the Department of Health. It is possible to have access to one's own data, and that is a human right, for information purposes. It is proposed, however, to put up a roadblock and say all data must go through some social worker model. The children who are young now and have difficulties are the people who need the social worker and the family support, whereas the Government just has to make a decision on the people who are more mature and want their information. The Minister, Deputy Zappone, was very vocal about this when she was a Senator. She supported me on a lot of legislation which was socially very advanced for the Ireland of the time, such as legislation providing for marriages to be celebrated by civil solemnisers and humanists and, similarly, legislation providing for transgender people to be allowed a birth certificate in their required gender.

**An Ceann Comhairle:** The Deputy needs to conclude.

**Deputy Joan Burton:** Yes, I will. Where is the Minister's radicalism gone that she is leaving these thousands of people in no man's land? The commission will proceed; it will now be another year before it reports. Half the people affected will be dead before it ever does so.

**Deputy Maureen O'Sullivan:** Going back to where we are to date, the Commission of Investigation into Mother and Baby Homes and Certain Related Matters was established by the Government in February 2015 to provide a full account of what happened to women and children in those homes. Since then, we have had four interim reports: two in 2016, one in 2017 and one in 2018. The final report was due on 17 February last, but now this extension has been asked for. It further pushes out the process until February 2020. We are told it is to ensure there will be an accurate and comprehensive final report but the whole history of this matter has been one of delay after delay over many years. It is even a number of years now since the then Taoiseach, Deputy Enda Kenny, apologised to the ladies of the Magdalen laundries, who still face a number of outstanding issues. This is all related: the Magdalen laundries, the mother and baby homes and the industrial schools. It is the treatment of unmarried mothers that was inhumane. This included treatment by their families, the fathers of the babies of those unmarried mothers, many people in the clergy and many people in officialdom. They were not all unmarried mothers. One of the saddest stories I heard was of a lady I met who had been put into an institution by her father because his second wife did not want the children from the first wife living with them after that first wife had passed away. It is quite incredible to think Irish people could behave in such a cruel and inhumane way.

I must mention the mixed-race people because I was very privileged to meet them and it is so good that they are involved. Two of them are chairing particular groups. Their stories are even more heartbreaking because of the additional pain, trauma and stigma they faced, being from a mixed-race background. I found it a very humbling experience to meet them and others I have met in my time here. They have survived with dignity and compassion, and I think we all benefit from that experience and from their insight.

We know there are survivors who are extremely angry about the way they have been treated, and that anger must be acknowledged and respected. Now, to add to the exasperation al-

ready being experienced, there is further delay to people getting information, as they found out through the media that an extension was being sought for another year. Will the commission be looking for another extension this time next year? Perhaps an extension is really needed in order that all the information be available, but surely it is just a matter of courtesy that those who are most affected, namely, the survivors, would hear first and in an appropriate way of any extension. It should not have happened the way it did. I know that on 13 February, the Minister did express her sympathy with survivors' concerns that their ages and health profiles mean there is an urgency to resolve this situation. I hope this means there will not be any more unnecessary delays. Dr. Shannon has been asked what can be done with the current legislative framework in respect of collecting biological samples and safeguarding those samples. Eight weeks from now, before Easter, we should have that report from Dr. Shannon.

I am aware that the commission had a very extensive body of work in meeting former residents and those connected to the institutions being investigated. We know there are more individuals awaiting hearings, and they must be heard. Then there is the analysis of the documentary evidence, the cross-referencing and the forensic excavation of the burial ground at the children's home in Tuam. We were told the Departments of Health and Children and Youth Affairs provided a lot of material, but why was some of it received so late by the commission, with possibly more material to come? It is almost like a drip-feeding of information to the commission. It is hard to understand all the requests for the extensions and why an exercise was not carried out at the start of the process that would have come up with realistic deadlines based on the amount of work that was to be done and the expectations involved. The deadlines were never going to be met and they are still not being met. With each missed deadline trust is being eroded, and with each delay confidence in the process of realising justice has been seriously undermined. Then there is a question of the cost of each delay. Is there a costing of where we are to date with the extra delays? Are there further costs for staff and for the premises being used?

I acknowledge the invaluable work of Catherine Corless, in the discovery of the remains of 796 children in 2014, and that figure could be conservative. It is really hard to comprehend and envisage almost 800 children buried in the one area.

The excavations yesterday at Sean Ross Abbey indicated there may be 269 buried there. How many more bodies are going to be found? The campaigners' research would indicate that as many as 800 children may have died there. In the case of Bessborough mother and baby home, the register shows 470 infants and ten women who died there between 1934 and 1953. Behind each body is a real person with an identity, but that identity has been eroded. Apart from not having a life, even in death these people did not get recognition in the form of a plaque, a monument or a stone with their name on it. We have been rightly horrified by the mass graves in Rwanda, Bosnia and Syria. It is just so ironic, so incredible, that we are looking at a similar situation, similar graves, here in Ireland.

The Tuam Home Survivors Network has said, "Results from our ageing and, in some cases, frail membership should be banked to eliminate any delay in returning human remains to identifiable relatives for dignified burials." Those human beings were not given any respect or dignity in life, so surely the request for dignity in death and burial can be expedited. We are all very disturbed by those who would deny the Holocaust, for example. It is important we do not do the same here and deny or try to hide behind what has happened. Again, Catherine Corless's point is that our history is never forgotten. The relatives and the survivors are entitled to comprehensive information, and if they do not get it, that means that the ill-treatment, the mistreatment and the abuse continue.

I have a positive view of restorative justice. I have seen its effectiveness in the healing process. However, for it to have a chance to help or to heal, information is vital, and the information must be available. The question then is, can justice be achieved if none of the information being sought by the survivors is forthcoming? People talk about closure, but I dislike that word. It almost suggests that the door can be closed on the past and the pain, which I find disrespectful. The pain can be eased, however, and it can be released but the experience will live with people for ever. The release and relief will come when those affected have all the information. We seem to have a terrible fear of acknowledging, facing or coping with the truth, not only in Ireland but also in other places. I am reminded of another group with which I am involved, namely, Justice for the Forgotten, which represents the victims of those caught in the Dublin and Monaghan bombings and their relatives. They have waited 45 years for the truth, as are the families of those who were killed in other atrocities in the Troubles. Authorities have sat on the information and the truth, which is disrespectful, indifferent and callous to the pain and heartache of those affected, who are waiting on the truth. While apologies, redress and financial payments are important, the truth is paramount. Nevertheless, this continued secrecy remains, whether in the case of the mother and baby homes, the Magdalen laundries or Justice for the Forgotten. The secrecy and lack of access to information and truth continues the abuse.

We might reflect on the Holocaust and how it has been remembered through memorials and preservation, whether in the Holocaust museums in Berlin and Jerusalem or the concentration camps, all of which face the truth. All the information is available and the victims' names are printed in order that people can see. For the same reason, we need a repository for all the records and an appropriate, dignified memorial. The most effective redress is access to information, which means not being afraid of the truth. That leads us to the subject of access to birth and adoption records. Some of those who had been adopted did not know, for various reasons, that they had been, some did not know from where they had been adopted, while the parents of others passed away before the information could be passed on and, therefore, no records were left. I acknowledge the work produced by the Justice for Magdalenes, the Adoption Rights Alliance and the Clann Project following extensive interviews and conversations with people who sadly had been separated from their family members and communities through an appalling system, which took children into institutions such as mother and baby homes and enforced secret adoptions and disappearances. It was such a blight on Irish society.

In reply to a parliamentary question I tabled, the Minister for Children and Youth Affairs, Deputy Zappone, welcomed the Clann Project submission and the courage it took to provide the testimony. I had asked what would happen to the records and the Minister replied that it would be a matter for the prescribed Minister. She is supportive of transparency and the importance of the truth but those two words - "transparency" and "truth" - demand acknowledging the pain. That is more important than closure. It is an extremely dark aspect of our history and we cannot just close the door on it. We must acknowledge and recognise it. A suitable, appropriate memorial, which concerns the access to truth and everything that happened, would be fitting.

**Deputy Fiona O'Loughlin:** My party, Fianna Fáil, welcomed the commission and its establishment as a vital recognition of the considerable harm that mothers and their children experienced in mother and baby homes throughout the country. We saw the commission as a means to bring justice to the victims of these homes. However, while the commission was established in February 2015, which was four years ago this month, to investigate the concerns related to the institutional care of unmarried mothers and their babies, we must recognise and acknowledge why it was set up. It was established on foot of disturbing reports that a significant number

21 February 2019

of human remains had been discovered at the site of the former Bon Secours mother and baby home in Tuam, County Galway. Like previous speakers, I pay tribute to Catherine Corless who did exemplary work to ensure that the story got out and that the victims would have the opportunity to be treated with dignity and so on.

The deeply saddening discovery of five years ago, the aftermath of which continues, underscores the importance of the ongoing commission of investigation into mother and baby homes throughout the country. The initial report of the commission was originally due in February 2018 but it was granted an extension. It is a little disappointing that the commission now has another year to publish its final report, which will now be available in 2020 at the earliest. The Government has stated, however, that it can make no decision on compensating the dwindling band of former residents until the commission has delivered its final report. Some survivors of these institutions who are in their later years are losing hope that they will ever see a report from the commission. Fianna Fáil is disappointed to see yet another extension to the commission of investigation's timeline, particularly for the survivors and their families, who have waited for the report for one year and will continue to do so for another year. The Government must do everything in its power to ensure the report is completed as soon as possible. I take on board Deputy Maureen O'Sullivan's point about closure. There will never be complete closure but there is a way to recognise what women and their children went through. We must try to acknowledge what happened and restore some dignity to the survivors. That is extremely important.

Although we must try to reach some type of conclusion in supporting the survivors who have waited a long time and must establish some type of dignified memorial on the site, we are speaking about historical abuse of women and children. We cannot lose sight of women and children who are suffering today. Some 1,400 children are in direct provision, while almost 4,000 children are in emergency accommodation. While it is important that we look back on the wrong deeds that were done to the children of years past and a previous generation, there must be a renewed focus on supporting children who are currently in direct provision and emergency accommodation. I have no doubt that in 20, 30 or 40 years' time, Deputies will stand in the Chamber and discuss what was done and not done to help those children. A commission may be put in place at that point to investigate why more was not done for them.

I thank the Minister of State for listening. I have no doubt that she will convey our messages to the Minister for Children and Youth Affairs and the Cabinet.

**Deputy Martin Kenny:** The issue is close to me because I know a number of women who were residents of the homes and who raised various issues with me. Their lives, as well as those of their families and others around them, were traumatised and they feel aggrieved that the situation has been pushed back again. They had expected and looked forward to the conclusion of the issue, not now but sooner. In the case of two women I have come to know well, their upbringing in the traumatic circumstances of the homes affected them, their relationships with their children and their relationships with others in their families. They believe the State has not provided for them and that it has instead turned its back and walked away. The situation has been allowed to continue and the commission has not achieved the results it was expected to achieve. While I understand many people have been interviewed and much work has been done, in reply to various parliamentary questions tabled by my party colleagues and others about whether everything was on stream, whether the report would be finished on time and whether the commission was working, we were assured at all times that everything was hunky-dory and that there was no problem. At the 11th hour of the 11th day, it is postponed

again for another year. Many of these people are of advanced years and failing health. It is not just about their physical health. Many of these people have had very traumatic lives of very poor mental health. Mental health issues are prevalent in many of these problems that many women involved have suffered.

I have been conscious of a number of people who were children who grew up in some of those homes over periods and have ended up out in the community. I spoke about it before. In decades gone by, many children who came from the homes were put out with families and farmers, and worked with farmers. In my area, they were known as home boys. While some of them were treated very well in some places, in many cases they were not and had very difficult lives. They grew up in an institution, had no experience of family life and no experience of how to interact in a community. In many cases, they were the butt of a joke, made fools of and were maligned in the community. My mother often talks about how, when she went and worked in England, she met them in the dance halls. They were equal there as with all Irish immigrants but it is the first place that they found equality. Many of those young men grew up and have a very bitter attitude towards the country that they came from.

I know many in my community. I remember there was an old man, when we were going to school, Eddie Whiffen, who had a big long beard, big long coat and a slight twang of an English accent. Everyone laughed and joked about poor Eddie but Eddie was one of those people who came from a home and suffered greatly throughout his life. There were many others throughout rural communities all over the country. Many of them were treated very badly. That was a reflection of the society that we lived in at that time. It was a cruel, difficult Ireland. We have an opportunity to acknowledge that, accept that significant wrongs were done and move forward.

Much of this is about the unfortunate children who did not survive in those homes and who died there, as we have seen in Tuam and many other places. While that has been exposed, most of us are aware that much more is to come with regard to all of that. It is clear that the Government has to step in and not just acknowledge what has happened but actually do something for them. The bodies of the victims in those situations need to be given proper, dignified burials. There needs to be acknowledgement of the wrong that was done to them, sometimes by religious institutions but also by the State. All of this has to happen in a way that reflects the new Ireland that we want to be and the future that we want to build. We have to leave that past behind and grow up out of it. If we are to grow up out of it, we need to make this happen very quickly.

Waiting and waiting is telling these people who are victims of it that they do not matter. I think they matter. They are equal citizens and have an equal right to a space in our society and community as everyone else does. They need to be acknowledged and the only way to acknowledge them is to lift them up. The issues that many of them faced are in their past but they still relive it. While they may never be able to get over it, the only way for us as a society to get over it is to do the right thing. Unfortunately, what we see happening here with this being pushed further out all the time and a lot of vagueness about where it will end is that many of these women come to the conclusion that they do not matter, that their lives do not matter and that the children they saw die in the homes do not matter.

There is a significant responsibility on the Government to do the right thing here. The direction it has gone so far makes many wonder whether Government is really committed to doing the right thing. The sooner we can get to a conclusion, the better. Pushing it out for another year without any sense of delivery is not the way forward. That has to be acknowledged by the

Minister. Having said that, we in Sinn Féin want to support anything that can be done to drive this forward, but the right thing needs to be done and it can no longer be hidden.

**Deputy Mick Wallace:** Retraumatism is a conscious or unconscious reminder of past trauma that results in a re-experiencing of the initial trauma event. It can be triggered by a situation, an attitude or expression, or by certain environments that replicate the dynamics and the loss of power, control and safety of the original trauma. Not being believed or listened to is another factor in trauma and retrauma. The whole issue of the experiences of people who were incarcerated, locked away and hidden behind the walls of the so-called mother and baby homes is only one part of a legacy of incarceration that is an open wound in this country. It is a wound that we continue to leave untreated because the State has consciously avoided it and is now conducting a tactic of delay until they die.

The most recent delay has caused a great deal of distress for those survivors and their families who are still waiting for acknowledgment, for an apology and for redress. To be clear, redress is not just about financial compensation. It is also about acknowledging what happened, accepting responsibility and someone being held accountable. Until we do that, the State continues to drag people through more traumas and cruelty every day. We saw the awful way in which a small group of Magdalen survivors were wrongfully excluded from the redress scheme and the Government was heavily criticised by the Ombudsman for that exclusion. It was unjustifiable and, in a similar way, the exclusion of a tiny group of survivors from the Protestant Bethany Home should also be heavily criticised. The latest delay by the commission has a consequence of continuing that exclusion for that small group of people. There is no legitimate reason for them to have been left out in the first place and it is absolutely shameful that the Government is not intervening now. There is ample evidence of cruelty and neglect of children and babies at the Bethany Home. There is also evidence of the State's involvement in placing children in this home, of funding this home and of concerns flagged about the conditions there.

In 1939, the clerk of the Rathdown Board of Assistance wrote to the secretary of local government, raising concerns about a child in poor health and rickety condition, and specifically asked that provision is made for inspection of the Bethany Home. In 1940, a request directly to the medical inspector of local government asked that the matter be inquired into as several children have been sent to the nurse in the district from time to time from this home suffering from rickets. Between 1922 and 1949, 223 children from the Bethany Home were buried in Mount Jerome Cemetery in unmarked graves. Some 175 were between four weeks and two years old, 25 were aged from a few hours to four weeks old, and 19 were stillborn. The causes of death recorded tell a story of neglect, with 54 from convulsions, 26 from malnutrition, 12 from delicacy, seven from pneumonia, and 19 with no cause given. That the State played a role in the use of the Bethany Home structure is undeniable. Correspondence in 1946 from the secretary of Monaghan County Council states:

I am directed by the Minister for Local Government and Public Health to refer to the County Manager's Order (no. 4711) and to state that he will not object to payment being made at the rate of 15 shillings per week in respect of patients maintained in Bethany home Rathgar.

Last week, a survivor, Joyce McSharry, got in touch with us. She sent her story. She also sent it to the Minister in the hope that it would be read and viewed with some empathy as it deserves to be. The response from the Minister's office was, sadly, a typical bureaucratic reply that did not acknowledge the story that Joyce went to great lengths to write and explain that it

had actually been read. I have no doubt that it was a very difficult and traumatic thing for Joyce to have to put down in writing.

