



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

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# DÁIL ÉIREANN

*Dé Céadaoin, 10 Aibreán 2019*

*Wednesday, 10 April 2019*

Chuaigh an Cathaoirleach Gníomhach (Deputy Eugene Murphy) i gceannas ar 10.30 a.m.

*Paidir.*

*Prayer.*

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## Ceisteanna - Questions

### Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

**Acting Chairman (Deputy Eugene Murphy):** I wish a good morning to the Minister, the Minister of State, Deputies and the staff of the Houses and welcome them all here as we begin another day's work. Our questions this morning are to the Minister for Culture, Heritage and the Gaeltacht. I remind Members that the procedure is they have 30 seconds to ask a question or less time if they can do so, with two minutes for the Minister to reply, one minute for a supplementary question, one minute for the Minister, a final supplementary question and a final minute for the Minister. I will be very strict on these times to be fair to every Deputy and the Minister. When the time is up, I will tell Deputies and the Minister it is time to finish.

### Historic Towns Initiative

1. **Deputy Niamh Smyth** asked the Minister for Culture, Heritage and the Gaeltacht if specific consideration will be given to the protection and restoration of market towns and their centres in the context of a future historic towns initiative; and if she will make a statement on the matter. [16781/19]

**Acting Chairman (Deputy Eugene Murphy):** I understand Deputy Aindrias Moynihan is taking the question.

**Deputy Aindrias Moynihan:** This question relates to the historic towns initiative, a small but important fund which can have a great impact on communities where it is deployed. It provides an opportunity for market towns to restore buildings and facilities such as the Briery Gap in Macroom, County Cork, which stands adjacent to the fantastic market square. Is the Minister considering additional funding in this area and supports to the historic towns initiative?

**Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan):** My role

with regard to the protection and management of our architectural heritage is set out in the provisions of relevant legislation, as are the roles of local authorities and the responsibilities of owners.

The historic towns initiative is a joint undertaking between my Department and the Heritage Council. Historic towns include those of medieval and pre-medieval foundation, plantation towns, planned estate towns and those established around local industries. While almost all Irish towns are historic in origin, the historic towns initiative guidelines state a town seeking to benefit from the initiative should possess significant cultural and heritage assets and have a distinctive sense of place.

Each local authority is invited to apply in respect of one historic town with an indicative minimum population of 1,500 inhabitants. Priority is given to projects that are plan-led and likely to make a meaningful contribution to the heritage-led regeneration of the town.

The existing initiative commends itself fully to market towns for their consideration. While it is not a criterion for funding, all the towns awarded grants can be described as market towns. On 27 February, with the Heritage Council, I announced funding of €1 million shared by six towns under the 2019 programme round. These towns are Kilrush, County Clare, Letterkenny, County Donegal, Ballina, County Mayo, Navan, County Meath, Boyle, County Roscommon, and Nenagh, County Tipperary.

Deputy Niamh Smyth has inquired about the Market House, Castleblayney. Monaghan County Council was granted €140,000 in funding under the historic towns initiative. I am not sure if Macroom has applied for funding but it will be open again next year.

**Deputy Aindrias Moynihan:** I thank the Minister for her reply.

The scheme as it stands is limited. Some counties have multiple projects which they would like to put forward for the scheme. While the €1 million in funding made available is welcome and will make a difference to various areas, it is also limited. For example, redevelopment of the Briery Gap in Macroom would cost in excess of €4 million but there is only €1 million available in the entire fund.

What other options is the Minister considering for projects such as this? Is there an opportunity to broaden it out in order that local authorities which have more projects can put them forward to be considered?

**Deputy Josepha Madigan:** The term “market town” has no legal effect but it is still used loosely to describe a town which functions or functioned historically as a commercial centre for a rural hinterland. All the towns given grants under the historic towns initiative could be described as market towns but this is not a criterion for funding. The grant circular suggests an indicative minimum population level of 1,500 inhabitants and asks local authority applications to set out various criteria such as the significance of the town and its heritage.

There are supports available for local authorities interested in applying for the initiative. Information is available from the Heritage Council and from its website. In the past, the Heritage Council has held well-attended workshops for local authority personnel who are interested in applying for the scheme. It is proposed to run similar events in the future. In November 2018, I announced €4.3 million in funding for the built heritage investment scheme and the historic structures fund in 2019. This scheme is for the repair and conservation of structures on local

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authority records of protected structures. There is also funding available from the Department of Rural and Community Development.

**Deputy Aindrias Moynihan:** I have outlined the cost of the redevelopment of the Briery Gap in Macroom at €4 million and I note funding has been made available in respect of the Market House in Castleblayney. However, it falls short of what would achieve a good result there. Is the Minister willing to commission a short, targeted survey of the level of funding required for projects such as the market towns with a view to ascertaining if the scale of funding is adequate? Are there ways of broadening it out to ensure the towns and the aforementioned projects can reach their full cultural and tourism potential?