I do not have time to read it all but here is a selection from her letter:

My birth mother Emily Sheppey was born in Islington in London in 1928 she was a member of the Church of England. She gave birth to me in 1951 in the Protestant Bethany home in Dublin where I remained with my mother until the following December, at which time I underwent a peculiar irregular adoption. Over the last thirteen years I pieced together my roots with some success. I have two life stories, one told to me and one I discovered. I am unable to obtain a long version of my birth certificate, as the state has only an irregular version of my details. My adoptive parents informed me that my mother died in 1951. They said that a social worker visited a flat in which a woman was found dead in her bed from TB. I was reportedly discovered in the bed beside her. I was brought to St Ultan's hospital and then to the Bethany Home. These details were elaborated upon as I grew. The story is a lie. I was shocked to discover in 2013 that my Parents always knew it to be a lie. My mother Emily did die in a flat, but aged 48, lonely and alone, apart from her pet dog, a poodle, in Weston Super Mare, UK, in August 1976. My second Presbyterian baptism was designed to erase the fact that my mother, Emily Sheppy, resided in the Bethany Home and was not dead. In 2013 and 2014 I obtained adoption documents from PACT (formerly the Protestant Adoption Society) One of them was an 'agreement' from 1951. Its content is deeply upsetting. It indicates that my mother was probably pressured into giving me up. My adoptive parents participated in this charade and were therefore aware that my mother was alive. I may have been told the 'death-of-TB-in-a flat' story in an effort to prevent me from searching for my mother, and the document may have been designed to frighten my mother into not seeking me out. Besides stipulating that I was to be brought up Protestant, the penniless Emily was threatened in the 'agreement' that should she attempt to contact her daughter, she would be liable retrospectively for £26 minimum per annum (valued at €913.25 in 2013), plus educational, medical, clothing and other costs. An owner of the solicitor firm who drew up the documents was appointed as my mother's 'attorney', but not to represent Emily's interests. It was designed so as to avoid contacting Emily under anticipated Adoption Act legislation. This was explicitly stated. This man (Ralph Walker) was a nephew of Bethany Home Residential Secretary, Hettie Walker, who also signed the 'agreement' ..... Thirteen years ago, In January 2002, I began attempting to trace my roots by contacting PACT (Protestant Adoption and Counselling Trust), which holds Bethany Home records. For a €100 fee, they first gave me a copy of a single line in a register and, in May 2003, my first cousin Pam's UK telephone number. I therefore rang Pam cold. She was astonished to hear this strange Irishwoman, about whom she had recently learned. What astonished me was that Pam knew my mother, who was alive for the first 25 years of my life. I did not know in 2002 that my (by now deceased) adoptive parents also knew. Finding out in this way made me start to question all I thought I knew. I was emotionally drained and extremely upset. In fact I became very ill ..... I contacted Pam again in 2013. We spent months talking on the phone getting to know each other. It was decided I would go over to London to meet her and the family. I had also contacted my mother's other brother, Fran, who lived in Shrewsbury. I told him I was coming over and would like to meet him ..... Uncle Fran was always aware of my existence. Fran gave me a very special and to this day treasured gift from my mother, 12 photographs of me from my Christening to six months old. It was the first time I had seen photographs from this part of my life. Fran kept them perfectly preserved after my mother died nearly forty years earlier in 1976. She kept them all of her life.

21 February 2019

Joyce concludes her letter by saying how she would “love to contact any other mothers who were present in Bethany between April and November 1951. It may help me to better understand the awful circumstances my mother endured there.” The heartbreak of her story, the damage of forced separation, the lies and cover-ups, the dodgy arrangements around illegal adoptions, are all connected back to mother and baby homes, and the Bethany Home behaved in the same manner as the other homes, the pain is no less for the survivors because they were Protestant rather than Catholic. It is long overdue that we call a halt to this cruel exclusion of the survivors of the Bethany Home from redress. I ask the Minister of State to read Joyce’s letter in full and give her a good response.

**An Ceann Comhairle:** I thank Deputy Wallace for telling us Joyce’s story.

**Minister of State at the Department of Health (Deputy Catherine Byrne):** I might say a few words before reading the response from the Minister’s office. I thank Deputies Burton, Maureen O’Sullivan, O’Loughlin, Martin Kenny and Wallace. I am sorry if I left anybody out.

We all know about the unbelievable cruelty that happened in this country in the past and is probably still happening in some places and the loss of those children’s lives and the loss for the parents of being able to hold their babies and of having their babies taken away from them. As most speakers said, time is running out and it is up to us in government and elsewhere to make sure these people have the answers they deserve before they depart this world. Deputy Wallace’s contribution uncovers a story that most of us have sadly seen on television in the past year, where people are united not only with their parents but with siblings they did not know they had. When watching programmes like that, I realise how lucky I was as a child to have the parents I had and to have known them as I did. For many children, sadly, that did not happen. I have taken some notes - I hope I can read my bad writing. I thank the Deputies for their honesty and their in-depth knowledge of what happened and the discovery of the unbelievable records that we have and do not have and about the fact that so many children and mothers are buried in unmarked graves. That is a real darkness that hangs over the country and all of us, as politicians and as members of society. I assure all the speakers that I will bring some of the matters raised back to the Minister for Children and Youth Affairs, Deputy Zappone, when I have had a chance to read my notes and put them in an email to her.

I will read the prepared statement, but as I have only two minutes, I will not read it all. On behalf of the Government, the Minister for Children and Youth Affairs has asked me to thank the Deputies who made contributions to the debate this afternoon and previously on 7 February. Unfortunately, she cannot be here, which she regrets.

The Government understands and shares the frustration and disappointment felt at the extension to the commission’s timeframe. The commission’s work is a key step in our determination to establish, confront and accept the truth about this dark chapter in our recent history. By remaining committed to this statutory investigation and by allowing an additional year for the commission to complete its work, we can achieve the necessary holistic understanding of what went wrong in the country. As a country and a society, we shy away from establishing these deep truths at our peril.

The options facing the Government were either to insist on the timeline and accept incomplete reports next month or allow the important work to be finalised. The Government believed the public interest was best served by facilitating the commission to complete its important work. However, the Minister sought and received assurances that work which was completed

in the meantime would be published. A significant step in that regard will be the publication of a burials report in March. It will give not only more background information on the site in Tuam but also on other sites of former mother and baby homes. It would be wrong to predict or speculate on what the report will state on any particular site, but it is a significant piece of work as we continue towards establishing the truth about that period of our history. The Minister has committed to bringing the report to the Government as soon as possible after it has been received, with a view to publishing it with Government approval.

The terms of reference for the inquiry were rightly ambitious in terms of their scope and timeframe. Nobody thought it would be easy or quick. Let us not forget that the commission is seeking to investigate circumstances and practices which, in some cases, were deliberately hidden and certainly not subject to intensive scrutiny at the time. There are no short cuts to establishing the truth. The Minister has asked the commission to make every effort to deliver its reports as soon as is practicable and in advance of February 2020, if possible. In considering the time required to conclude its reports we must acknowledge the volume and complexity of the work before the commission.

In its report the commission acknowledges the extensive material provided by the Department of Health and the Department of Children and Youth Affairs. While the report states the first tranche of discovery was delivered in March 2017, the commission has acknowledged that this is incorrect and that, in fact, the discovery of records commenced in February 2016.

*Additional information not given on the floor of the House*

The delivery consisted of more than 200 files that had been selected by the commission as a matter of priority. The joint discovery process between the Department of Children and Youth Affairs and the Department of Health is now complete. In respect of the discovery of records from the HSE or any third party to the commission, it is important to state this is not something in which the Minister or her Department has a role. The Minister is, however, satisfied that the commission has all of the necessary legal powers to obtain the records and testimony it needs to inform its investigation.

In response to the recent requests to begin collecting DNA samples of survivors and relatives the Minister has asked Dr. Geoffrey Shannon to examine whether it is possible to meet this request within the current legislative framework. The examination will be carried out in the context of what is scientifically possible. The terms of reference for the examination are available to view on the website of the Department of Children and Youth Affairs.

Deputies have noted that there was upset among the survivor community as a result of finding out through the media about the commission's request for an extension. For survivors to find out this upsetting news through the media was not what anyone wanted. I have been assured that the information did not issue from the Minister's Department. Communicating with former residents is a key concern of the Minister and the Government.

**Prohibition of Above-cost Ticket Touting Bill 2017: Second Stage (Resumed)**

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

21 February 2019

**Deputy Mick Wallace:** I am not really sure where I was in my contribution. Perhaps the Minister of State might remember.

**Deputy Pat Breen:** I do. The Deputy was in Brazil or somewhere else.

**Deputy Mick Wallace:** While I find the legislation disappointing, I was at great pains to explain that I was as fond of overpaying for tickets as anyone else. In fact, I absolutely hate paying above the odds. I remember being outside the old Lansdowne Road stadium in the early 1980s when tickets were being sold at an awful price and I could not afford to buy them. I got a fellow to give me a leg up onto the wall and then the roof. When I jumped down, I was seen by a garda who chased me as fast as he could. I ran up the ramp of the south terrace and the place was jammed. I put my head down to knee level and went right down into the terrace as fast as I could. Of course, the garda never caught me.

I remember another day on which I could not get a ticket and decided to try my luck. I went through the turnstile as if I had a ticket and gave the man in it a tenner. He let me in as it was a tenner for him and he did not mind one bit. One could probably have called it bribery.

I remember attending the World Cup final in 1982 when Italy played Germany and won 3-1. Rossi, Tardelli and Altobelli were the three scorers and it was a powerful win. I did not have a ticket, but on the Saturday evening it was announced that tickets for the game, to be played on the Sunday afternoon, would go on sale at the stadium at 8 a.m. on the Sunday. When I went there at approximately 7.45 a.m., without exaggeration, the queue was 2 miles long. I did a count and there were about 6,000 people queueing for the 1,500 tickets available. I went up to an Italian fellow who was fourth in the queue and asked if he knew how many tickets he would be allowed to buy. He could speak a little English and said he did not know. I told him that he would be allowed to buy four and asked how many he needed. He only needed two. I suggested he buy four and told him that I would give him 50% above the price of the other two. Lo and behold, I got the two tickets I needed, unlike most of the people who had been queueing since the middle of the night. One could have said it was also bribery, but I would resort to using any trick to get a ticket for a football match.

To return to the subject of the Bill, the primary responsibility of any Government is to take the best care possible of those most in need of help. I would say the same about legislators. We should be putting all of our energy into dealing with issues such as the price of housing and dealing with homelessness. Worrying about who can charge extra for a ticket should be down the list of our concerns. This legislation is not workable and will only drive touting underground. Making it illegal will not work. As I said, it is illegal to sell drugs in Ireland, but there would be less drug use if they were legal. Driving something underground does not work. This is poor legislation. As legislators, we have a responsibility to make better use of our time.

**Deputy Clare Daly:** Amusing as Deputy Wallace's stories are, it is regrettable that we have to spend time dealing with a useless piece of what I call "soundbite legislation". I am getting sick at the number of times we have had to deal with such legislation. I am awaiting the introduction of a Bill dealing with apple pie, something to which no one could possibly object but which would not bring apple pie to anybody. This Bill will not deliver regulation of ticket touting either. We are told that it will make it illegal to sell tickets for what are called "major sporting, musical or theatrical events" in venues with a capacity of more than 300 people at more than face value. The Minister of State has said the 300-person limit will be raised to 1,000, just to make it really clear that nobody is really interested in what happens in small-scale venues

or the grassroots arts. It is all about big ticket events. I am not really sure why the arbitrary 300-person limit was included in the Bill in the first place. Is it the case that the promoters of the Bill want to see tickets for small gigs being sold at an exorbitant price? What is the reasoning behind it? If we are to ban above-cost ticket touting, I do not understand why we would not ban touting across the board. Why make a distinction? The only goal in having an arbitrary cut-off point seems to be to tell small-time artists and their fans that they do not really matter. It is an unnecessary kick in the teeth for them. The music industry is suffering as a result of this domination. It is all about the big events and the media hype. As a result, bands no longer tour in the way they used to. They no longer travel around the country in a tour bus. They play in one large venue and that is it. The way in which the entertainment business is being organised does not harness creativity and waters down the experience of attending a live music event. That is a debate we could be having.

I go back to the random cut-off point of 300 which is soon to be raised to 1,000. That tells us something about from where the Bill comes. It springs straight from the hullabaloo about tickets for big events such as the U2 concerts in Croke Park or the all-Ireland finals when tickets sell for thousands of euro. It is very amusing to see a Government that absolutely loves to charge Opposition Deputies with populism come here with legislation such as this. As Deputy Wallace said, there are 4,000 children throughout the country who do not have a home. The number of homeless families has quadrupled in a decade. It is conservatively estimated that there are 10,000 people in the country who do not have a roof over their head, yet we are here talking about this legislation. Last night the Government and Fianna Fáil decried Sinn Féin's stunt of tabling a motion of no confidence in the Minister for Health, Deputy Harris. People in glasshouses really should not throw stones.

When the Dáil resumed last month after the Christmas recess, we were told that the decks had to be cleared to deal with Brexit. We were told that only the most pressing items of legislation would make the cut this session, that everything else had to be put into cold storage, yet here we are debating a Bill dealing with ticket touting. It really gives us some idea of the Government's priorities at a time when nearly 1 million people are on HSE waiting lists.

In December, the Court of Appeal ruled, on foot of an appeal brought by Graham Dwyer, that our data retention law provides for a general and indiscriminate data retention regime. There is a very real chance that one of the most high-profile persons accused of murder in the history of the State will walk free. He will do so because the Government did not take the advice of a Supreme Court judge whom it appointed to look at our data retention laws in 2017 and informed us that our data protection laws were in need of radical change. They were not changed and we are not changing them now. I see no sign of the Government even stirring to save us from this. I do not see any Bill amending our data retention laws on the priority list for this session and we are not debating such legislation here today either. Instead, we are here dealing with somebody wanting to buy tickets to a concert or some other event - seriously.

On Second Stage, the Minister signalled that she would bring forward a range of amendments on Committee Stage. From trying to marshal and push the Coroners Bill through these Houses - not just in the lifetime of this Government but in the lifetime of that which preceded it - I know how absolutely, incredibly slow and difficult the process of getting amendments drafted by the Office of the Parliamentary Counsel, OPC, can be. I would like an assurance from the Minister of State that the amendments under debate at present are not going to be given precedence over the Report Stage amendments to the Coroners (Amendment) Bill, which the same OPC people are supposed to be helping to draft. We are three years waiting for mandatory

inquests into maternal deaths. Three years waiting for something that everybody in this House agrees is a priority, yet the drafters and amendment merchants are still plugging away. It had better happen soon and this legislation, with all the amendments the Minister has flagged, had better not lead to it falling down the pecking order.

The point is that it is a tortuous process. Countless Private Member's Bills have passed Second Stage. There are 69 of them before various committees, most of which require money messages from the Government. Issuing such messages is something only the Government can do. Of course, money messages will not be forthcoming, not because they are bad Bills - most of them are a hell of a lot better than that before the House - but because the Government believes it can marshal and bully its way through. We talk about democracy in other countries and yet this stifling goes on here. Very few Private Member's Bills pass through all Stages. It is pretty regular now that the only ones that are getting through are from the Government benches, like the Criminal Law (Sexual Offences) (Amendment) Bill to which Deputy Wallace referred, a complete nonsense that will achieve absolutely nothing. That is not the way in which things should be done. Sinn Féin had a ticket touting Bill in respect of which the Government would not issue a money message and now we are here discussing this nonsense. That is new politics - Fianna Fáil and Fine Gael's priority. This is the first Bill in the history of the State presented jointly by Government and Opposition, or the confidence and supply parties or whatever, and it relates to ticket touting. All those involved should all be absolutely ashamed of themselves.

I find it grimly amusing that the arch free marketeers of Fine Gael and Fianna Fáil are full square behind a Bill that places a price cap on a commodity. This tells us something about priorities. They would sooner die than put a price cap on a good like housing or the price of a child going to primary school but they are very happy to intervene to keep the price of tickets for rugby matches down. When it comes to housing, their attitude is, "Sorry about that now, supply and demand, the State cannot be interfering with the market." If I did not laugh, I would have to cry over this. The Government flat out refused to introduce rent caps but now it is falling over itself to put a cap on the resale of tickets for football matches. Are the Deputies opposite actually serious about this? Refusing to introduce rent caps has pushed countless people into homelessness. Refusing to put a cap on concert ticket prices will not put people into homelessness because they cannot cobble together a few bob for a resale ticket to see U2.

What is more ironic is that the Bill is going to do nothing to address the fact that Irish people are charged exorbitant prices for tickets in the first instance. If dealing with ticket prices was the priority, the Government could start with that because it might actually be able to do something about it. Fatboy Slim is playing in the 3Arena the week after next. Ticket prices run from €51.50 to €61. A few weeks later, he is playing in Utrecht in the Netherlands. There, the tickets are €28, nearly half the price for the exact same gig. Drake is playing in the 3Arena in April. Ticket prices start at €79 and go up to €276. To see the same artist in Belgium, people will pay from €56 up to a maximum of €106 for premium seats. The Government should be asking if the touts are the real rip-off merchants here. Should this not be the aspect to focus on if it really wants to bring down the cost of tickets?

From listening to previous speakers, it appears that much of the impetus behind the Bill comes from what we could call the industrialisation of ticket touting, or large-scale ticket touting. This has happened thanks to advances in technology and the concurrent explosion of ticket resale sites. That is a fact. As I understand it, tickets go on sale and then appear minutes later on a resale site for a higher price. The Bill targets the people doing the selling and leaves the websites alone. Let us see if that makes any sense. The people who run these resale websites

do not do it for the good of their health; they charge a transaction fee for each ticket sold. In the case of Ticketmaster, it had two bites at the cherry until it shuttered Seatwave. Ticketmaster got a transaction fee when it sold the original ticket and then got another transaction fee when that ticket was sold on. No doubt when Ticketmaster sets up its “fan-to-fan” ticket exchange, it will continue to charge transaction fees. If Seatwave is anything to go by, those ticket transaction fees will not be cheap. In one case I know of, for an Electric Picnic ticket costing €285, the transaction fee was €52.99. That was after Seatwave had already charged the seller a 10% success fee. The word “racket” springs to mind.

The sad thing is that the Bill is not going to stop any of this. If its sponsors were actually serious about ending the industrialisation of touting, they would be banning resale websites from charging resale or transaction fees. They are not doing that. There is absolutely nothing in the Bill to stop me from setting up a resale website tomorrow, writing a computer script to snap up a few hundred tickets for the next big gig in Croke Park and flogging them all at face value on my resale site with an added 50% or 500% transaction fee. The Minister has indicated that she is going to bring forward amendments to prevent bots from being used to buy tickets in bulk. Is she really? Given that there is no commonly agreed definition of bots and that the people who use them are smart enough to disguise their use, that is not going to get her very far at all. Even if by some miracle, the Government manages to do what no-one else in the world can do, it would take two minutes for someone to pay a bunch of lads in Bangladesh tuppence ha’penny to go in and snap up the tickets manually. There are loads of other ways around this legislation and I am not going to repeat the points made by Deputy Wallace last week. Someone could get their ticket at face value and then pay €700 for access to the pen, or a reseller could legally add in a lunch and stick on a few hundred euro for that.

This Bill is not going to stop touting. It will change touting, of course, but it will not stop it. That is not the intention. This is just to get a cheap headline, that is all, yet Fine Gael and Fianna Fáil are the people going on about populism. They are wasting our time because this is not even going to work and, particularly when there are some really serious matters that the State needs to get to grips with, it is highly regrettable. The list is too long to deal with here.

#### *5 o’clock*

It breaks my heart that we debating legislation relating to ticket touting on the same day that Philomena Canning felt she had no choice but to go public with the fact that she is dying from ovarian cancer in the hope that she can persuade the HSE to settle her case so that she can afford to buy Pembro, the cancer drug. It makes me angry beyond words that this brilliant, caring and powerful midwife is being denied free access to this drug because she has “the wrong type of cancer”. If she had cervical cancer, she would be receiving Pembro, but she does not. It is a thundering disgrace that the Government has entirely and arbitrarily created a two-tier system of “deserving” and “less-deserving” cancer patients, and that it has done so as a PR exercise. Philomena Canning has been left to suffer. She may die. We could be discussing matters of that nature. This woman has given her life in the service of other women. Her livelihood was destroyed by the HSE when it suspended her with no notice in September 2014. The High Court upheld the suspension, but, ahead of an appeal, both Ms Canning and the HSE commissioned a number of expert reports into the cases at issue, all of which stated that she had acted entirely professionally. As a result, the HSE dropped its appeal three days before the scheduled hearing. Her indemnity insurance was reinstated, but the HSE went on to conduct a systems analysis into her practice and found that she had made administrative errors-----

**An Ceann Comhairle:** The Deputy is straying a long way from the Bill.

**Deputy Clare Daly:** -----not medical errors. These are the issues. It is a case that has arisen. Unlike the previous four medical reports, the experts in this case were administrators who do not have medical qualifications. This woman was basically deprived of her livelihood. There are huge questions in respect of this case. Ms Canning has been dragged through a four-year discovery process by the HSE and her time has run out. She is dying, unfortunately, of cancer. We need to rip up the HSE policy of deny, defend and waste time that has devastated the lives of so many people. If one good thing could come from this afternoon, it would be if the Minister of State asked the Minister for Health, Deputy Harris, to intervene on Philomena Canning's behalf with the HSE in order that she can get the settlement she deserves before it is too late.

Instead, we are here talking about ticket touts. It is in indictment of the so-called confidence and supply agreement that this situation has arisen and that this Bill is the best that the Government can come up with. I am actually genuinely embarrassed for the Government. Deputy Rock went out on the plinth with a cardboard cut-out of what was supposed to be a ticket tout but what looked more like a flasher in a raincoat and a hat. Deputy Rock was kicking him. If any of us did that we would be condemned for inciting violence by kicking another human being. This pathetic stunt was carried out in order to get publicity for a Bill that is not only not a priority in the real lives of people but does not even scratch the surface-----

**Deputy Noel Rock:** The Deputy is well acquainted with stunts.

**Deputy Clare Daly:** -----of the problems with ticket prices in this State. It is a sham Bill in the tradition of a number of sham Bills that have come from this Government. It is becoming a little scary, and shows that the Government has lost the plot. We have had to endure the Criminal Law (Sexual Offences) (Amendment) Bill 2018, which was put forward by the Minister of State, Deputy Moran, which had no impact because it brought in a type of mandatory discretion as well as a judicial opt-out. The headlines proclaimed that the Government would deal with unfair sentences for sex crimes in legislation, but the Bill did not do that. It merely created the illusion that the Government was doing something about that issue.

**An Ceann Comhairle:** The Deputy is wandering from the Bill.

**Deputy Clare Daly:** This Bill is in the same tradition. It puts up a headline. People do not want to be ripped off for concert tickets. Of course they do not. This, in a very populist way, suggests that ticket touting is being got rid of and that overpriced tickets and excess fees are being dealt with. The Bill does not do that. There are absolutely loads of ways around this legislation. It is really regrettable that this Bill has made the cut at a time when the decks were supposed to be cleared to deal with Brexit. Only the most important legislation was to make the cut, but the very fact that the Minister of State announced, without enough detail, that there are going to be substantial amendments to this Bill means automatically that she knows it is faulty and that it is going to have to be substantially redrafted. The Government knows that redrafting takes a huge amount of time and that amendments take forever. This nonsense is not going to progress. It is before the House to create cheap and populist headlines. When there are so many important issues to deal with, this is a bad indictment on this House. We are often told that legislation like this sends a signal. What signal does it send? It signals that this is a really useless place that does not pay sufficient attention to the job that we were elected to do, which is to bring forward good legislation that stands up to scrutiny. Instead, we bring in poor

legislation. I mentioned the data protection Bill; it will leave this State liable for huge charges and might result in a convicted murder being released because the judges were not listened to in the first instance. Poor law does not serve any of us well. It is regrettable that we are here debating this matter.

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** I do not want to waste time. I have been a Deputy for the past 18 years and have seen an awful lot of time being wasted. For example, there were two hours of debate last night during which more constructive work could have been done.

I thank all Deputies who spoke on the Bill. This is a democratic system and everyone is entitled to speak. That is the whole idea of electing legislators. Overall this was a very well informed and constructive debate. The Minister for Business, Enterprise and Innovation, Deputy Humphreys, would like to express her appreciation for the work of the Deputies, particularly the work done by Deputies Rock and Donnelly in bringing forward the Bill, and, of course, Deputy Quinlivan, for the commitment they have shown to tackling the practice of ticket tout-ing. Deputy Clare Daly might note that this is an example of three different parties working together on something constructive.

The Minister, Deputy Humphreys, welcomes the broad expression of support for the Bill by Deputies. She agrees with the strong sentiment expressed by Deputies that ticket profiteering must be tackled in the interests of sport and music fans throughout Ireland. It is wrong for people who have no commitment or no contribution to make to sport or music to profit from the efforts and talent of sportsmen and women and from artists and entertainers. The Minister will consider carefully all of the points raised by the Deputies, including those made by Deputies Clare Daly and Wallace. A number of these points, such as those concerning the powers to be granted to An Garda Síochána, the proposed exemption for voluntary and community organisations and the liability of websites that host ticket listings, are under consideration by the Department and the Office of the Parliamentary Counsel and may be the subject of amendments to be moved on Committee Stage or on Report Stage.

The Minister looks forward to working with the House on Committee Stage and on Report Stage. There is a lot of work to be done on this Bill, including the many amendments that the Minister or the Deputies can propose in the Bill.

I will not delay or waste any more time talking. I have dealt with the points raised in the Bill.

Question put and agreed to.

## **Saincheisteanna Tráthúla - Topical Issue Debate**

### **Ambulance Service Provision**

**Deputy Declan Breathnach:** A serious situation has been brought to my attention by paramedics and our local radio station, LMFm, today relating to the north-east ambulance service,

which has resulted in a serious deficit in the service available and an inability to respond to calls due to a lack of staff and a lack of vehicles being available. Last night, within the nine stations in the north east a total of 22 staff should have been rostered for duty. Unfortunately, there were only 12 and in most cases they were rostered on a single person basis. Stations affected last night included those in Drogheda, Ardee, Virginia, Monaghan, Castleblayney and Dundalk. Basically, this meant that in Castleblayney, where there should have been two staff on an ambulance, there was only one rostered on duty. One staff member cannot man or take out an ambulance except to act as first responder in the event of a cardiac arrest.

This problem began approximately eight months ago, when management informed the staff in Monaghan and Castleblayney stations that new rosters were to be introduced without delay bringing six new staff in total to the region. Needless to say, this was welcomed by all staff and a roster was worked on to incorporate the new staff. Around November of last year, management then said they had never agreed to six new staff and instead appointed two to Monaghan and two to Castleblayney. New rosters were eventually agreed and put into place with management insisting that they were to become operational on certain dates. I believe those dates were to be in January for Monaghan and from last Monday for Castleblayney. The rosters have become operational but no new staff have been provided to populate these rosters. It has been described to me as like putting an amount of orange cordial into a larger amount of water. It might look all right but it does not taste the same. The service now has the same staff attempting to fill a bigger roster. They were already short staffed beforehand so this has added greatly to this serious problem.

Ongoing staff shortages are due to a combination of sick leave, annual leave and the simple fact that there are not enough staff. In addition to these problems, this week paramedic staff were also on electronic patient care report training. The staff had to be released to attend the training. The training is to facilitate the move from paper to electronic care reports for patients. Again, this is being completed to a management deadline with little or no consideration for the impact on already depleted services.

The lack of an ambulance in Castleblayney is problematic. The new roster came with the understanding by staff that an ambulance would be provided to complete the roster. Staff were recently told that this ambulance is now not available and that they should use the ambulances they have. That is all well and good except that on Monday, Tuesday, Thursday and Friday there is a 7 a.m. crew and a 10 a.m. crew for 12 hour shifts. If both these crews are out on late calls at 7 p.m., then there would be no ambulance available to deploy even if there were staff on duty. The practice has been that when a problem occurs with rostering, a text is sent out looking for staff to cover the shift. This is a regular occurrence. The core rostering system does not work and the failure by those in charge to engage with staff is adding to the problem.

**Minister of State at the Department of Health (Deputy Catherine Byrne):** I welcome the opportunity to address, on behalf of the Minister for Health, Deputy Harris, the matter of the ambulance service in the north east. The Minister, Deputy Harris, is pleased to inform the House that six additional staff have been approved to be deployed to the Monaghan and Castleblayney ambulance stations. The additional staff are expected to be in place in the coming weeks and will provide an additional emergency ambulance at both stations during weekdays.

The Deputy referred to access to vehicles. Significant capital funding has been allocated to the HSE National Ambulance Service annually to support the vehicle replacement policy. The National Ambulance Service has undertaken a number of measures to address the issue of

ambulance service provision in the north east. There has been significant investment in manpower, fleet and technology in recent years. An additional 25 patient and clinical care staff were assigned to the north Leinster region during 2018. This region covers the counties referred to by the Deputy. The Minister, Deputy Harris, acknowledges that in the Border counties the National Ambulance Service works closely with the Northern Ireland Ambulance Service to provide a more responsive service for the region.

The capital review published in 2016 identified particular difficulties in serving rural areas, such as the north east. The capital review indicated that the only way to improve first response times in rural areas in particular is through voluntary community first responder schemes. The National Ambulance Service continues to work with local CFR groups throughout the region to enhance services, with 29 CFR groups operating in the counties of Louth, Monaghan, Cavan and Meath.

The National Ambulance Service has undergone a significant process of modernisation in recent years and several important service innovations and developments have taken place. The national emergency operations centre has been established. Emergency calls are received and emergency resources are dispatched from the centre. The National Ambulance Service now has full visibility of all available paramedic resources and vehicles in real time, ensuring that the closest available resource is dispatched to an emergency. In addition, the National Ambulance Service has developed the intermediate care service to provide lower acuity hospital transfers, thus freeing up emergency ambulances for the more urgent calls. A permanent emergency aeromedical support service has been established to provide a more timely response to persons in rural areas. Other recent developments include the development of alternative pathways to care. The hear-and-treat clinical hub went live in the national emergency operations centre in March last year. This service diverts some lower acuity patients away from busy emergency departments, freeing up some emergency capacity. The anticipation is that such initiatives will help to improve the availability of ambulance resources in the country, including in the north east.

In recent years, year-on-year additional investment has been directed towards the National Ambulance Service. This year the National Ambulance Service budget has increased to an unprecedented €168.6 million. This will support the National Ambulance Service in continuing to deliver a high-quality service in the region.

**Deputy Declan Breathnach:** I thank the Minister of State for her reply. I welcome the fact that she has admitted there is an issue. While some of the remarks of the Minister of State are at variance with the situation, I welcome the fact that there is commitment to implement the full complement of six staff as per her statement and the fact that additional ambulance vehicles will be made available. I will be holding the Minister of State and the Minister for Health, Deputy Harris, to account in this regard. Having said that, rural Ireland and regional health services are not the same as in Dublin city, where there are up to six emergency departments. Down through the years the Department of Health, in its wisdom, reduced the number of emergency departments. In the north east we basically have an emergency department in Our Lady of Lourdes Hospital in Drogheda and Cavan General Hospital. We introduced minor treatment units in Louth County Hospital in Dundalk and in Monaghan Hospital. To leave people who have concerns and are vulnerable in rural isolation - it is perhaps not as acute in the north east as it is in other areas, although it is when compared with the facilities available in the Dublin region - is very unfair. We need to have enough emergency medical vehicles, ambulances, paramedics and, indeed, advanced paramedics available.

21 February 2019

I draw the attention of the Minister of State to the issue of recruitment of ambulance staff, which is not like the recruitment of members of An Garda Síochána, but unfortunately it is being treated in the same way. It is a national appointment. A simple solution would be not having ambulance personnel travelling from places as far away as Donegal to work in Davitt Road in Dublin, for example. Staff should be deployed in their localities. The recruitment system for paramedics should not be national. There could be a national application system, but people should be appointed locally and the rosters would work much better.

I look forward to further communication with the Minister of State on this issue and on the concerns not only about the staffing of the ambulance service but the concerns of the people I represent who are vulnerable when it comes to the ambulance service as in the case last night where ambulances were not available and the roster was not sufficient to cover the region.

**Deputy Catherine Byrne:** On behalf of the Minister for Health, Deputy Harris, I assure the House that the National Ambulance Service is focused on improving the ambulance service in the north-east region and throughout the country. The improvement of service is being implemented through the multi-annual reform programme and through the National Ambulance Service reform plan. New developments are being processed, manpower has been increased, we have improved the fleet and we are availing of new innovative technology. The Minister for Health, Deputy Harris, has also been assured by the National Ambulance Service that additional staff will be deployed to the Monaghan and Castletowney ambulance stations shortly, which will further improve the capacity in the areas.

I have taken a note of the concerns the Deputy has raised and I will ensure they are passed on to the Minister for Health, Deputy Harris.

### **Hospital Equipment**

**Deputy Robert Troy:** I welcome the opportunity to speak on this matter. I contacted the Minister's office to clarify that it is about an MRI scanner as opposed to a CT scanner. I trust the Minister of State received that clarification.

**Deputy Catherine Byrne:** I did.

**Deputy Robert Troy:** This is an essential piece of infrastructure for the midland region. Currently, an adult patient in the Midland Regional Hospital, Mullingar, has to be referred to the Midland Regional Hospital, Tullamore, while a paediatric patient has to be referred to Dublin. Given the fact that Mullingar is a paediatric hospital for the midlands, this is simply unacceptable as it is causing seriously long delays for our patients.