**Deputy Josepha Madigan:** There is always room to streamline and improve existing schemes and funds. I am satisfied with the amount of grants available, €1 million, for market towns in 2019. Towns which have benefitted are Kilrush, Letterkenny, Ballina, Navan, Boyle and Nenagh. In 2018, a further €1 million was given to market towns such as Youghal, Ballinrobe, Kells, Carrick-on-Suir, Portlaoise and Kilmallock, County Limerick.

Monaghan County Council had applied for funding for works to the Market House in Castleblayney and was granted €140,000. These works were to commence the process of stabilising the building. That application was later withdrawn, however, by the local authority because of its growing appreciation of further works which needed to be done and the likelihood, therefore, that the funding awarded would not have made a significant difference to the future of the building, which needs a much larger-scale intervention. There was a Commencement matter in the Seanad specifically on the Castleblayney project on 19 February 2019.

## Acht na dTeangacha Oifigiúla

2. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Cultúir, Oidhreachta agus Gaeltachta cén dul chun cinn atá déanta maidir le Bille na dTeangacha Oifigiúla (Leasú) 2019 a fhoilsiú. [16780/19]

**Deputy Aengus Ó Snodaigh:** Cén fáth nach bhfuil Bille na dteangacha oifigiúla (leasú) foilsithe go dtí seo? Cén moill atá ar an bhfoilsiú sin?

**Minister of State at the Department of Culture, Heritage and the Gaeltacht (Deputy Seán Kyne):** Mar chúlra, is iarracht é an Bille seo, trí na ceanteidil éagsúla, timpeallacht a chruthú ina mbeidh ról níos lárnaí ag an teanga in obair an Stáit, go mbeidh an teanga níos feiceálaí, agus go mbeidh fáil níos leithne ar sheirbhísí trí Ghaeilge. Agus an Bille á thabhairt chun cinn, cuireadh tréimhse chomhairliúcháin ar bun leis na páirtithe leasmhara. Leagadh na ceanteidil faoi bhráid Chomhchoiste na Gaeilge, na Gaeltachta agus na nOileán agus foilsíodh tuarascáil ag eascairt as an bpróiseas seo roimh shamhradh 2018. Tá an tuarascáil sin scrúdaithe anois ag mo Roinn i gcomhthéacs dhréachtú an Bhille. Beidh sé mar ollchuspóir sa Bhille go mbeidh 20% de na daoine nua a earcaítear don tseirbhís phoiblí inniúil sa Ghaeilge, go mbeidh gach oifig phoiblí atá lonnaithe sa Ghaeltacht ag feidhmiú trí Ghaeilge, agus go mbeidh comhlachtaí poiblí in ann freastal ar an éileamh ón bpobal ar sheirbhísí trí Ghaeilge. Is í an earcaíocht croílár na ceiste agus táim dóchasach gur féidir tógáil, ar bhonn chéimiúil, ar líon na bhfostaithe le Gaeilge sa státchóras agus, ag eascairt as sin, go mbeifear in ann feabhas a chur ar sholáthar seirbhísí trí Ghaeilge, mar is cóir. Tá oifigh mo Roinne ag obair faoi láthair i gcomhair le hOifig an Ard-Aighne chun Bille na dteangacha oifigiúla (leasú) a dhréachtú. Tá

an Bille san áireamh i gclár reachtaíochta an Rialtais le foilsiú roimh an samhradh agus tá mé tiomanta chun é sin a dhéanamh.

Mar is eol don Teachta, toisc go raibh Oifig an Ard-Aighne agus na dréachtóirí dírithe ar cheist an Bhreathimeachta, bhí moill in 2019 ar aon reachtaíocht seachas na sé Bhille ar tugadh tosaíocht dóibh. Pléadh ceist an Bhille seo ag cruinniú coicís ó shin. Bhí teagmháil idir Oifig an Ard-Aighne agus mo Roinn ó shin. Chuir mo Roinn breis eolais ar aghaidh maidir le ceannteidil an Bhille. Tá Oifig an Ard-Aighne ag déileáil leis na ceannteidil sin. Tá an oifig sin ag breathnú ar aghaidh ar ullmhú agus dréachtú an Bille tábhachtach seo.

**Deputy Aengus Ó Snodaigh:** Tuigim an fhadhb a bhí ann maidir leis an mBreathimeacht ach, má leanann plé ar an mBreathimeacht ar feadh bliana eile, beidh moill ar an reachtaíocht seo toisc go bhfuilimid ag brath go huile is go hiomlán ar dhréachtóirí, mar a luaigh an tAire Stáit. Táim buíoch go raibh cruinniú ag an Aire Stáit leis na hurlabhraithe sa Dáil agus leis na dréachtóirí ar an ábhar seo ach, sin ráite, tá frustrachas ar phobal na Gaeilge, sa Teach seo ach go háirithe, mar gheall ar an mhoill atá ar dhul chun cinn an Bhille seo.