I will give the Minister of State a brief history of this issue. A number of years ago the HSE promised the community of Mullingar that if it paid for the scanner the HSE would stump up and build and staff the unit with the specialist staff required. I want to acknowledge the Friends of Regional Hospital Mullingar, the group which was established, and I thank the many fundraisers, both small and big. We had a fundraiser in memory of the late Johnny Murphy, which raised €205,000, we had cake sales, 5K road races, families climbed Croagh Patrick and schools had pyjama days and we had crazy hair days. As a result of this array of fundraising efforts, the target has now been met and the MRI scanner funding is now in place to purchase this scanner.

The Department, which I acknowledged, has approved bringing the building to design and planning stage and the HSE officials have over the last number of months been engaging with the planning authority to try to address any of the obstacles that may be in the way when an official planning application is made. I understand now that many of those obstacles have been addressed, many of the challenges have been ironed out and it is anticipated that a formal planning application will be made by the HSE to Westmeath County Council in a matter of weeks.

The reason I raise this issue today is to seek assurances that once this planning application is approved - it is anticipated that this will happen in a matter of months - there will be no delay in advancing resources to bring this project to the next and final stages, which is the tender and construction stages. This is an essential piece of infrastructure for early diagnosis, for investigation of many conditions, including stroke and cardiology and for people attending for surgery and the casualty units. It is also critical as the Midland Regional Hospital, Mullingar, is the main maternity hospital for the midlands. Anybody with a knowledge of maternity care will know that best practice for babies born prematurely is to ensure they have an MRI scan.

We have come a long way, thanks to the Trojan efforts of the Friends of Regional Hospital Mullingar committee but also thanks to the huge voluntary efforts of so many people who have arranged so many fundraisers. The funding is in place for the MRI scanner. We are ready to lodge a planning application to Westmeath County Council in a matter of weeks and we should have a planning decision within a matter of months. What I want today are assurances that there will be no delay in advancing the necessary resources to bring this to the tender and construction stages.

**Deputy Catherine Byrne:** On behalf of the Minister for Health, Deputy Harris, I thank the Deputy for the opportunity to update the House on the capital development projects at the Midland Regional Hospital, Mullingar.

The Midland Regional Hospital, Mullingar, is a model 3 hospital delivering a 24-7 emergency department, general medicine, including regional stroke thrombolysis, general surgery, obstetrics and gynaecology, paediatrics-special care baby unit, and critical care, alongside a range of local and regional services on an inpatient, daycase and outpatient basis.

The catchment area for the Midland Regional Hospital, Mullingar, includes patients residing in Westmeath, Longford and the greater midlands area. The significant population increase in the midlands region, coupled with other factors such as ageing demographic pressure, has placed significant additional demands on the hospital.

As the Deputy will be aware, there are a number of distinct proposals for development at the Midland Regional Hospital, Mullingar. I understand a submission for capital works to accommodate the provision of a second CT scanner for the Midland Regional Hospital, Mullingar, is currently being prepared by the hospital management in conjunction with the local HSE estates office. The submission will have to be considered by the HSE's capital steering committee before it can be approved. The application for a second CT scanner for the hospital will also be considered in the context of all other priority medical equipment replacement requests across all acute hospitals and subject to the availability of capital funding.

The provision of a new MRI at Midland Regional Hospital, Mullingar, is included in the proposed new extension of the radiology department at the hospital. The project team is currently at an advanced stage in the pre-planning process with a view to lodging a full planning

21 February 2019

application in the first quarter of 2019. The HSE intends to complete the design of the project in 2019.

I understand that the Friends of Regional Hospital Mullingar, already referred to by the Deputy, has completed substantial fundraising to support the MRI facility and the Minister would like to acknowledge its contribution.

The timeframe for the completion of these capital projects will be subject to the successful completion of the planning permission process and the availability of capital funding. The Minister for Health, Deputy Harris, is happy to confirm that the provision of the new MRI facility at Midland Regional Hospital, Mullingar, has been included in the national development plan, NDP, announced last year, as part of the Project Ireland 2040 policy initiative. The NDP provides €10.9 billion for health capital developments across the country, including both national programmes and individual projects across acute, primary and social care. The delivery of the NDP projects and programmes, including developments at the Midland Regional Hospital, Mullingar, will result in healthcare facilities that will allow for the implementation of new models of care and for the delivery of services in high quality modern facilities.

The Department of Health and the HSE are currently engaged in a process to finalise the HSE capital plan for 2019. The plan will determine the projects that can progress in 2019 and beyond, having regard to the total available capital funding and the relevant priorities of each project. All health capital projects currently at various stages of development, such as those at Midland Regional Hospital, Mullingar, are included as part of this process. Once the HSE has finalised its capital plan, it will be submitted to the Minister for Health for his consideration.

**Deputy Robert Troy:** I accept that the Minister of State is only present to represent the Minister, Deputy Harris, and that she does not have the authority to give definitive commitments. She was given a script that she was to read out. Much of that information was not new, though. I can, and have, read Project Ireland 2040. I know what it entails regarding my constituency and the Department of Transport, Tourism and Sport. Given the events of recent weeks and months, though, and by the Government's own admission, certain projects will be "reprofiled". I believe that is the word that the Government has used to describe delays in projects.

I had hoped that the Minister would be present. The Minister of State can bet her bottom dollar that, when the project is finally announced, he will not give her the job of announcing it. Rather, he will take that glory for himself.

The people of Mullingar have honoured their commitment. The HSE made a promise that, if they raised €950,000, which is not small fry by any measure, the HSE would not be found wanting. The people of Mullingar, its hinterland, Westmeath and other counties have contributed. We have honoured the commitment. Now we want assurances that the cost overruns at the children's hospital will have no impact on the delivery of the building for the MRI scanner. I have outlined why it is essential for the region. I want assurances that there will be no reprofiling of the facility to house the MRI scanner for the Midland Regional Hospital, Mullingar.

**Deputy Catherine Byrne:** I assure the Deputy that I am not here for any glory.

**Deputy John Lahart:** There is none going around today.

**Deputy Catherine Byrne:** The Midland Regional Hospital, Mullingar, is an integral part of the Ireland East hospital group, providing health services and care for the people of West-

meath, Longford and surrounding areas in the midlands. The hospital provides quality patient services through the skills and values of staff to the best of its available resources. This has been achieved first and foremost through the commitment, hard work and professionalism of the hospital's staff.

The Government is committed to developing services and infrastructure in the hospital. Deputy Troy might want me to say more, but I cannot give him a commitment that this project will be funded. We will have to wait for funding under the capital plan to be announced. At that stage, it will be obvious to everyone what plans will be going ahead. Regarding the issue of the national children's hospital, which is much needed, I guarantee the House that projects will not be cancelled. I have heard that from the mouths of the Taoiseach and the Minister. Projects may have to be put back, but they certainly will not be cancelled.

**Deputy John Lahart:** Reprofiled.

**Deputy Robert Troy:** That is the word.

**Deputy Catherine Byrne:** The Deputies can call it what they like, but I am not in a position this evening to announce that Mullingar hospital will receive the funding in question. I acknowledge the hard work being done by community groups around the country. They fundraise at weekends on a regular basis for various issues relating to hospitals and beyond. I thank the people of Mullingar and the surrounding area for that. Without people putting their shoulders to the wheel, a lot would not get done in this country. I know that from being a community worker.

I will take on board the Deputy's concerns, frustrations and comments about the capital funding. Unfortunately, I am not in a position to announce what funding is available, but I am sure that it will become clear to all of us in time.

### **Light Rail Projects**

**Deputy John Lahart:** I am delighted to be joined by my colleague, Deputy O'Callaghan, and our transport spokesperson, Deputy Troy. One area in which we would like and welcome reprofiling is that of the MetroLink project, albeit not in respect of metro north, as we have made clear. In spite of the commitments that the Minister gave two weeks ago during a Topical Issue debate that there would be no deviation in the MetroLink project, clearly that is now on the cards, and we on this side of the House are taking the opportunity to welcome it.

While this Topical Issue mentions specific towns, villages and townlands like Firhouse, Knocklyon, Rathfarnham, Templeogue and Greenhills, the link that we would like to see pursued could not reach those places without first going through Terenure, Harold's Cross and Rathmines, for example. My colleague will address that issue.

Investment in public transport infrastructure projects ought to be democratic. There are parts of Dublin that are well served with the green Luas line, the best and most successful quality bus corridor, QBC, in the country and the DART line. Then there is a vast gap between the green and red lines of the Luas where no adequate public transport is promised. It is a part of Dublin that the Minister served for five years while he was a Deputy.

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I still am.

21 February 2019

**Deputy John Lahart:** This is not the first time that my colleagues have called for this, nor is it a recent development. Back in the day, I regularly called for the connection of the red and green lines. The obvious approach is to connect those two and bring them back into the city again.

For a vast swathe of the city, the reprofiling of the MetroLink project offers a once in a life-time opportunity for the Government to invest hard-earned taxpayers' money into areas where there is a significant lack in the provision of public transport and where the National Transport Authority, NTA, is attempting to shoehorn BusConnects into front gardens and business premises along the affected routes.

**Deputy Noel Rock:** I welcome this morning's report and the mention in *The Irish Times* of a north link proposal. I welcome the clarity that is beginning to be brought to this issue. I welcome that the NTA has followed the suggestion that I made in this Chamber and, last year, in the committee to resolve the south side impasse that had been bogging this project down.

My first choice is for the project to proceed as is from Sandyford to Swords as the NTA set out and as the Minister has argued for in public. It is a good and worthy project, a good investment and a great legacy project for the Minister to attach his name to. However, it is clear to me and, I presume, the Minister that the south side squabble and the endless succession of unsolicited, uncosted and untested alternative routes that have been put forward by all parties and none mean that this project is unlikely to proceed in a timely manner. Accordingly, our options are: to proceed with the project in two phases, which I suggested last year, and commence the badly needed and long overdue metro north element first; and to assess the various alternative routes set forth by the Opposition, thereby certainly delaying the badly needed and long delayed metro beyond 2027. I cannot understand why parties are proposing something that would effectively shaft the north side, which has been promised the metro for three decades, and I hope that the Minister will not accept it. A third option is to run the risk of no metro project at all, which is the least desirable option.

I am running out of time, so I will keep my first question to the Minister simple. Given the report in the *Irish Independent* that the Minister sought and had a crisis meeting with the NTA and given the report in *The Irish Times* which details that the proposal which will come before the public mirrors my suggestion that the northside project proceed first, can the Minister confirm this is his current understanding of the forthcoming proposal? If not, can he confirm what the forthcoming proposal from the NTA is?

**Deputy Jim O'Callaghan:** If it is the case that the proposal to dig up the Luas green line has been abandoned, I welcome that. It was a crazy proposal considering that hundreds of millions of euro were spent on constructing a very effective and popular Luas line. I ask the Minister to bring clarity to the matter because such clarity does not exist. We have read reports in newspapers. Does the Minister know whether the proposal has been abandoned?

The Minister also needs to recognise that a metro on the southside should not be abandoned. As Deputy Lahart and I have repeatedly argued, Dublin is crying out for a metro service to places in the south west of the city such as Terenure, Templeogue, Firhouse and Rathfarnham, which are areas outside my constituency. It is necessary to have a proper effective metro system in the city.

The Minister will also be aware that there is a proposal in respect of BusConnects. Some

of the proposals are useful. We need to have faster bus traffic into the city and we need cycle lanes, but there is also a proposal that would significantly impact people living on Kimmage Road Lower, Rathfarnham Road, Terenure Road East and Rathgar Road. In respect of the last three of those roads, it is proposed that the NTA compulsorily acquire up to 6 m from the front gardens of houses in the area. This would cost a fortune is impractical and is vehemently opposed by people in the area.

We need sensible joined-up thinking in respect of transport proposals for the city. I ask the Minister to recommend to the NTA that it keep the drilling machine to be used for the metro project from the airport into the city centre and direct it south-west to those parts of the city that are crying out for public rail infrastructure. As Deputy Rock said, that would be a great legacy for the Minister to leave. However, he needs to identify what the political objectives are. If he does so, he would secure support of local communities. There is an opportunity to link up the metro system and the BusConnects system and solve a problem by coming up with a single integrated plan.

**Deputy Shane Ross:** I thank the Deputies for raising this Topical Issue matter. Obviously, I have read the media reports this week regarding MetroLink and the NTA's development of a preferred route for public consultation. I can confirm that I met the NTA this week to be updated on the project. Separately, I also met the chair of Transport infrastructure Ireland, TII, recently during which the issue of MetroLink was discussed.

I have said repeatedly in the Dáil that the NTA and TII are developing revised proposals regarding MetroLink. It is obvious that those revised proposals will take account of the issues already raised by members of the public during last year's public consultation. That should not be a shock to anyone here as it is the reason we have public consultations. I welcome that State agencies under my Department's remit are very proactive in engaging with members of the public and listening to their views.

Last year's emerging preferred route gave rise to much public commentary, particularly regarding a number of different local areas across the city. Major transformative projects will always cause impacts, although those impacts are ultimately intended to be positive. We all know, however, that in order to get to that place, there can occasionally be unwelcome and sometimes unpalatable impacts.

There is always a delicate balancing act between delivering an effective project and doing so in a way that minimises disruption. I have made clear that it is very important that members of the public can continue to travel conveniently in Dublin. That is essential, and travel disruption needs to be minimised. That is precisely what the NTA and TII are seeking to do. That are seeking to develop a new cross-city public transport corridor via Dublin Airport and out to Swords and, in doing so, increase capacity on the Luas green line. In trying to achieve that ambition, they are also listening to the views of the public, particularly people living those along the Luas green line, on what level of disruption, if any, is acceptable to deliver the increased capacity the line needs. We need to deliver, once and for all, the long-awaited cross-city link via the airport and out to north County Dublin.

It would be inappropriate for me to comment on particular alignments or proposals while the statutory agencies are still completing their work. As I have stated previously in this House, we need to move away from designing transport projects by press release and instead move towards what members of the public deserve, namely, planned and integrated development of

21 February 2019

public transport and land use strategies. We have a statutory transport strategy for the greater Dublin area which covers the period from 2016 to 2035. That strategy is the basis for the development of an integrated transport system for the entire greater Dublin area. It includes proposals across all public transport platforms, including metro, light rail and bus. Development of the strategy was subject to a full public consultation period and any and all interested parties were able to make their views known.

The Deputies have specifically about the Rathfarnham-Terenure corridor. I assure them that the needs of the entire city were considered by the NTA in drawing up its transport strategy. That strategy included looking at present and future travel demands on all the key corridors. The extremely detailed analysis conducted concluded that the actual and forecasted demand along the Rathfarnham-Terenure corridor does not meet the threshold that would justify a metro style service. The corridor is relatively low density with limited potential for new development. The present and future transport demand levels on the corridor are such that they can best be met through an improved bus service. That is exactly what BusConnects will seek to provide. MetroLink is a big project, one on which we all have views. I reassure the House that, as Minister, I have two key priorities here, namely, delivering an improved public transport system to serve the needs of the public now and into the future, and making sure that the agencies do this in a way that avoids unacceptable travel disruption. I have told my agencies that it would be unacceptable to have the Luas service closed for a significant period. I have also told them that the suggestion Deputies have read about in the media that there would be closures for four years or something approaching that is absolutely off the agenda. I will not countenance that sort of a delay or anything reflecting a fraction of it on any major piece of infrastructure or artery into any of our cities.

I will encourage everyone to engage again with the NTA and TII when they launch their new public consultation after publishing their preferred route in the coming weeks.

**Deputy John Lahart:** Today was the first time I saw a reference to a delay of four years. In terms of the original MetroLink plan, despite what the Minister said, no one has queried the fact that running the metro along the existing Luas green line would shut down the line for up to two years. As the Minister rightly recognised, to shut it down for a period of even two weeks would be catastrophic for commuters. He needs to clarify that. He has not denied that the MetroLink project could close the line or parts of it for up to two years, which would be catastrophic for commuters.

The Minister also said - I am glad he put it in writing - that the Government does not support the provision of Luas or metro style transport to the various areas mentioned in my constituency. I will bring that news back to my constituency. The Minister made similar remarks when he launched Project Ireland 2040. At the time, I stated in the House that Project Ireland 20140 had nothing for my constituency of Dublin South West. He has just reaffirmed that there will be nothing for my constituents in any review or reprofiling of MetroLink. I guarantee the Minister will revisit the matter very shortly.

**Deputy Noel Rock:** I asked one straightforward question which was not answered. Does the report in this morning's edition of *The Irish Times* align with the Minister's understanding of the proposal based on his meetings with the NTA and TII? That question deserves an answer. Many people in the northside have been waiting in anticipation of this project for two to three decades. It seems we are at an impasse and there is a need for clarity. I opened my statement by welcoming the clarity in this matter and now I am opening my supplementary remarks by

asking for clarity. I would genuinely appreciate some clarity on this matter.

Deputy Lahart named 11 areas for alternative routes, which are uncoded and untested. The Minister correctly noted previously that these routes simply do not have the population density to justify a metro project.

**Deputy John Lahart:** Is that Fine Gael policy?

**Deputy Noel Rock:** The reason the current alignment of Sandyford to Swords was chosen was to facilitate access to Cherrywood and the Sandyford industrial estate. People need to travel this route because the Luas green line will reach maximum capacity by 2027. The route was included in Project Ireland 2040 for this reason and we want it to go ahead.

**Deputy Jim O’Callaghan:** I agree with the Minister that we need to move away from designing transport projects by press release. Unfortunately, because of leaked information published in a newspaper today and yesterday, we seem to be designing transport projects by press leak. There is a legitimate public interest in the public being told if the information published in a newspaper today was correct or not. Obviously, the Minister knows much more than he is telling this House. It may be that he cannot tell the House but he can give us an indication as to whether he is prepared to stand up to the NTA if it persists with its proposal to dig up the Luas green line. I also believe the Minister, Deputy Ross, needs to question his civil servants more and he needs to question the statutory bodies that report into him. The Minister is renowned as a person who can stand up and express his own opinion. I ask that he expresses his own views in respect of the fact that the south west of this city is not served by any rail infrastructure. There is an increasing division in Dublin between east and west. The east side has the Luas and the DART while the south west side, areas of which are represented by Deputy Lahart, is not served by any rail infrastructure and it needs to be.

**Deputy Shane Ross:** I am very happy to express my own views to the National Transport Authority, NTA, and Transport Infrastructure Ireland, TII, about Government policy. I have noticed that all the Deputies here, quite understandably, have been representing their own constituencies in this area and that is absolutely fine. I must, however, look at it on an overall basis. I will not comment on any particular alignments that are being planned at the moment. I can tell the Deputies opposite that after a very thorough examination and analysis of the route the NTA found that there was not the population to merit the Terenure-Rathfarham link. That is the finding they made and that is the story.

**Deputy John Lahart:** Yet they want to run a bus every four minutes on it.

**Deputy Shane Ross:** I am happy to tell the Deputies this and comment on that route because that was their finding and I am being as open as possible about it.

In response to Deputy O’Rourke I cannot tell him any more than this because he is asking me to publish a route at this stage, which of course I have no intention of doing. The NTA and TII will shortly publish a preferred route. This will reflect the NTA and TII’s consideration of issues raised in the first consultation and how best to address them. This will include how best to minimise disruption. The NTA expects to publish this around the second half of March and Deputies will just have to wait for this. When it has been published the NTA will then hold a new public consultation on a preferred route, and after this a decision on the final route will be made. This will be submitted to An Bord Pleanála at which stage statutory consultation periods will take place. This is the way it works. It works in this way for a very good reason.

21 February 2019

Reference was made to the periods of four or two years and so on. I repeat to Deputy Lahart that I said four years because that was the subject of press speculation. I just said it so I can be quite emphatic that I would not tolerate a situation of a four year interruption to people on a major infrastructural line. It would be impossible to tolerate that. This was one of the suggestions.

**Deputy John Lahart:** Would the Minister tolerate two years?

**Deputy Shane Ross:** Two years is too long also. I have made this absolutely clear. That would be a major issue in a capital city, or any other city, and it must not happen.

**Deputy John Lahart:** That is the proposal.

**Deputy Shane Ross:** It may be a proposal but it will be a proposal that will not cross my desk.

**Deputy John Lahart:** It has crossed your desk.

**Deputy Shane Ross:** I will not sign on a proposal of that sort.

### **Accessibility of Public Transport for People with Disabilities: Motion**

**Deputy Fergus O'Dowd:** I move:

That Dáil Éireann shall consider the Report of the Joint Committee on Transport, Tourism and Sport entitled 'Accessibility of Public Transport for People with Disabilities', copies of which were laid before Dáil Éireann on 14th November, 2018.

I am delighted to introduce this debate on the Oireachtas Joint Committee on Transport, Tourism and Sport report on the Accessibility of Public Transport for People with Disabilities. I thank the Acting Chairman and the Business Committee for selecting this very important policy report for debate.

The joint committee was delighted to launch this report coming as it did after a significant period of consultation where we listened to witnesses from disability groups and transport groups. More than 20 witnesses attended the committee's hearings last year, many of whom are in the Public Gallery this evening and we welcome them.

The Joint Committee heard some deeply moving evidence from many of those witnesses of their experiences around the inaccessibility of public transport and the challenges facing them, often on a daily basis, when trying successfully to complete bus, train and Luas journeys. These are journeys that most of us take for granted. I also thank the Minister, Deputy Ross, who appeared as a witness at our hearings, for accepting our committee's report, and I look forward to hearing the Minister's remarks.

This policy report, which formed a major part of the committee's work programme for 2018, sets out 16 key recommendations to pave the way towards equal access to public transport services for people with disabilities. An accessible public transport system is vital to ensure that people with disabilities have full access to all spheres of Irish society: economic, educational, civic, social and leisure.

In order to develop these recommendations the committee met with a broad range of stakeholders to identify potential policy solutions to improve access to public transport services for people with disabilities. These included disability activists and representatives including the Disability Federation of Ireland, the Irish Deaf Society, the Irish Wheelchair Association, the National Council for the Blind Ireland and Inclusion Ireland. Representatives from the various transport operators - Dublin Bus, Iarnród Éireann, Bus Éireann, Transdev Ireland and the Coach Tourism and Transport Council of Ireland — also appeared before the committee, as did the National Disability Authority, the National Transport Authority, and the Minister, Deputy Ross.

The committee very much appreciates the deeply personal and moving accounts shared by witnesses with disabilities of the difficulties they personally encounter in using public transport. Many of the witnesses described very concerning and completely unacceptable incidences of being stranded at a terminus at night, for example, with potentially no way of travelling home due to a lack of accessible buses. They also described occasions of being left stranded on a train service with no means to disembark. These stark experiences are evidence of the disadvantage, exclusion and unequal treatment that passengers with disabilities encounter while engaging with the public transport system.

The 16 recommendations contained in this report detail ways to increase the accessibility of Ireland's transport services, the aim being to achieve equal access for all to this vital and necessary resource. First and foremost our committee calls on the Minister and the Government to fund adequately and to provide a clear policy plan to move towards full accessibility on all public transport. It is time for us, as a nation, to prioritise the transition to a fully accessible public transport system for all and to put in place the resources necessary to deliver this as soon as is practicably possible.

Accountability too needs to be embedded into the very core functioning of our public transport system to ensure, for example, that there is redress for passengers in the event of stranding or other instances of poor or inaccessible service.

Other key recommendations in the report include equal access. The committee calls on the Government to fund adequately and provide a clear policy plan to move towards full accessibility on all public transport, including details of funding breakdowns and project timelines.

Ultimately, a measure of achieving the policy ideal of equal access to public transport for all is the extent to which passengers with disabilities can undertake unplanned travel. We must remove barriers to spontaneous travel for people with disabilities, such as requiring passengers to give advance notice of travel, by ensuring that the necessary accessibility infrastructure and assistance is available without pre-booking.

Accessibility requirements of people with disabilities must be a core consideration in the decision-making process for all public transport planning, funding and development. Mobility for people with disabilities must be looked at on a whole of journey basis, meaning that the focus needs to be on ensuring accessibility from door to door rather than bus stop to bus stop.

#### *6 o'clock*

To accomplish this, accessibility information on route linkages between public transport locations must be provided to passengers. Providing details of step-free routes on journey planners will enable wheelchair users and passengers with mobility impairments to plan their journeys in advance.

Our committee recommends the establishment of a single point of access hub to provide travel information and journey planning across transport modalities. Vital to this is a dedicated customer service contact point using phone, text messaging, email and live chat to address specific queries in relation to accessibility for passengers with disabilities. This information should be provided across a range of formats, including mobile apps, accessible leaflets, subtitled audiovisual content and Irish Sign Language videos. As part of this centralised hub, the committee recommends the establishment of a clear customer feedback pathway on barriers to accessing public transport across all modes. This contact hub should be responsive to passengers, with clear and transparent protocols for addressing the feedback or complaints received. In the interest of monitoring performance, our committee also recommends that data should be collected to track both the types of complaints received from passengers and the nature of the responses to these complaints, in particular in relation to any actions undertaken to address them.

A key concern for the committee is to ensure that accessible provision is in place in the event of service disruption, curtailment or cancellation. That means where a train or bus service is cancelled, any replacement service should be accessible. In the event that there are changes to the accessibility status of services, for example if an accessible bus service is replaced by an inaccessible service, these changes should be clearly communicated to all passengers. Moreover, if it is not possible for operational reasons to source an accessible replacement option in the event of disrupted train or bus journeys, wheelchair accessible taxis should be provided by the relevant operator to facilitate passengers to complete their journeys.

An important part of the process of achieving a fully accessible public transport system rests on developing performance measures to assess accessibility standards across transport modes, operators, infrastructure and facilities. By monitoring these performance metrics against a baseline audit of public transport accessibility, we will be able to track the extent to which accessible public transport is being delivered across transport modes, operators and locations. Ultimately, accountability must be embedded into the heart of public transport delivery. Transport operators must have a formal obligation to deliver an accessible service, with sanctions applicable if they fail to deliver an adequate service. For example, if an operator fails to provide an accessible service where a passenger has pre-booked a journey or if an operator fails to provide an adequate service thereby stranding passengers on trains with no means to embark, that operator must provide redress.

The committee takes this body of work and important policy report very seriously. I assure the House that the committee will not countenance the report gathering dust on a shelf, in particular within the Department of Transport, Tourism and Sport. Following the commitment he gave to us, we expect the Minister to come before the committee every six months to brief members in detail on the implementation measures initiated by his Department and other relevant Departments in respect of each of the committee's recommendations. Periodic review of the progress of the Department in implementing these measures will ensure that transparency and accountability are embedded at the heart of our transport policy. The Minister can expect an invitation from the committee to appear before us for the first update. We look forward enormously to that first progress report.

Before I conclude, I pay tribute to Senator Dolan on behalf of the joint committee for his input into this report. Senator Dolan, who is with us in the Chamber this evening, is a tireless advocate for the rights of people with disabilities in Ireland and when he raised this issue with the joint committee just over a year ago, we had no hesitation whatsoever in agreeing it was one

the committee must prioritise.

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Before I do anything else, I echo Deputy O'Dowd's words of gratitude to Senator Dolan for the unique perspective he has brought to the Oireachtas on the disability issue. He and his assistant, Mr. Ciarán Delaney, have highlighted and made all of us far more aware of the disability issue in recent times. The fact that the report has been issued is a tribute to Senator Dolan and his office and to the rising awareness of disabilities in the Houses of the Oireachtas.

I welcome the opportunity to contribute to the motion on the joint committee's report on the accessibility of public transport for people with disabilities, following its launch on 14 November 2018. This time last year, I had the opportunity to engage with Members of both Houses when I appeared before the joint committee during the series of hearings it was holding at that time. In addition to the publication of the committee's report, there have been a number of positive developments in the past year that I would like briefly to outline to the House. In February 2018, I outlined how I had been particularly struck since becoming a Minister by the personal experiences related to me in my meetings with people with disabilities who use public transport. I have had wide consultation with members of the disability community, many of whom have contributed to the report we are discussing here tonight, as well as with disability representative bodies striving to make an impact. Following those discussions, I advised the committee that I had decided that no public transport company under the remit of my Department would in future function without a minimum of one board member with personal knowledge and experience of the needs and difficulties of people with disabilities who use public transport. Following an open competition run by the Public Appointments Service, I was pleased to be joined at a press conference in August last year by the newly appointed directors of those companies. These were Diarmuid Corry from Bus Éireann, Liam O'Rourke from the CIÉ Group, Kevin Kelly from the National Transport Authority, Suzy Byrne from Irish Rail and Elaine Howley from Dublin Bus. Members will be familiar with Mr. Padraic Moran who appeared before the joint committee during its hearings and who I have met on a number of occasions in relation to public transport issues. Last year, I appointed Mr. Moran to the board of Sport Ireland, also following an open competition run by PAS.

In relation to public transport infrastructure and facilities, it is worth reiterating that accessibility features, such as wheelchair accessibility and audiovisual aids, are built into all new public transport infrastructure projects and vehicles from the design stage and that newer systems, such as Luas, are fully accessible. Looking to the future, investment in public transport will be accelerated under the national development plan, NDP, to support the development of an integrated, accessible and sustainable national public transport system. A number of key new major public transport programmes are planned under the NDP over the period to 2027, including BusConnects for Ireland's cities, MetroLink, priority elements of the DART expansion programme and sustainable projects, including cycling and walking. In line with recommendations in the committee's report and as with all new and recently developed public transport projects, these programmes will be fully accessible as part of the normal design. The real challenge, as I have noted previously, relates to upgrading older infrastructure and facilities to make them accessible for people with disabilities. The difficulties and frustrations experienced by people with disabilities using such legacy infrastructure, including our Victorian-era train stations, were outlined very vividly during the committee's hearings. Given the importance of the accessibility retrofitting programme in this regard, the Department was granted a trebling of the funding provided for the programme to almost €28 million for the period 2018 to 2021.

21 February 2019

The additional funding for the retrofit programme is facilitating the continued roll-out of programmes to install accessible bus stops on regional and rural services, upgrade train stations to make them accessible to wheelchair users and provide grant support for more wheelchair accessible vehicles, WAVs, in the taxi fleet. I am pleased that the 2019 allocation is €7 million, which represents an increase on the figure of €4 million last year. Under the NDP, there will also be a continued investment programme to fund the retrofitting of older existing public transport facilities to enhance accessibility.

I will update the House on some of the accessibility developments taking place in the different public transport sectors. Under the accessibility retrofit programme, last year €1 million was provided for railway station accessibility upgrades. That figure has been increased to €3 million this year. With increased funding from 2019, it is envisaged that larger projects will be undertaken at railway stations, including the installation of lifts and bridges to allow easy access across track platforms for wheelchair users.

One of the primary difficulties faced by people with disabilities is meeting the requirement to give advance notice of intention to travel. Members will be aware that people with disabilities repeatedly raise this issue and the difficulties it causes for them in trying to live their daily lives. Following the completion of a six-month pilot project in 2018, Irish Rail reduced the period of advance notice from 24 hours to four for people with a disability who required assistance to use DART services. The company is also rolling out the reduced notice period on the Maynooth and Northern commuter lines. While this reduction is very welcome, it is not where we want to be and Irish Rail plans to further reduce the timescale until it is ultimately eliminated.

As regards long distance rail services, Irish Rail is training customer service officers, CSOs, for deployment on all inter-city routes, which will mean that at all stops services with a CSO on board will be able to ensure ramp assistance is available. The full complement of CSOs is expected to be trained and deployed on all inter-city services in 2019. As a result, this development will eliminate the requirement for advance notice on such inter-city train services. I allocated additional funding in 2018 to Irish Rail for the development of a new smartphone app to address some of the key communication breakdowns that occur when providing assistance for persons with disabilities. I had the opportunity to discuss this development before the committee last December. The company intends to deploy the app during 2019.

As I outlined to the committee previously, 100% of the Dublin Bus and Bus Éireann city fleets are wheelchair accessible, as well as approximately 86% of Bus Éireann coaches which are wheelchair accessible by lift. Our policy for quite some time has been that all new buses purchased by Dublin Bus and Bus Éireann for urban centres must be low floor, wheelchair accessible vehicles. The number of Bus Éireann accessible vehicles will increase as more of its coach fleet is replaced with accessible vehicles during 2019. Another concern raised by wheelchair users relates to the provision of dedicated wheelchair spaces on urban buses. As a result of this concern, all of the Dublin Bus fleet purchased in the past few years has both a dedicated wheelchair space and a dedicated buggy space.

While all Dublin Bus and Bus Éireann bus stops in regional cities are fully accessible, we must acknowledge, as the committee's report identifies, that there is a shortage of accessible bus stops in rural and regional areas. The long-term objective is to install a wheelchair accessible bus stop in every town in Ireland. This is being rolled out on a route by route basis, with Dublin to Donegal and Dublin to Letterkenny routes being focused on initially. While this is a

longer term objective, in the shorter term the NTA intends to provide an accessible bus stop, in both directions, in all 43 towns nationwide that have a population in excess of 5,000 people by 2021, which will result in 86 accessible bus stops.

In addition to the phasing out of the requirement to give advance notice while travelling on long distance train services, the House will be pleased to know that the requirement for advance notification will also be phased out on regional or commuter PS0 bus services, beginning this year. This is resulting from the new single deck buses to be used on PS0 commuter routes up to 50 km. The new vehicles will allow wheelchair users to board with normal ramp access, thereby replacing the high floor type coach on such routes which requires an external wheelchair lift and advance notice. The first of the new buses are expected to enter service in the middle of this year.