Níl an frustrachas orainn amháin. Sa tuarascáil a d'fhoilsigh an Coimisinéir Teanga níos luaithe sa mhí, dúirt sé: “B’ábhar díomá dom, áfach, nár tapaíodh an deis an bhliain a mharcáil ar bhealach a d’fhágfadh rian buan go reachtúil, trí na leasuithe atá beartaithe a dhéanamh ar Acht na dTeangacha Oifigiúla a fhoilsiú i bhfoirm Bille agus é a thabhairt go ceannscríbe tríd an bpróiseas reachtúil ina dhiaidh sin.” Tá sé ag rá go lom gur gá é seo a dhéanamh. Tá easpa an Bhille seo ag cur moille ar rudaí eile a bhfuil gá leo maidir le cearta teanga don ghnáthshaoránach. Impím arís ar an Aire Stáit dáta a thabhairt dúinn chun go mbeidh a fhios againn cén uair a bheidh an Bille foilsithe. Nuair a fhoilseofar é, beidh ról le himirt aige.

**Deputy Seán Kyne:** Ní bheidh mé ag cur an mhilleáin ar an mBreathimeacht as seo amach. Tá an obair sin críochnaithe anois ag na dréachtóirí agus ag Oifig an Ard-Aighne. Aontaím go bhfuil frustrachas ar dhaoine, an Coimisinéir Teanga san áireamh. Bhí mé i dteagmháil leis an tseachtain seo caite. Tá a fhios agam go bhfuil frustrachas ar Chathaoirleach an Chomhchoiste na Gaeilge, na Gaeltachta agus na nOileán, ar an Teachta Ó Snodaigh, agus ar urlabhraí gach uile pháirtí sa Teach seo agus sa Seanad. Tá frustrachas ar Chonradh na Gaeilge freisin. Tá frustrachas orm freisin ó thaobh na moille atá ar an mBille seo, ach tá a fhios agam go bhfuil na dréachtóirí agus feidhmeannaigh mo Roinne ag obair chun a chinntiú go mbeidh an Bille seo foilsithe roimh an samhradh. Tá sé sin an-tábhachtach do gach uile duine. Tá an-obair déanta ag an gcoiste ar an ábhar seo. Caithfidh leanúint ar aghaidh agus an Bille a fhoilsiú. Mar a dúirt mé, táim tiomanta é seo a dhéanamh chomh luath agus is féidir.

**Deputy Aengus Ó Snodaigh:** Gabhaim buíochas leis an Aire Stáit as am a thabhairt dúinn. Beidh an Bille foilsithe roimh an samhradh. Mura bhfuil, beimid anuas air arís dá bharr. Bhí géarghá leis seo ón uair a tháinig an Bille ar an bhfód ar an gcéad dul síos. Ó bunaíodh Oifig an Choimisinéara Teanga, tá daoine ag déanamh gearáin faoi easpa seirbhísí trí Ghaeilge gur chóir go mbeadh ann. Níl ról ag an gCoimisinéir Teanga maidir leis na gearáin sin so ní féidir leis iniúchadh a dhéanamh. Tá sé sin ráite aige arís i mbliana. Dúirt sé an rud céanna gach uile bhliain ó thosaigh a oifig ag foilsiú tuairiscí. Bíonn méid áirithe gearán nach mbíonn sé in ann déileáil leo. Sin an fáth go bhfuil frustrachas ann agus gur gá go mbeidh deifir ann chun é seo a fhoilsiú. Táimid sásta tacú leis an Aire Stáit más féidir leis cloí leis an dáta agus má tá an Bille seo foilsithe roimh an samhradh. Déanfaimid ár ndícheall a chinntiú go mbeidh Bille nua ann roimh dheireadh na bliana.

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**Deputy Seán Kyne:** Mar a dúirt mé, beidh mé ag coimeád brú ar m'fheidhmeannaigh, ar Oifig an Ard-Aighne, agus ar na dréachtóirí. Bíonn cruinnithe agam, mar phríomh Aire Stáit, le feidhmeannaigh Oifig an Ard-Aighne gach uile trí seachtaine nó thart air sin chun dul chun cinn reachtaíochta atá ar an liosta tosaigh, agus aon fhadhbanna leo, a phlé. Tá an Bille seo ar bharr mo liosta. Tá a fhios ag na dréachtóirí faoi sin. Tá siad ag obair ar an mBille. Tá an-tábhacht ag baint leis ó thaobh an phróisis earcaíochta, ó thaobh caighdeán Gaeilge, agus ó thaobh cuid de na fadhbanna a bhíonn i gcónaí á bplé ag an gCoimisinéir Teanga agus a bhíonn á bplé sna meáin, mar shampla, na rudaí a tháinig amach i rith na seachtaine maidir leis an síneadh fada ar ainmneacha daoine. Is drochrud é sin d'aon duine. Tá an ceart ag daoine a n-ainmneacha a bheith scríofa i gceart ag gach uile eagraíocht Stáit. Beidh sé sin leagtha amach sa reachtaíocht nua.

### Oideachas trí Ghaeilge

3. D'fhiafraigh **Deputy Aindrias Moynihan** den Aire Cultúir, Oidhreacht agus Gaeltachta nuashonrú a dhéanamh ar aon phlé a bhí aici féin nó ag oifigí na Roinne leis an Aire Oideachais agus Scileanna, leis an bhForas Pátrúnachta, le Gaeloideachas Teoranta, nó leis an gCoimisinéir Teanga maidir leis an gcaoi ar féidir roghanna tuismitheoirí i leith na Gaelscolaíochta a léiriú tuilleadh i bpróisis phátrúnachta as seo amach. [16797/19]

**Deputy Aindrias Moynihan:** Tá faillí á dhéanamh ar an nGaolainn agus ar an nGaelscolaíocht toisc an córas atá ann chun Gaelscoileanna nua a bhunú. In ainneoin an éilimh atá ann, níl an líon scoileanna nua ar fáil. Tá sé seo ag teacht salach ar ghealltanais sa straitéis 20 bliain faoi mar atá sé. Caithfidh an tAire Stáit dul i ngleic leis seo agus é a phlé leis an Aire Oideachais agus Scileanna chun scoileanna breise a chur ar fáil sna háiteanna ina bhfuil an t-éileamh chun freastal ar mhuintir na Gaolainne.

**Deputy Seán Kyne:** Níl aon ról reachtuil agam maidir leis an bpróiseas pátrúnachta do scoileanna nua. Mar a cuireadh in iúl don Teach i mo fhreagra ar Cheist Uimh. 629 den 2 Aibreán 2019, áfach, bhí plé neamhfhoirmiúil cheana féin idir oifigigh shinsireach mo Roinn agus páirtithe leasmhara eile, an scátheagraíocht do scoileanna lán-Ghaeilge, Gaeloideachas Teoranta, An Coimisinéir Teanga agus Conradh na Gaeilge san áireamh, maidir le héileamh ón bpobal ar oideachas lán-Ghaeilge agus an próiseas chun Gaelscoileanna a aithint, ach go háirithe. Baineann tábhacht ar leith leis an tsaincheist seo d'obair mo Roinne maidir le cur i bhfeidhm na Straitéise 20 Bliain don Ghaeilge 2010-2030 agus, i bhfianaise sin, mar a gealladh don Teach le linn na díospóireachta maidir leis an Ghaeilge i rith Sheachtain na Gaeilge, tá i gceist agam an cheist a ardú arís le mo chomhghleacaí, an tAire Oideachais agus Scileanna.

An méid sin ráite, cuirim fáilte roimh fhógra an Aire Oideachais agus Scileanna le déanaí go bhfuil dhá Ghaelscoil nua i measc na scoileanna nua a bheidh le tógáil sa chúpla bliain atá amach romhainn. Tá sé léirithe, áfach, ó na pobalbhreitheanna a rinneadh le linn an phróisis is déanaí, go bhfuil éileamh áirithe ann i measc an phobail do níos mó soláthair san earnáil seo. Táim ag súil, mar sin, le deis a fháil labhairt le mo chomhghleacaí, an tAire Oideachais agus Scileanna, chun féachaint an bhfuil bealaí ann le freastal ar an éileamh sin.

Bhí díospóireacht againn sa Teach i rith Sheachtain na Gaeilge agus d'ardaigh an chuid is mó de chainteoirí an cheist seo. Tá a fhios agam go bhfuil an t-éileamh ann. Mar a dúirt mé, tá sé sin pléite idir mo Roinn agus an Roinn Oideachais agus Scileanna agus idir mé féin agus mo chomhghleacaí, an tAire, an Teachta McHugh, go neamhfhoirmiúil ó thaobh an phróisis. Is é

an tAire, an Teachta McHugh, atá freagrach as an gceist seo go hoifigiúil.

**Deputy Aindrias Moynihan:** Ar an gcéad dul síos, glacaim leis gurb é an tAire Oideachais agus Scileanna an ceannródaí maidir leis seo ach, mar Aire Stáit a bhfuil freagracht air as an nGaeltacht agus as an nGaolainn, is ar an Teachta Kyne atá an fhreagracht chun a chinntiú go bhfuil an straitéis á comhlíonadh agus go bhfuil freastal á dhéanamh ar mhuintir na Gaolainne. Tá an t-éileamh ann. Glacaimid go léir leis sin. Feicimid go bhfuil bearna mhór ann ó thaobh an éilimh sin. Níl ach thart ar 10% de na scoileanna ar fad, idir bunscoileanna agus iar-bhunscoileanna, ina scoileanna lán-Ghaeilge in ainneoin go bhfuil thart ar 23% de dhaoine sásta freastal ar an sórt scoile sin de réir staidéar de chuid an ESRI. Mar a luaigh an tAire Stáit, tá dhá scoil nua aitheanta ag tosach na bliana, ach ní líonfar an bhearna sin riamh má leantar leis an ráta sin - dhá scoil as deich. Caithfidh go mbeidh níos mó ann go práinneach.

*11 o'clock* Deineadh an patrúnacht sin a scaoileadh ag tús na bliana in ainneoin go raibh a fhios againn go raibh bearna ann anuraidh. D'fhéadfaí a bheith tar éis feabhas a chur ar an scéal dá mba rud é go raibh níos mó práinne. Iarraim ar an Aire Stáit luí go daingean ar an Aire Oideachais agus Scileanna agus a chinntiú go mbeidh dul chun cinn anseo go práinneach.