Another concern for people with disabilities which is also addressed in the report arises from problems with on-board audio and visual announcements on both buses and trains. Since 2015 all of Bus Éireann's new fleet has been fitted with high definition, HD, multimedia screens that have the capability to show route progress information, next stop information and expected arrival times. However, before this system can become operational, all of the approximately 6,000 bus stops nationwide on the network need to be renamed, using a standard naming criterion, in both the English and Irish languages. The NTA, in conjunction with Bus Éireann, has been working on the short common name, SCN, project and it is anticipated that the project will be completed nationwide during 2019. Separately, the NTA is undertaking this task with all other transport operators.

One of the success stories which tends to get overlooked is the services provided by private bus operators under the rural transport programme which operate under the Local Link brand. Local Link services have expanded in recent years in line with an increase in funding which has grown from €12.2 million in 2016 to almost €20 million in 2018 and 2019. The NTA advises that 80% of the fleet in use on Local Link services is wheelchair accessible. Action 254 of the Government's Action Plan for Rural Development commits to ensuring Local Link vehicles are accessible, having regard to all passenger needs. The objective is to achieve at least 95% fully accessible trips by the end of next year.

Since the introduction of a taxi wheelchair accessible vehicle grants scheme in 2014, the number of WAVs in the fleet increased from 860 in 2014 to 2,201 at the end of October 2018, which represents 10.6% of the total fleet. This is the highest ever level of wheelchair accessible vehicles in the small public service vehicle fleet. It is intended to continue the grants scheme in 2019.

As I outlined to the House previously, we are conducting a review of public transport policy. As part of the review, my Department will be undertaking a public consultation process on different aspects of public transport, including the provision of accessible public transport. I urge members of the public and especially representatives of the disability community to contribute their views to the process.

I will conclude with what I hope the House will agree is a very significant development. It is the NTA's decision to create a new position of transport accessibility manager. Against the background of the delivery by the NTA of the largest ever investment in public transport under the national development plan and its role in seeking to continually expand and improve the network of public transport services across the State, it is critical that the needs of customers with

disabilities be to the forefront in the design and development of public transport infrastructure and services by the NTA. The role and responsibilities of the transport accessibility manager will be wide-ranging and include establishing a formal engagement process with key disability representative groups; developing and monitoring an improvement plan for existing services; assisting in the development of the retrofit programme and ensuring accessibility is built into all new public transport infrastructure; co-ordinating the accessibility programmes of transport operators and their access officers and establishing a contact and complaints handling system for users of public transport who have a disability. The position of transport accessibility manager has been publicly advertised by the NTA and the process to fill the post is under way.

I again acknowledge the work of the committee in producing the report, with all those who contributed to it, particularly the people with a disability who shared their experiences of using public transport. In addition, I acknowledge the work the transport companies and the NTA are undertaking in seeking to improve accessibility for people with disabilities to the public transport system. I take the opportunity to record my acknowledgement and appreciation of the co-operation of the employees in the transport companies and their staff associations, including the NBRU and SIPTU, in helping to make public transport accessible for people with disabilities. Their support has been immense and immeasurable. I particularly thank Mr. Dermot O’Leary for his constant championing of the cause of people with disabilities. I notice he is present in the Visitors Gallery for this debate. I welcome him and his colleagues. It is a great tribute to him and others that while there might be political differences and differences between management and employees, they are transcended where people with disabilities are concerned. They cause people to discard their prejudices and personal interests and work together for people with disabilities, for which I applaud and salute them.

**Deputy Robert Troy:** I welcome the opportunity to contribute to this important debate. I acknowledge all of the people who made submissions, particularly those who made presentations to the committee. Some of the people who made presentations to the committee did so at some discomfort and inconvenience to themselves. They shared very personal stories and first-hand experience with us as committee members, which very much enabled us to publish this report. I also acknowledge Senator John Dolan and his assistant, Ciarán Delaney, for their championing of this and ensuring that this report came to fruition.

The Minister quite rightly says there has been progress, and it would be wrong not to acknowledge it. The appointment of people with a disability to the various State boards is a welcome development and undoubtedly will ensure that any decisions taken at board level in the future will reflect the needs of people with disabilities. What was reinforced to me as a committee member over the hearings was that there are vast differences in the experiences of disability and that it is therefore important to provide a diverse and flexible array of supports to cater for people with the varying disabilities and varying levels of disability. There are mobility issues, people with restricted and limited sight and people with psychological and intellectual disabilities. Speaking of intellectual disabilities, I acknowledge the work that has been done on the promotion of the “just a minute”, JAM, card which the various bodies need to acknowledge, take on board and implement. Quite often not every disability is obvious to the person one is dealing with, and we need to acknowledge the diverse levels of disability out there.

Accessibility is a precondition for persons with disabilities to live independently and participate fully and equally in society. Without access to the physical environment, from transportation to information, communication and other facilities and services open or provided to the public, persons with disabilities would not have equal opportunities to participate in their

respective societies. I am thinking of two contributions from witnesses to the committee. Dr. Margaret Kennedy told the transport committee that she was left at the end of a very long platform at Heuston Station in the dark, with not a soul in sight, and became very scared. About 20 minutes or half an hour later a single cleaner arrived and Dr. Kennedy was rescued. This incident in the not-too-distant past is a very strong indictment of a State service.

Another witness, Alannah Murray, told the committee she had missed out on business meetings that could have secured her a job. She stated, “I have had to miss appointments because I have showed up for my pre-booked bus only to be told that there has been a mis-communication and I will be unable to travel as the bus has not been properly adapted to allow me onto it.” This is simply not good enough and again reinforces the need to address this issue to ensure that people with a disability can lead normal lives and integrate into society just as we have the benefit of doing daily. None of us in this Chamber must warn a company when we want to take a bus or give 24 hours’ notice if we want to take a train. We must strive to ensure that just because someone has a disability does not mean he or she should not be able to lead a normal life and get around in the very same way as people who do not have a disability.

The Minister referred in his speech to rail accessibility and the increase from €1 million to €3 million provided for railway station accessibility upgrades this year. How many stations will this address? That is the crucial point. We need to know how many stations will become more accessible with the increase in funding. Is this level of funding enough to make all stations accessible? I do not think so. I do not know. The Minister made reference to the urban bus services, and that was welcome, but he forgot to mention the rural bus services. Only approximately 40% of our bus stops across rural Ireland have been surveyed. Of those that have been surveyed, the majority are yet to become accessible. We do not have them all surveyed so we do not even know how many we need to improve.

This report identifies 16 specific recommendations. Due to the short time I have, I will just allude to a number of them. One is the review of the free travel scheme. This is urgently needed. Free travel is currently made available to senior citizens, and I do not begrudge them that at all, but people with a disability are only eligible for the free travel scheme if they are in receipt of disability allowance. I know a person in my constituency who is on a payment similar to disability allowance and was signed off work due to disability. However, because he has a public service pension, he does not qualify for disability allowance, and because of this he is not entitled to free travel, despite the fact that he has severe mobility and medical issues that require him to travel to Dublin very frequently. I have raised this anomaly with the Minister, Deputy Regina Doherty, and I am raising it with the Minister for Transport, Tourism and Sport this evening. It needs to be addressed.

A number of Deputies raised the issue of commercial bus services at the committee meetings. It is proposed to ensure that no commercial bus operator should be allowed to provide a service that does not meet the same standard the Department imposes on Bus Éireann and Dublin Bus. This is not currently the case, and that can be addressed quite quickly.

I like recommendation No. 15 which proposes to establishment of key performance indicators in order that when State companies or commercial operators providing a State service fail in their duty of care, there are consequences in the form of financial penalties, which can then be passed on to the people the companies have let down in the form of compensation.

Two other issues not in the report need to be highlighted. One is a major failing of this Gov-

ernment and the previous Government. I refer to the motorised transport grant, which was suspended almost six years ago. It is closed to new entrants but is critically important, particularly to people who live in areas where no public transport is available. No matter when this matter is raised, whether on the Order of Business or during Priority Questions or Other Questions, it seems to be “imminent”. That imminency has lasted the best part of five or six years. It cannot go on any longer. While this is not the Minister’s responsibility, as Minister for Transport, Tourism and Sport he needs to get in touch with the relevant Minister and ensure that this new scheme is opened up to new applicants without further delay.

Another area where the Government is failing very badly is the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994. I do not know whether other Members have experience of this, but certainly in the past two years the conditions and eligibility criteria that have been set down have become extremely strict. I know a young man who is only kept out of a wheelchair by his own will, and he has been refused on two separate occasions in this regard. The scheme is not fit for purpose. It needs to be reviewed, and I ask the Minister to use his good offices to ensure that this is done.

As the Chairman of the committee and the Minister said, there is a six-month review. The Minister will be invited before the committee at the end of April to give an update on every one of the 16 recommendations. I will be there, as will other members, because there has very much been cross-party collaboration on this. We want to see improvements, and the Minister is the person in the position to deliver on these improvements. I hope he will honour his commitment and I look forward to welcoming him before the committee at the end of April to review all the recommendations that have been put before him.

**Deputy Thomas Pringle:** I welcome the report of the Joint Committee on Transport, Tourism and Sport, which sets out a number of recommendations to improve accessibility to all public transport services for people with disabilities. The recommendations will go some way to improving access but they may not go far enough in improving the situation for people with disabilities living in rural Ireland. The number one barrier that people with disabilities face in places such as County Donegal is the lack of public transport. Measures in the report, therefore, while well-intentioned, are not suitably targeted to the reality of living in a rural constituency if one has a disability. Nevertheless, I support the implementation of the report’s recommendations in the hope that improvements in rural public transport will be a consideration in the context of all public transport planning, funding and development. While this will require resources, including time and monetary investment, that is what is required if we are to be a country that prides itself on notions of equity and equality. Let us not forget that in the context of our climate action obligations and our necessary transition to a low-carbon economy, we will need greater public transport infrastructure throughout the country and, in particular, in rural Ireland.

People with disabilities living in rural Ireland face an inordinate number of barriers in accessing public transport. County Donegal has no rail or motorway, which makes the Bus Éireann fleet a vital part of our transport infrastructure. For a person with a disability coming from Donegal, a number of gaps in the planning, funding and development of rural public transport lead to significant service interruptions, journeys being cancelled or delayed, or people being unable to attempt a journey at all. There have been recent improvements, however, particularly in the area of upgrading bus stops to make them wheelchair accessible. I have been in contact with the National Transport Authority for years in respect of the provision of wheelchair accessible bus stops in Donegal. While I acknowledge that the bus stops have been successful, they are not enough.

To emphasise this point, I will read aloud an account of Frank Larkin, a disability activist from County Donegal. It is important that the voices of those affected by the issues being debated are heard. The journey from Donegal to Dublin is straightforward for me as an able-bodied person. I get in my car and drive uninterrupted for four hours to Killybegs numerous times a week. For Frank Larkin, however, as we will hear from his own words, it is an entirely different scenario. He told me that he would not use Bus Éireann ever again. He said he had not used the service for some time because he had too many bad experiences. He went on to say there had been improvements in that the route is now accessible but that all bus options should be accessible rather than needing to be booked 24 or 48 hours in advance and that it is impossible to make spontaneous trips as circumstances stand. He said disability awareness and equality training would definitely be required by staff due to the attitude of some to people with disabilities, even though they say they receive training.

Supporting Frank Larkin's point, the Irish Wheelchair Association recently carried out a survey which found that seven out of ten people with disabilities were dissatisfied with the service offered by Bus Éireann. On Frank Larkin's point about the advance booking required for journeys, I am glad the report recommends the rolling-out of accessibility services and facilities without prior booking. How we achieve this will fall on the Government's lap and whether it is content with increased spending in this area, but transport companies also need to get on board. It is clear that we need to focus on transport companies and how they deliver their services. It appears that more intensive training is required for service providers to help eradicate stigma.

In a previous report, the National Disability Authority, NDA, stated: "Ease of access also depends on the attitudes of the community as well as those transport staff." We need to contemplate that and take on the NTA's recommendation that the Government develop a public awareness programme and a staff training programme for customer care. The report recommended that, where possible, the training should be conducted by people with a disability. I am happy with the report's call for minimum standards of accessibility to be set and monitored by a statutory agency with powers to impose sanctions on transport companies that fail to assist people with disabilities. I also welcome the report's recommendation that the NDA be given powers to monitor and enforce access for people with disabilities, and I hope it will be followed through. I acknowledge that disabled people are on the boards of the transport companies, which is welcome, but much more needs to be done.

Greater joined-up thinking is required among the various Departments to increase access for people with disabilities. The Department of Employment Affairs and Social Protection must reflect the need for greater accessibility by providing the necessary income supports for all people with disabilities. Some social welfare payments, such as disability benefit, do not cover the free travel pass, but anyone with a disability, whether temporary or permanent, should be offered a free travel pass until he or she no longer needs it. Let us not forget that barriers to transport create barriers in other parts of life. For example, they can restrict the options for a person attending a third level institution or a person's access to the job market. As we know too well, it also restricts a person's access to healthcare.

It is worth measuring how Ireland stands up to Article 9 of the UN Convention on the Rights of Persons with Disabilities, which we recently ratified. The convention explicitly states, "To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications". While we have made progress, we have a long way to go and I hope that we

will keep going in the right direction.

**Deputy Thomas P. Broughan:** I am delighted to have the opportunity to speak on the report. I commend the Chairperson, Deputy O'Dowd, and the rest of the Committee on Transport, Tourism and Sport on their work in holding hearings on accessibility to public transport and presenting us, as Deputy O'Dowd noted in his introduction, with the "experiences of disadvantage, exclusion and unequal treatment" endured by citizens with disabilities, which is a significant cohort of Irish society. When reading the report, I was struck by the comment of our colleague, Senator Dolan, who represents the Disability Federation of Ireland, in late 2017 that people with disabilities "do not have their basic right to free movement". That is a profound statement on the level of public transport and all other types of transport in the country.

Other comments on public transport accessibility by witnesses to the committee also strongly challenged public transport operators and the Minister for Transport, Tourism and Sport to fulfil urgently the accessibility principles of the UN Convention on the Rights of Persons with Disabilities, which was ratified by the Oireachtas last year. The 16 recommendations of the report seem to be a comprehensive overview of the steps Ireland urgently needs to take to implement full equal access as defined in recommendation 1 of the report. The measurement of performance by transport operators and all the agencies, such as the National Transport Authority, NTA, and so on, in recommendation 8 and the role of the National Disability Authority in recommendation 14 are also important. The Minister needs to respond with whatever legislation is necessary to provide for that measurement and to hold people to account. If necessary, sanctions should be applied to ensure that the NTA will place its responsibility to citizens with disabilities at the core of its monitoring of public and private transport companies. As the report notes, we are speaking about a significant cohort of our society, given that in the 2016 census, 643,131 people indicated they had a disability. Worryingly, the unemployment rate among persons with disability was reported to be higher than 26%. As Deputy Pringle has outlined, the lack of disability is almost certainly a factor in that regard.

In preparing for the debate, I contacted Ms Joan Carthy, the outstanding advocacy officer of the Irish Wheelchair Association, IWA, whom I welcome along with her colleagues to the Public Gallery. Ms Carthy helpfully sent me a copy of the results of the IWA's national transport survey of October 2018, for which it had well over 500 respondents from 28 counties. Some 66% of those respondents indicated they use public transport, although some of those who said they did not said they used taxis. Trains and the DART were the commonest form of transport used, while people who used taxis usually had to book them in advance and were rarely able to book an accessible taxi. As the Minister noted at the committee, those seeking an accessible taxi must usually give at least 24 hours' notice, which is a significant issue for citizens with disability and transport accessibility. A large number of people, 32%, used Dublin Bus weekly, with 22% using it daily but if companions travelling together are both in wheelchairs, they are unable to get on the same bus because of the space for just one wheelchair. There is a long-standing complaint about buggies being placed in the wheelchair space. It is disappointing that 43% of respondents reported being refused access to the bus because of the ramp being broken in 24% of cases, a buggy in the wheelchair spot in 33% of cases, or another wheelchair user already on board in 24% of cases. The Luas seemed to get good ratings from people who responded to the survey.

Some 64% of respondents to the survey said that they had to give notice to their local station if they were to travel by train, including the DART. In my constituency, I have had to make many representations to the Minister in the past few years about when the lifts are malfunc-

tioning in Howth Junction-Donaghmede and a key station on the northern part of the DART becomes totally inaccessible for a citizen with disability.

The availability of accessible taxis is low. Since 2010, new licences were only granted for wheelchair accessible vehicles but just 8% of the small public service vehicle, SPSV, fleet is wheelchair accessible. I was dismayed in 2017 that only €2 million was available under the public transport accessibility grants programme. The Minister said that that has now expanded to €7 million, if he was referring to that specifically.