**Acting Chairman (Deputy Eugene Murphy):** We are going to have to stick to our times. I call the Minister of State, Deputy Seán Kyne.

**Deputy Seán Kyne:** Tá an Teachta ceart ó thaobh na straitéise de. Is mise atá freagrach as an Straitéis 20 Bliain don Ghaeilge agus gan an dá ghníomh atá san áireamh sa phlean gníomhaíochta don Ghaeilge maidir le cur i bhfeidhm na straitéise a foilsíodh anuraidh, deirtear i gníomh 1.3.3 go gcruthófar idir 2019 agus 2022: “deiseanna do leathnú ar an oideachas trí mheán na Gaeilge lasmuigh den Ghaeltacht i gcomhthéacs na 42 scoil nua a bhunófar, agus bunú Gaelscoileanna, Gaelcholáistí agus Aonaid Lán-Ghaeilge mar chuid den phróiseas patrúnachta nua san áireamh”. Anuas ar sin deirtear i gníomh 1.3.4 go ndéanfar le linn tréimhse feidhme an phlean: “measúnú ar an éileamh ar sholáthar méadaithe do scoileanna a fheidhmíonn trí mheán na Gaeilge mar chuid den Phróiseas um Athchumrú Scoileanna.” Is ar an Aire Oideachais agus Scileanna atá an freagracht as an dá thaobh seo a chur i bhfeidhm ach mar is eol don Teachta, tá coiste monatóireachta ag déanamh monatóireachta ar chur i bhfeidhm an phlean bunaithe ar na nithe sin agus tá feidhmeannaigh ón Roinn Oideachais agus Scileanna, ó mo Roinn agus ó Ranna eile a bhíonn ag suí síos chun na ceisteanna sin a phlé.

**Deputy Aindrias Moynihan:** Tá a fhios againn le fada go bhfuil an t-éileamh ann agus tá a fhios againn go bhfuil an córas lochtach. Mar sin, caithfí gníomhú le níos mó fuinnimh agus níos mó práinne. Scaoileadh ar aghaidh an beart deireanach de na scoileanna, in ainneoin is go raibh an córas lochtach agus go raibh an bearna ann. Caithfí a bheith níos práinní mar gheall ar freastail a dhéanamh ar mhuintir Gaolainne agus ar Ghaelscolaíocht. Tá bearna ann, tá éileamh ann agus caithfí a bheith níos práinní leis. An dóigh leis an Aire Stáit go bhfuil práinn go leor nó iarracht go leor á dhéanamh ag an Aire? Ní dóigh liomsa go bhfuil. An bhfuil an tAire Stáit sásta leis an gcóras mar atá sé? Cé chomh tapa is a bheidh réiteach ag an Aire Stáit? Tá locht ann, tá bearna agus caithfí dul i ngleic leis go tapa.

**Deputy Seán Kyne:** Tá a fhios agam go bhfuil éileamh ann. Fáiltím go bhfuil cinneadh déanta ag an Aire dhá scoil nua a bhunú tríd an bpatrúnacht Gaolainn agus tá sé sin fíorthábhachtach. Mar a dúirt mé, tá dul chun cinn suntasach déanta sa phlean a d'fhoilsigh muid i mí an Mheithimh anuraidh cheana féin chun tús a chur leis a chur i bhfeidhm. Tá coiste stiúrtha ann atá freagrach as monatóireacht a dhéanamh ar chur i bhfeidhm bunaithe agus bhí dhá chru-

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inniú ag an gcoiste stiúrtha sin. Tá an plean leagtha amach. Tá sé leagtha amach freisin go bhfuil amchlár ann don Roinn chun na gníomhartha a chur i bhfeidhm. Beidh mo Roinn agus an Roinn Oideachais agus Scileanna i dteagmháil le chéile. Tá an coiste stiúrtha ag déanamh monatóireachta ar chur i bhfeidhm an phlean. Tá plean leagtha amach, tá an amchlár leagtha amach, tá an coiste stiúrtha-----

*(Interruptions).*

**Acting Chairman (Deputy Eugene Murphy):** Lig don Aire Stáit críochnú.

**Deputy Seán Kyne:** Tá an plean ann, tá an t-amchlár ann agus tá an coiste stiúrtha chun é a chur i bhfeidhm ann. Tá chuile rud le chéile agus beidh dul chun cinn déanta.

### City of Culture Initiative

4. **Deputy Aengus Ó Snodaigh** asked the Minister for Culture, Heritage and the Gaeltacht her views on whether an imaginative programme can be rolled out by Galway 2020 as the city celebrates the title of European City of Culture; and her further views on whether it was the right decision not to have an open call for additional projects for the 2020 programme. [16485/19]

**Deputy Aengus Ó Snodaigh:** This question is on the supposed imaginative programme we were hoping to see as part of Galway 2020. Was the right decision made in not having an open call for additional projects for the Galway 2020 programme? I ask that given the debacle in planning we have seen so far.

**Deputy Josepha Madigan:** Galway 2020's ambition is to deliver an artistic and cultural programme that will exceed expectations and leave a lasting legacy for Galway city and county. Artichoke, under the leadership of Helen Marriage, was appointed in January 2019 to deliver the creative directorship role for the project. Artichoke is well known globally for the successful delivery of large-scale and unique cultural events and performances and has a proven track record in programming, funding and audience development. This expertise and creativity will be brought to bear in an imaginative programme for Galway 2020.

The Government has committed €15 million towards the funding of Galway 2020 as the European Capital of Culture. The terms and conditions for the provision of the funding are set out in a performance delivery agreement between my Department and Galway 2020. The agreement addresses the roles and responsibilities of the Department and Galway 2020 in the provision and expenditure of the grant, as well as the key deliverables and performance indicators attached to the drawdown of the grant, and the monitoring and reporting arrangements in place.

On 31 January 2019, my Department received the first management and auditors' report under the performance delivery agreement from Galway 2020, in advance of a monitoring meeting with the company the following week. The management report sets out the progress made by Galway 2020 in recent months, including the appointment of a new chief executive, the appointment of new board members, the board and audit committee meetings held, the periodic reviews of risks undertaken, the progress on the development of the cultural programme including the European dimension, community engagement, staffing and the development of the partnership and monitoring and evaluation programmes.

I am pleased to inform the Deputy that Galway 2020 has just announced an exciting open call for communities to develop projects for the cultural programme for Galway 2020 as the European Capital of Culture. Funding of €200,000 will be awarded by Galway 2020 across the successful community groups to create and deliver thrilling projects that could transform their communities. These projects will form an integral part of the cultural programme for 2020.

**Acting Chairman (Deputy Eugene Murphy):** The Minister will have more to time to expand on that. I call Deputy Ó Snodaigh.

**Deputy Aengus Ó Snodaigh:** It is welcome news that there is an open call. I question whether that fund of €200,000 will be enough to address existing needs. Will many of the artists and practitioners of the arts in Galway, who were left out of Galway 2020, be able to avail of it? Their contributions will help to leave a lasting legacy. My other concern is that the budget thus far has been heavily reliant on the State and local authorities. There has always been an expectation in every European Capital of Culture that a substantial amount of private funding will be attracted. Is the Minister happy with the level of private sponsorship secured to date for the projects and for the roll-out of Galway 2020?

**Deputy Josepha Madigan:** I am satisfied that Galway 2020 is progressing well with developing an imaginative and effective European Capital of Culture programme and look forward to a successful and impactful year that will serve to highlight further the vibrant and diverse cultural offering both in Galway and in Ireland as a whole. I believe we will deliver that with the finances available. The total project investment for 2020 is €37.9 million. Turning to sponsorship in general, Ms Patricia Philbin, the former chief executive officer, CEO, of Galway County Council, is very enthusiastic and confident that the total target of €7 million will be achieved. The total received in sponsorship was €133,477 as of 31 December. There is still a ways to go but we are confident it will be achieved. Other funding is available, as Deputy Ó Snodaigh mentioned. Galway City Council is providing €3.9 million, Galway County Council is providing €2 million, the Government is providing €15 million and there is also EU funding of about €1.5 million. The sponsorship mentioned by Deputy Snodaigh has that target of €7 million. Other local and regional authorities are providing €900,000 and there will also be other non-direct funding of €9.7 million.

**Deputy Aengus Ó Snodaigh:** I agree with the Minister that Galway is best placed to deliver a welcome as the European Capital of Culture 2020. I say that given the range of artists living in the city. If an imaginative project was in place with proper funding, State and public, I would then be happy to rely on that approach. There is a long way to go, however, given only some €133,000 has been identified from the target of €7 million in private sponsorship. The Minister's Fine Gael Party colleague, Councillor Pádraig Conneely, has been very critical of that aspect, in particular. There needs to be more than just a wish to achieve the target because a shortfall of €7 million will undermine the entire project. Given that we are less than a year away, what steps can the Minister take to ensure private funding will be found? It is key to the project. Will the State have to step in to match the shortfall figure?

**Deputy Josepha Madigan:** I do not expect there to be a shortfall. There is an EU monitoring panel for Galway 2020 which has implemented many of the recommendations made by the panel, aside from the performance delivery agreement into which my Department has entered with Galway 2020. The recommendations include the recruitment of new cultural leadership; the progression of the European dimension of the programme which includes a partnership with EUREKA 2020; capacity building programmes with EU partners in Germany, Austria

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and Belgium; the completion of partnerships for 31 EU artists; a review of the organisational structure; and the development of a communications strategy to include tourism and volunteer programmes, as well as city and county road shows early in 2019 and during the year. It is also working with NUIG on the evaluation and monitoring mechanisms, all of which are important to ensure we will have a really vibrant and fantastic year-long celebration of Galway 2020. There will be street spectacles, exhibitions, readings, concerts, dance school projects, children's events, musical performances, digital encounters, live art, theatre, circus, public art, heritage and food events. I could go on forever. It is going to be a wonderful programme which we are very confident will be a success.