Clongriffin DART station in my constituency was one of the first stations to become staffless earlier this month because of the new system of the 13 hubs, and will be one of the first stations not to be manned. It is said that the rationale behind these unmanned stations is that it will allow staff at the hubs to travel between stations. Citizens with disability who use public transport have grave concerns about how and whether that system will work.

I warmly welcome the report and acknowledge the input of stakeholders including the Disability Federation of Ireland, Inclusion Ireland, the Irish Deaf Society, the National Council for the Blind, the IWA and other disability activists. I am a member of the informal Oireachtas disability group, which was founded and is chaired by our colleague, Senator John Dolan, which has done remarkable work over the past couple of years. I am also a member of the Committee on Budgetary Oversight and I have tried to ensure that the needs of citizens with disability are input into budget preparations at the earliest possible time. Making all public transport fully accessible should be a priority, as the Minister rightly says, for the entire Oireachtas and it is something that we can work together to achieve. Although we have not signed the optional protocol, we have signed the UN Convention on the Rights of Persons with Disabilities, UNCRPD. We have grave responsibility in this regard and I hope that it will be discharged.

I read with great interest the contributions at the committee. It is somewhat disappointing to read what was said by the Minister and the CEOs, Mr. Ray Coyne of Dublin Bus, Mr. Jim Meade, the director of Irish Rail and Mr. Ray Hernan of Bus Éireann. Mr. Hernan said that the company are trying to get a balance between “the commerciality of the situation” and its overall transport obligations. That is a ridiculous comment because the point of good public transport is to empower and facilitate every user of transport, including all citizens with disability.

I welcome the news that the NDA is working with NTA and academics from DIT and Trinity on improved data analysis. It was disappointing to read some of Ms Anne Graham’s contributions, as CEO of the NTA, to the committee. The CEO should lead the organisation towards 100% accessibility and ask the committee for whatever legislation or resources she needs to make that possible, to monitor what is happening and to ensure that the widest accessibility is available. She would not give a timeframe for her target. Some €28 million in budget 2018 was mentioned but during the austerity years it was our most vulnerable citizens, including those with disability, who suffered most.

I asked the Minister a few years ago about the cost of updating bus stations, and he replied that it would cost €11.5 million, with €79 million for railway works. He put the figure for fully accessible public infrastructure that he was taking care of at between €100 million and €200 million. That seems a reasonable sum. Many of us in this House voted against putting €500 million in the rainy day fund at this juncture. One area that we were thinking about was the disability sector. That is achievable and the Minister should work for it.

21 February 2019

In recent correspondence, the IWA highlighted a number of disturbing issues, for example, emerging problems with the new Go-Ahead buses which have taken over 10% of radial Dublin Bus routes, including a number of routes through my own constituency. It also mentioned problems with the new Waterford intercity fleet. I hope the representations that have been made about these issues will be dealt with. I commend the committee and its chair for the outstanding work in developing the report. I urge the Minister to accept and act on it.

**Deputy Fiona O'Loughlin:** Like my colleague, I commend the committee and its Chairman on the very important work on this report. There is no doubt that people with all types of disabilities, including physical, intellectual, learning, hearing, sight, mobility, speech, deafness and mental health issues, do not enjoy access to society on an equal basis with others who do not have a disability. It is important that we try to level the playing field and ensure that those with a disability have access to the same rights, the opportunity to work, to have a social life and to contribute to society. With regard to the report and recommendations, I thought it was particularly interesting that the IWA revealed that only 5% of taxis across the country were wheelchair accessible. That is stunning and while grants are available to taxi drivers to increase accessibility for wheelchairs, they are not sufficient to incentivise taxi drivers to do so. It is important that the Department examines that. We know from surveys that are done that 80% of people with disabilities travel as car passengers because they cannot access public transport.

That is difficult, especially for those who live in rural isolation where there is no public transport and who rely on a family member to drive them places. I live in Newbridge, a commuter town, where, increasingly, people have to buy tickets at unstaffed stations. That is a significant challenge for people with a disability, especially those with intellectual disabilities, who travel alone. If there is a problem with a ticket machine, which often happens, having human support is very important to disabled people, especially when travelling alone. We know that previously people with disabilities had an automatic right to have somebody travel with them but this was taken away and there is quite an onerous procedure to get somebody else on a travel pass. That needs to be looked at. Having to provide notice 24 hours in advance of travel is completely wrong.

When I am talking about that, I think of the care and work of the people on the internships for people with disabilities here in Leinster House. I think of Kenny, who travels every day from Kildare town. I talk to him about the obstacles that he has to go through four days a week to contribute to the work that we are doing. He is a marvellous young man and indicative of the passion and human spirit that we need to help and support. I also think of my brother, Cathal, who has Down's syndrome and cannot drive. Living four miles from the nearest village, Rathangan, he has to rely on my mother or siblings to bring him anywhere. That is not good enough.

It is interesting that while only 5% of our taxis are not wheelchair accessible, we have an excellent Rural Link service in Kildare. Alan Kerry does a really good job with the resources he has but national policy dictates that all vehicles in rural transport fleets must be accessible so every bus is accessible. If we can do that in Rural Link we should be able to incentivise the taxi drivers to do that. The National Council for the Blind of Ireland, NCBI, has denounced the lack of reliable audible announcements on buses, trains and trams. If someone who is visually impaired cannot hear what the next stop is, he or she is severely disadvantaged. Sometimes I strain to hear when I am on an unfamiliar route. The fact that people with travel passes have to pay an extra €5 each way to reserve a seat is wrong. Those who do not have travel passes do not have to pay.

There is an anomaly in that many private bus operators do not accept the travel pass. The Department has to get grips with that. While there is no doubt that different groups fighting for disability rights believe more training is required for transport employees, and I agree, I have come across some excellent people and they need to be commended.

There are approximately 5,000 bus stops that cannot be accessed by wheelchair users and there is no way for disabled people to check the position in that regard in advance. If somebody with a disability is travelling to a place with which he or she is not familiar, he or she will not know until he or she gets there whether he or she will be able to alight from or board a bus. That is completely wrong. The isolation of elderly people with disabilities who live in rural areas has been highlighted in every form of research I have read.

As Chairman of the Joint Committee on Education and Skills, I, along with Deputy Curran, Chairman of the Joint Committee on Employment Affairs and Social Protection, and Deputy Harty, Chairman of the Joint Committee on Health, held several meetings and published a report entitled *Review of Supports Available to People with Disabilities Transitioning from Education or Training into Employment*. A total of 71% of people with disabilities cannot access employment. While the reasons are complex - I will not go into them now - it is important to say that transport was included for discussion at all of the hearings we held. Different agencies dealing with disabilities came before us and we also heard people talk about their lived experience. When so many people cannot access employment that is absolutely wrong.

Deputy Troy referred to the now discontinued motorised transport grant and the mobility allowance. That is very important for young people accessing education and training, apart from all the other myriad reasons. Prior to Inclusion Ireland's submission for budget 2018 the organisation consulted widely with disabled people and the mobility grant and the motorised transport scheme was one of the issues that arose more significantly than others. Many said a key priority for them was the reinstatement of this mobility grant. It has left families in desperate financial distress and many disabled people in rural areas without transport.

Under the UN Convention on the Rights of Persons with Disabilities people have a fundamental human right to full and effective participation and inclusion in society. That right, however, is of little use if the correct supports are not in place. Access to public transport absolutely has to be one of those.

Years ago, the Government rightly stated that people in services and those in institutions should be moved out to live independently and should choose their own support services. That is very important and I applaud those who have helped to make that happen. It is a whole different situation, however, when people move into homes. There are several of them in Rathangan, my home town. Not having access to public transport is very difficult. If we want people to be full members of the community within which they live - and everybody has something to contribute to their community - but they do not have access to any type of transport to enable them to be part of a social network or indeed to go to work in that area there is something radically wrong. We have to empower people with disabilities, give them dignity and respect, and enable them to become full members of society.

**Deputy Imelda Munster:** This report came out of a series of hearings of the Oireachtas Joint Committee on Transport, Tourism and Sport where the committee heard from interest groups, charities, transport providers, disability activists and transport service users about the challenges of, and possible solutions to, the serious issues faced by people with mobility issues

and disabilities in accessing transport. I thank all those who appeared before the committee for their contributions, particularly those with disabilities who offered us a valuable insight into the challenges and frustrations they experience day in, day out in accessing the most basic of services, transport. I also acknowledge the transport providers who appeared before the committee for the work they have undertaken to date. I hope this report will lead to significant progress in the near future.

Transport offers a vital lifeline to people because it allows them access work, education, healthcare services and a social life. In other words, it facilitates independence. The report makes some useful recommendations: ensuring equal access to transport is a key issue. I submitted an amendment to strengthen this recommendation which was accepted. It calls on the Government to adequately fund and provide a clear policy plan to move towards full accessibility on all public transport, including a breakdown of funding and project timelines.

The report also recommends that the needs of people with disabilities be central to all future transport planning. Periodic reviews, required targets for providers and research are also recommended. While the long-term goal is a move to full accessibility on transport the report also makes short-term recommendations. These include ensuring that passenger information is available in accessible formats on all stages of a journey, ensuring that journey delays and information are visually and audibly available, that there are sufficient staff to assist and enough ramps at train stations. The committee recommended the establishment of transport hubs that would provide information to transport users should they encounter difficulties or should they require additional information and support, or if they wish to complain about a service. We hope this will address some of the frustrations expressed by transport users at the committee hearings about cancellations, being unable to access transport, running into difficulties and finding it difficult to access assistance.

The report also recommends improved communications by transport providers in cases of cancelled service or delays and a commitment that they will ensure that disabled passengers are facilitated in cases where replacement services are not suitable for their needs. The matter of the cost of transport for persons with disabilities is key. People who are disabled have an increased risk of poverty, some persons with disabilities are reliant on the State and if the State fails them they are in a very vulnerable position. The report calls for a review of the free travel pass to ensure that all persons with disabilities are entitled to free travel and not just those in receipt of certain State payments.

I also submitted several amendments in respect of the matter of cost.

*7 o'clock*

The amended report now calls on the State finally to implement the transport support scheme. This scheme was supposed to replace the motorised transport grant and other supports that the State had cut, but it does not appear to be functioning. The report also highlights the need to ensure that the additional requirements of people with disabilities in rural areas and their additional costs are recognised and taken into account during transport planning.

A recurring theme at the committee was the frustration experienced by transport users who have to make arrangements days in advance. If someone wants to take a trip on a Wednesday, he or she has to give notice by Tuesday and if somebody wants to travel at the weekend, he or she has to give 48 hours' notice. Persons with disabilities are expected to put up with bizarre

situations that able-bodied people would find simply unacceptable. The report recommends that this notice period be done away with by ensuring that all public transport is fully accessible all of the time.

Along with Government and State companies, commercial operators are also subject to committee recommendations. We call on them to provide fully accessible services and to fulfil the same requirements as semi-State companies. This includes Bus Éireann's express service, which receives no State funding. We are calling for higher standards for commercial operators to be implemented by the NTA. This will be paid for from the operators' profits. We also call for such standards to be requirements for public service obligation, PSO, and other State transport tenders.

The report also makes a series of recommendations regarding accessible taxis. We want to see an increase in the number of accessible taxis and requirements on companies tendering for State transport contracts. We are calling for reporting services to address reports that some accessible taxis will not provide services to wheelchair users.

The recommendations, however, are only as strong as the political will behind them. In order to ensure that real progress is made on the issue, we need real commitments from Government and Government agencies to ensure that sufficient funding is provided. While some progress has been made, particularly within Dublin Bus, many of the more complex issues with regard to public transport still need to be addressed. Recent decisions, such as the decision to remove staff from train stations, must be reversed as they are causing undue hardship for people with disabilities.

It is hard to have confidence in this Government, however, when its previous form shows very little in the way of action. The Government made a commitment to ratify the optional protocol to the UN Convention on the Rights of Persons with Disabilities. This shows that while the Government might appear to be on board, in practice it is unwilling to grant people with disabilities their full rights.

The final three recommendations deal with accountability and monitoring. This is vital because without these recommendations the report runs the risk of sitting on a shelf gathering dust. The key part of these recommendations is the imposition of sanctions on non-compliant service providers if they fail to provide an adequate service by, for example, leaving passengers stranded or refusing to take a booking. Other key parts are the provision of redress for such passengers, the establishment of accountability measures for the NTA including the devising of key performance indicators for various aspects of transport accessibility and ensuring monitoring and the publication of quarterly figures detailing provision failures. Closely linked to this is recommendation No. 16, which calls on the Government to provide regular updates to the committee as laid out in various Government policy documents. These documents should include detailed timelines, implementation status and outcomes. The Minister for Transport, Tourism and Sport will report to the committee every six months on the progress in implementing each of the 15 recommendations in the report.

I look forward to seeing real progress on this report. All of the people who contributed to this report and the committee members are determined to get things right. Unless there is Government will behind this, we will have wasted our time. Let us, in 2019, make sure that equality is central to everything we do from now on. I look forward to seeing progress on this report. The only way this will happen is if the Minister for Transport, Tourism and Sport pri-

oritises it. This report should be taken into consideration in the planning and development of new infrastructure and in all efforts to make transport more accessible. We must accelerate the rate of progress to ensure that our society is inclusive and to break down the barriers that people with disabilities currently face every single day.

I have a couple of minutes left. Deputy Broughan had raised the issue of the new fleet-----

**Acting Chairman (Deputy Bernard J. Durkan):** We have very little time left.

**Deputy Imelda Munster:** I will be very brief. He raised the issue of the new transport fleet in Waterford. Last July Senator Dolan raised issues concerning the specifications and dimensions of these vehicles, which were not accessible. These are silly things that were flagged up in advance and which are now causing problems. This sort of thing needs to be rectified. It was brought to my attention by Mr. Michael Doyle. It is causing a serious problem and represents a regression in services for people with disabilities in County Waterford.

**Deputy Bríd Smith:** I welcome the report and thank the committee for all its work. I have been looking over the recommendations. Some of them are very good and they are all very relevant. However, since I have come into this Dáil we have been through several strikes and disputes with Bus Éireann, Dublin Bus and the Luas. These have usually related to pay claims by the workers or, in the case of Bus Éireann, to the defence of their jobs because many of them were to be let go. In the course of debates on these issues, the Minister, Deputy Ross, made it very clear that he does not have a chequebook or deep pockets to deal with public transport. There are some great recommendations in the report such as having every bus stop immediately adjacent to a kerb, ensuring that access is available and that all ramps are working at every station, ensuring that all signage is working and that signage is provided in the Irish language, engaging with research, and undertaking research with people with disabilities. It goes on and on with some very good, innovative and necessary ideas to deliver real equality and real and proper access for people with disabilities. The first page of the recommendations recognises that achieving a fully accessible public transport system will require resources including time and monetary investment before recommending that a number of measures be taken to improve accessibility of transport in the short term. I have to wonder how we are going to be fixed in the long term because Deputy Ross does not have a chequebook or deep pockets.

As we pointed out repeatedly during those debates in this House, the subvention given to public transport by the Irish State is appallingly low. It is one of the lowest in Europe and our subventions for cities are also among the lowest in Europe. People with disabilities will be among those who will be most affected by that subvention being so extraordinary low and by our hurtling towards more and more privatisation of public transport. With regard to the area in which I live, cuts to the frequency of buses in Ballyfermot, each of which only has one wheelchair space, means longer and longer waits for people who need wheelchair accessible buses. The point was made earlier by Deputy Broughan that two people with wheelchair needs cannot travel together because there are not enough dedicated spaces on buses for them. The drivers do not have the authority to enforce the requirement that those spaces be kept free. One does not want to end up in a situation in which passengers are fighting with each other over whether prams get priority over wheelchairs.

We have an appallingly bad service generally, but it is even worse for people with disabilities. I want to read a letter I got yesterday:

I am writing to you in regard to the report above that is to be discussed in the Dáil tomorrow. I am a wheelchair user from Ballyshannon, Co. Donegal. I have applied to do a degree in Applied Sports with Business in Sligo IT. Bus Éireann customer service has told Sligo IT that it has no accessibility on the route between Ballyshannon and Sligo.

I would like to ask that you will speak on my behalf tomorrow. I survive [and I suppose one suffers on it as well] on disability allowance and do not have a car. I rely on the good will of family members to take me shopping, to the doctors, to physiotherapy etc. as do lots of other people in my situation.

Under the Equality Acts 2000-2004, I should not be discriminated against, I should be able to use public transport to meet my needs, in this case I would like an accessible bus to be put on Route 480 Ballyshannon to Sligo return so that I can independently attend college.

I have started a petition to achieve this and am trying to highlight the need for accessible transport nationwide.

It is unfair that people with disabilities, where the route is accessible have to give 24-48 hour notice to book a place. Wheelchair users in Ireland are not treated equally and most often hide away in their homes because society has [put up] so many barriers against accessibility. I hope that [you] will stand up for the people on this human rights issue and equality for all and help bring down the barriers.