### Museum Projects

5. **Deputy Joan Burton** asked the Minister for Culture, Heritage and the Gaeltacht her plans to secure a permanent home for a museum (details supplied); and if she will make a statement on the matter. [16769/19]

**Deputy Joan Burton:** What are the plans of the Minister for Culture, Heritage and the Gaeltacht to secure a permanent home for the Women's Museum of Ireland, a museum that hopes to educate the public about the contributions made by women to the cultural, political and social history of Ireland and will she make a statement on the matter? However, Members will see that the printed paper in front of them contains no reference to a women's museum. The question, as printed, is: "To ask the Minister for Culture, Heritage and the Gaeltacht her plans to secure a permanent home for a museum (details supplied); and if she will make a statement on the matter". In all of my experience as a Deputy, I have never experienced such censorship in tabling a question.

**Acting Chairman (Deputy Eugene Murphy):** The Deputy has had 30 seconds in which to put her question. She will have two further opportunities to come back to the Minister.

**Deputy Josepha Madigan:** In my copy it refers to "details supplied" and is elaborated on as referring to the Women's Museum of Ireland. Therefore, I not sure to what the Deputy is referring. It was quite clear to me that she was talking about a women's museum.

As the Deputy will be aware, the decade of centenaries has provided us all with an opportunity to examine in more detail the historical role of women in Ireland. My Department produced a pop-up museum to mark 100 years of women in politics and public life on the centenary of the 1918 general election when women were able to vote and stand as candidates in parliamentary elections for the first time. To date, this exhibition has enjoyed a successful run in both the Coach House at Dublin Castle and in Istabraq Hall in Limerick and has now opened in its latest location at Donegal County Museum in Letterkenny. The exhibition looks at the key women who have contributed in the past 100 years to shaping the State and also looks at social and political issues which affected women by providing a timeline of the century - the feminisation of Irish history. Sinéad McCoole did a fantastic job in curating the exhibition.

We are all conscious that the representation of women in history has only recently received the level of attention that is justified. It is important that young people have a full understanding of the history of our society as it is only then they will be able to learn from that history. In my view, the institution best placed to tell the story of our society is the National Museum of Ireland. The museum is planning to develop and deliver a new permanent exhibition at the

National Museum of Ireland - Decorative Arts and History, which will explore the last 120 years of Irish history. The exhibition will outline the sociopolitical and cultural changes in our country during this time. I see it as an ideal opportunity to explore the role of women and the contribution they have made to the development of our society.

**Deputy Joan Burton:** I ask for help from the Acting Chairman on this point. In all of my time in the Dáil I have never had a question censored in such a way as to fundamentally alter its meaning. This is a question about a programme which has been in existence as a virtual museum for a number of years. I asked if the Minister had plans to find a permanent home for the Women's Museum of Ireland. She has told us about pop-ups. Pop-ups are great and I attended the functions to which the Minister referred. I commend her on the pop-ups, but a pop-up is not a permanent exhibition, of the kind to which we are accustomed in celebrating the activities of men in the history, culture and arts of the country. I would like the Minister to explain why my question was censored and edited in the way it was. If there was a problem with it, the normal courtesy in this House is to contact the Member to tell him or her that there is a problem and suggest rephrasing may be necessary. I am used to that happening and also have questions transferred to other Ministers. This is important as it silences the issue related to the Women's Museum of Ireland. That is the question to which I am, respectfully, asking the Minister to respond.

**Acting Chairman (Deputy Eugene Murphy):** I understand the Deputy's frustration, but if she has an issue, she should get back to the Ceann Comhairle's office about it. I have to keep to the time limits.

**Deputy Josepha Madigan:** I have often seen questions with the words "details supplied" shown in brackets, whether it refers to a theatre or a museum, etc. I do not think it is specific to this question, but I am not the Ceann Comhairle and, as the Acting Chairman said, the Deputy should check with him. This certainly did not come from my Department because the particular museum referred to by the Deputy was outlined to me.

The National Museum of Ireland is best placed to examine the role of women in the history of Ireland. As a woman, I have a particular interest in the subject. There is the Women's Museum of Ireland, but it does not have a permanent home. The organisation seems to be particularly interested in the place of women in history and I have suggested there be formal engagement between the Women's Museum of Ireland and the National Museum of Ireland, although to date I understand there has not been any such engagement. The National Museum of Ireland plans to reach out to the Women's Museum of Ireland during the development of the History of Ireland gallery, which might go some way towards helping with what the Deputy suggests. What she has said has merit and is worth exploring.

**Deputy Joan Burton:** Many countries have a number of museums devoted to women and various elements of their lives. The National Museum of Ireland has been hopeless on the subject of women. It has a small exhibition in Collins Barracks on Eileen Gray from Wexford who was probably the most famous designer in the early 20th century. In the south of France she built one of the most outstanding houses of early 20th century design. She is world famous. There is a full museum dedicated to her, although small and specialist. I am asking the Minister with responsibility for culture to think outside the box. For the 1916 Rising commemoration, the National Gallery of Ireland put on a very small exhibition in a room on the third or fourth floor dedicated to Constance Markievicz. I am talking about full recognition of the role of women and their contribution to Irish and international history. The Minister should seize the

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opportunity to promote what women have done in Irish history.