That letter is from Vicky Matthews in Ballyshannon. I read it out because Vicky's situation needs to be repeatedly highlighted in order to remind ourselves of the reason reports like this are designed and the urgency in respect of funding for proper public transport. On the ideological argument against privatisation, the report states that private bus routes are under no compunction to provide disability access. That is outrageous. There are many private companies that have a licence to go up and down on our main routes without providing disability access or wheelchair spaces.

There is also the question of what is actually happening at the moment. We are running campaigns in many areas to stop the destaffing of DART stations. They are taking the security and the human beings out of DART and railway stations because they are trying to make things ticket and machine-ready so people can just move in and out without staff. That is a crazy manoeuvre when we are trying to facilitate people with disabilities. We have to stop destaffing DART and train stations. Human beings must be accessible to people with disabilities who need them.

The father of one disabled daughter makes a point to me that frequently the lifts in stations are broken and they often have to call the fire brigade to get them fixed or get people out of them, because the maintenance is so appallingly bad. Everywhere we turn, the problems mount up in terms of the subvention that is needed to make public transport work properly. We need more subvention. We need to end the habitual drive towards privatisation, as if it was going to be the cure for everything. A cursory glance at what has happened in other countries will show us that it disimproves public transport. We need more and improved public transport with real access and real equality. That starts with real investment not just in the quality but also in the quantity of public transport that is available for all, in particular for people with disabilities.

**Deputy Brendan Ryan:** It is absolutely imperative that we support the actions recommended in this report to fix the barriers to accessibility within Ireland's transportation system.

At present, those in the disabled community are being treated as second class citizens. Due to the fact that public transportation has not been made accessible for their use, their freedom has been limited and many have been forced to live a life of isolation. While the needs of the disabled community are incredibly diverse, we have a responsibility to these citizens, as their representatives, to build the infrastructure of Ireland to meet their needs.

Some of the key recommendations within this report include the following: providing passenger information in accessible formats, especially when there are cancellations, interruptions or delays; confirming that emergency procedures provide accessible evacuation routes; supplying taxi tokens for individuals when there are no public transportation options available; and making accessible facilities available without prior booking. This problem of inaccessible public transportation has become an issue of human rights. Disabled citizens of Ireland should be able to move freely without compromising their safety and dignity. Spontaneity is one of the greatest privileges stripped from the disabled community within our current system because they must book aid services at least 24 hours ahead of time. Granted, the DART has now reduced that time to four hours, but that still does not change the problem that individuals cannot access services when they need to make an unplanned trip, such as in the case of needing to visit a family member in hospital. Life often does not go to plan and forcing these individuals to know when they are going to need to use public transport strips them of their ability to live autonomous lifestyles. This problem could be fixed if funding were to be allocated to ensure each station is always manned with trained staff members who can make each individual's journey as seamless as possible.

The services we are pledging to provide must also be implemented with consequences for the transportation providers, if the services fail to work in the way they are intended. The Labour Party disability chair, Mick Keegan, gives an example of this when he says:

A lot of money has been invested in making kerbs high enough to allow wheelchair access to Dublin Buses. We need drivers to pull in so people can actually use them. We need to work on road design to make sure this is always possible and we need to improve training of drivers.

There are also other experiences reported where disabled passengers have pressed the emergency assistance buttons on the train and found them broken or ignored. These experiences are abhorrent and unacceptable. The staff who are failing to complete their duties must be held accountable and each station must ensure that there are enough employees always on duty to aid disabled individuals in need of assistance. When stations are left unstaffed, this issue becomes a problem of public safety for all citizens. Individuals who frequently experience horrendous conditions while travelling quickly become disheartened and frightened when it comes to their ability to travel, so they will be much less likely to want to try it again.

Beyond making this system accessible for individuals with disabilities, the public transportation system should also be welcoming and encouraging of their use of the system. When people feel their use of provided services is resented by staff because of the extra work such services require, yet another barrier is constructed between the disabled community and their freedom. The best way for this report to have its desired impact is for the committee to continue to work hand in hand with the disabled community to ensure that the needs of their diverse community are met.

I thank the Acting Chairman for allowing me to contribute. I congratulate the joint com-

mittee members and Chair on their work. I am the spokesperson on transport for the Labour Party but we do not have a position on that committee. The presentation of committee reports in the Dáil Chamber on a Thursday evening is a great development and it is very important that it continues. I also congratulate Senator John Dolan as a key influencer in all of this.

**Deputy John Lahart:** I join Deputy Brendan Ryan in commending our colleague from the other place, Senator John Dolan, for his sterling work on behalf of a number of bodies in this space. I also thank our signers this evening for communicating our contributions to those outside. I welcome the report of the Oireachtas Joint Committee on Transport, Tourism and Sport on accessibility of public transport for people with disabilities. Much has been said and I do not want to repeat it. I acknowledge, as others have done to some degree, the significant advances that have been made in the last ten or 20 years in respect of the provision of facilities with people with disabilities and special needs in mind. One of the great leaders in this has been Dublin Bus. I raised an issue last year in respect of the livery of Dublin Bus. The company took great pride in the depth and breadth of its public consultation on the design and colour of Dublin Bus vehicles. The colours are designed specifically with those who have visual impairments in mind, so they know from a long distance away that a Dublin Bus vehicle is on its way, as all of us do. These are small but significant gestures to people with disabilities. Clearly we need more, and I will come to that. Certainly compared with 20 years ago, the fleet itself has been enhanced considerably. I always find Dublin Bus drivers to be exceptionally courteous and hard working in their attempts to parallel park the bus up to the new kerbs. The new kerbs cost a significant amount. They are permanently in place now. I was surprised to read that additional training is needed for them in terms of providing close-to-kerb pick-up opportunities for people with disabilities. I acknowledge that this is an issue that arose in committee, and so it must be something that is required.

I also acknowledge the role that Dublin Bus plays in supporting people with special needs. The public consultation dimension of BusConnects last year was very interesting. One of the great problems that much of the public expressed with the BusConnects proposals, which had nothing to do with Dublin Bus, was the challenges it would pose for people with disabilities, special needs or mobility problems. Instead of seamlessly taking one route to their place of work, leisure or training, those people might have to disembark, connect elsewhere and then connect again to get to their destinations. More than any other group in our society, those with mobility challenges and those with disabilities would have been disadvantaged most by the proposals put forward. Fianna Fáil highlighted that in all of our submissions to the National Transportation Authority, NTA, and we hope that it has taken that on board. If nothing else, and there was much more, the BusConnects public consultation phase highlighted quite accurately issues that would affect those with disabilities and would pose significant challenges for some people. Indeed, those matters were highlighted quite quickly by those working in the area of disabilities.

We often laugh at the real-time bus stop signage, but it is an advance, and it is providing more information for people of all abilities about the bus service. Clearly, there are challenges and this report points them out. We have not mentioned bus shelters, but they are a basic element of the bus service. Everybody uses them. Luas stations also have virtually no cover for anybody, whether fully able-bodied people or those with mobility challenges. This report affords us an opportunity to look at this.

The report contains recommendations on how to improve the bus services. I am focusing on bus services, but I only have a short time in which to speak and perhaps it is useful to focus

on just one or two things. I have mentioned buses stopping immediately beside bus stops. I hope that when we review this in the future this will be happening. I believe it is not an issue for Dublin bus drivers, but it may be something they have to be reminded of. One of the great outreach endeavours Dublin Bus engages in which parents have told me about concerns children or young adults with special needs. If they are able to travel independently to their place of work or training, Dublin Bus has a well-used facility where an assigned employee goes to those individuals and coaches them through the procedure of taking a bus, including how to find the bus stop and finding the route. They also accompany those individuals on the route until they become comfortable with it. This is just one of the unheralded public services that Dublin Bus provides.

Perhaps it goes without saying, but we should remind drivers to ensure that a passenger is fully seated and is in a safe place before a bus takes off. Drivers should clearly state the route number and destination as passengers board, and also declare when the bus arrives at each stop if an automated announcement is unavailable. These ideas are easy to implement and would cost nothing, but they could make a significant difference to the quality of people's experience of public transport.

On rail, the report refers to the need for ramps, lifts and emergency call buttons to be provided and the need to ensure that they are functional at all stations. Other Deputies have mentioned the dwindling number of staff at some stations. I have heard about this through constituents and people I know. In most cases it is not related to publicly funded public transport but rather taxis. People come out of an event at night and simply cannot get a wheelchair-friendly taxi. They can be standing around literally for hours, yet the State has invested quite a significant amount of money in grants for public service vehicles to ensure they are equipped for that purpose.

I will not take up time for the sake of it. I have made the points I wanted to make. I welcome the report, and will welcome the Minister of State's response in terms of how the Government intends to implement some of its key measures. Some of these measures are very easy to implement, while others will require some degree of investment.

**Minister of State at the Department of Health (Deputy Catherine Byrne):** On behalf of the Minister for Transport, Tourism and Sport, Deputy Ross, I thank all who spoke on the motion for their thoughtful and considered contributions on all of the issues raised. I will bring their comments and concerns to the Minister and I hope that we can put some of the recommendations into action. I thank the Chair of the Joint Committee on Transport, Tourism and Sport, Deputy O'Dowd, all the committee members, and Senator John Dolan, who championed this issue. I thank all of those who contributed to the report, in particular those with disabilities who have shared their experiences of using public transport.

I can say with certainty that we are all united in wanting a public transport system which has the needs of customers with a disability at its centre. To achieve this requires a multifaceted approach and the active engagement of all the key stakeholders. It involves not only the physical infrastructure, but also measures such as ticketing and information systems, travel assistance schemes, disability awareness training for staff, and contact and complaints handling systems. Crucially, it requires the early and ongoing involvement of people with lived experience of disabilities and their representative organisations in the planning and design of public transport infrastructure and services.

The individual transport operators, both public and private, the NTA and local authorities,

given their respective roles and responsibilities, must each play their part in delivering an accessible public transport system. This requires co-ordination and a joined-up approach. The NTA, with its functional responsibility for promoting the development of an integrated, accessible public transport network, has a key role to play. The NTA's new position of transport accessibility manager, will act not only as an internal spokesperson in the NTA for customers with a disability but will also have responsibility for co-ordinating the accessibility programmes of transport operators, reviewing and auditing accessibility plans of transport operators, advising on the development of transport operator training programmes, and co-ordinating the access officers across all public transport operators.

The Minister, Deputy Ross, in his opening speech set out some positive developments which have taken place and are taking place. Many of these are being brought about as a result of the transport operators themselves identifying and acknowledging the need to improve the service they provide to passengers with disabilities. Others arise from commitments and actions under a number of whole-of-government strategies and plans, in particular the national disability inclusion strategy and the comprehensive employment strategy for people with disabilities. These commitments and actions are monitored at a national level by the NDIS steering group and the CES implementation group, respectively. At a departmental level, the public transport actions for which the Department of Transport, Tourism and Sport, the NTA and-or transport operators have a lead role are monitored and reviewed by the Department of Transport, Tourism and Sport's accessibility consultative committee, ACC. Membership of the ACC is drawn from organisations representing people with disabilities, members of the disability stakeholders group, key agencies under the aegis of the Department of Transport, Tourism and Sport, as well as other relevant State agencies. The ACC's work programme updates and minutes of meetings are available to view under the public transport section of the Department of Transport, Tourism and Sport website, [www.dttas.ie/public-transport/english/accessibility](http://www.dttas.ie/public-transport/english/accessibility).

One important aspect of the accessibility consultative committee is the opportunity to engage directly with transport operators and relevant agencies. During the past year, several of the transport operators have made presentations to the ACC at which members have been able to raise policy and high-level issues of concern. I understand that the feedback from these has been positive and that a key theme emerging is the importance of communications, both in terms of raising awareness of the good things that are happening and in letting people know when things are not working as they should. This engagement at the ACC complements the work that goes on at the disability users groups that each public transport operator has in place. The groups provide a forum for operators to consult and update disability organisations on accessibility proposals and developments, as well as for disability organisations to have operational and other accessibility issues addressed. This is all positive and it should be welcomed. However, the testimony to the joint committee hearing of those living with disabilities is a crucial reminder to all of us that we have some way to go before we meet our obligations under the UN Convention on the Rights of Persons with Disabilities, as ratified by the Government in March of last year. Article 9 of the convention provides that state parties "shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas". Article 4.2 provides that "With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights".

21 February 2019

We must therefore plan and strive for the progressive realisation of these rights. These are challenges to achieve in the context of our legacy of public transport infrastructure, in particular our Victorian-era railway stations.

The report of the joint committee acknowledged that the achievement of a publically accessible public transport system will require resources, including time and monetary investment. Therefore, the committee recommended several measures to improve accessibility of public transport services in the short term. Many of these measures do not require new or upgrading infrastructure. Some concerns were raised about proper utilisation of accessibility features that already are in place. Reference was made to practical steps that staff can take to make a journey more accessible for people with disabilities. The committee report is a welcome addition to other Government strategies mentioned earlier that are aimed at improving the lives of people with disabilities. The Minister for Transport, Tourism and Sport, Deputy Ross, has asked me to assure the House of his commitment to play his part as Minister with responsibility for the policies and overall funding of public transport to achieve this aim.

I wish to thank everyone involved. From reading the committee report it is obvious to me and to many others that those who use public transport services in particular have real concerns. I agree with Deputy Lahart with regard to Dublin Bus. The company has made vast improvement throughout the city not only in the buses but in how the staff approach people with disabilities. I have had several experiences on some local buses. Often it is down to the person who is driving the bus to facilitate people and to give them time. This may require pulling up at the right time and giving people the opportunity to take their time to get on the bus. Sometimes it is difficult. I have witnessed this myself. A friend of mine who has a disability is in a wheelchair. We had to wait for three buses to pass before my friend could access a bus with a wheelchair.

I thank the officials of the Department for their time and effort in putting this together. I intend to bring back to the Minister for Transport, Tourism and Sport, Deputy Ross, the concerns raised this evening.

**Deputy Fergus O'Dowd:** I thank the staff of the committee, especially Mr. Paul Kelly and Ms Etaoine Howlett, who helped in the preparation of the report. Without their help it would not have been the success that it clearly has been. I will thank those who spoke in the order in which they spoke. I thank the Minister for Transport, Tourism and Sport, Deputy Ross, and the Minister of State at the Department of Health, Deputy Catherine Byrne. I thank Deputies Troy, Pringle, Broughan, O'Loughlin, Munster, Bríd Smith, Brendan Ryan and Lahart. We have had 11 speakers altogether in the debate. This shows how important it is to Members from all parties and from the Independent ranks. I wish to acknowledge the presence of the visitors in the Gallery. They include witnesses who came before the committee and gave their time, effort and ideas. I thank Mr. O'Leary in particular and his colleagues, as well as Mr. Ciarán Delaney. I left Ciarán until last because he is probably the most important person who we meet in the House. He is forever and always articulating, fighting for, supporting and trying to get change for people with disabilities. He personifies the importance of advocacy. That is what makes those of us who are politicians do things differently.

At the end of day we have 15 recommendations. We will have the Minister before the committee at the end of April. We will be asking for reports on each of the 15 individual recommendations. Preferably before then - and if not then thereafter - we might identify or fix on four or five other new things that will happen or that we want to happen before the next six months unfold.

I acknowledge the comment of the Minister, Deputy Ross, to the effect that we all agree on the significance of the development at the National Transport Authority. The authority has created the position of a transport accessibility manager. That means that at the heart of all purchasing, routing and licensing of public transport there will be a transport accessibility manager. The role will involve formal engagement. It will not be hit-and-miss affair but a formal engagement with key disability representative groups. The role will involve developing and monitoring an improvement plan for existing services and, as the Acting Chairman pointed out, issues relating to private service providers who may not necessarily have the facilities that public service providers are obliged to have and the question as to how one makes that happen. The role will also involve assisting in the development of retrofit programmes and ensuring that accessibility is built into all new public transport infrastructure. That is an absolute *sine qua non*. In fact, it is the only way forward.

I learned one thing in particular from our committee hearings. Some people came down to us from Belfast using the just-a-minute, JAM, card. If someone with a disability presents at the point of contact with the service a card with the letters “JAM”, it is recognised in Northern Ireland. I hope it soon will be recognised all throughout the Republic as well. The idea is that the driver, who is professionally trained, will acknowledge and be aware instantly that the person has a disability and that adequate concern and time must be given to that individual. I believe the initiative works efficiently and well. That is a constructive and positive outcome from our deliberations.

It has been an honour to chair the committee. The report could not have happened without the support of all our members. I thank the Acting Chairman for chairing the debate. I look forward to meeting the Minister in the near future to set about making the progress that is so badly needed and that everyone in the House, including ourselves and the witnesses in the Gallery, is fighting for.

Question put and agreed to.

The Dáil adjourned at 7.40 p.m. until 2 p.m. on Tuesday, 26 February 2019.