**Deputy Josepha Madigan:** As I outlined, there are exhibitions running, including Sinéad McCoole's archival collection which I am sure the Deputy has seen and which is currently being exhibited in County Donegal. The best people to work on this issue are in the National Museum of Ireland and the Women's Museum of Ireland. I understand a former employee of the National Museum of Ireland and a member of its education team, Ms Holly Furlong, is on the board of the Women's Museum of Ireland. There is the opportunity to explore the possibility of organising a permanent exhibition. If there is to be a permanent place for women's effects, it is important that it be rolled out across the country. It should be brought around the country in order that students and others would be able to see 120 years of Irish history. This is something that is being considered by the museum. There should be a way to incorporate women's place in it in order that we are not airbrushed out of history. It is of importance to me that it be considered. Therefore, I take the Deputy's comments very seriously and thank her for raising the matter.

### **Ceisteanna Eile - Other Questions**

*Question No. 6 replied to with Written Answers.*

**Acting Chairman (Deputy Eugene Murphy):** I understand Deputy Burton will take the next question on behalf of Deputy Penrose.

### **Wild Fires**

7. **Deputy Willie Penrose** asked the Minister for Culture, Heritage and the Gaeltacht her plans to carry out an evaluation of the damage and cost incurred as a consequence of fires that resulted from her extension of the most recent burning season in respect of gorse; her further plans to carry out an evaluation of the destruction of habitats of flora, fauna and wildlife as a consequence of same; and if she will make a statement on the matter. [16718/19]

**Deputy Joan Burton:** Is the Minister concerned about the extent and number of forest fires, particularly the disastrous fire that raged in Killarney recently? I ask this question in view of the fact that the Government made a political decision in the Heritage Act 2018 to extend the burning season. What does the Minister intend to do to stop fires of the kind seen this year which resulted in significant destruction of habitats, wildlife, flora and fauna?

**Deputy Josepha Madigan:** I thank the Deputy for the question. First and foremost, I wish to correct the contention that I extended the recent burning season. In fact, my decision was that no extension of the season was warranted in 2019. The assumption that recent wildfires such as the one in Killarney National Park were connected to my decision not to extend the burning season is both disingenuous and misleading. The burning at the weekend was completely illegal. As the Deputy is aware, significant environmental damage is caused by illegal burning. Following a review of section 40 of the Wildlife Act which included consideration of submissions made by interested parties, proposals were announced in December 2015 to introduce legislation to allow for managed hedge cutting and burning at certain times within the existing closed period on a pilot two-year basis. The relevant legislation was included in the Heritage

Bill 2016 which was enacted in July last year. Section 7(1) of the Heritage Act 2018 provides that I may make regulations to allow the burning of vegetation during such periods in the month of March and in such parts of the country as specified in the regulations. I recently made a decision not to make regulations to extend the season for the burning of vegetation into March. This decision was taken as there would have been no basis for me to do so, given the fact that the relatively dry weather during the six-month period when the burning of vegetation could have been undertaken under the law, from September to February inclusive, would not have precluded landowners from burning vegetation. Therefore, the existing provisions in the Wildlife Acts on burning remain in force. The recent burning in Killarney National Park was illegal and caused significant damage to the park. The fire underlines the fact that ground conditions are extremely dry and that an extension to allow burning in March would not only have been unwarranted but would have also been irresponsible at this time. I also take the opportunity to record my thanks to the Kerry fire service, the staff of the National Parks and Wildlife Service in Killarney and all of the volunteers who came to their assistance on the Friday evening and Saturday morning of 29 and 30 of March.

**Deputy Joan Burton:** Has the Minister had any consultation with local landowners in the area affected by the fire? Has her Department explained to landowners that the widely held view that the recently passed Heritage Act has made it easier to burn vegetation is not based in fact? Has the Minister communicated the fact that she is opposed to such burning and that she views it as a threat? When we were debating the Heritage Bill in this House, the Minister's predecessor was involved in the discussion and gave the impression that Fine Gael was very anxious to spread the message that it would be made easier for landowners to burn during an extended season. The Minister and Fine Gael in government have only themselves to blame for giving the impression that the burning of vegetation is much easier now than in the past. At a time when we are debating the issue of climate change, does the Minister have proposals to revisit and re-examine the aforementioned legislation in the light of the disastrous fire in Killarney National Park? Killarney is a major tourism town. Fires such as the one that happened recently constitute a threat, not just to animal life but also to human life.

**Deputy Josepha Madigan:** As I said, it is misleading and disingenuous to try to connect the two issues. The incident in Killarney was a wild fire and illegal. It is a completely separate matter from the controlled burning of vegetation, as provided for under the Heritage Act. The Deputy knows this and her linking of the two issues is ridiculous. Managed burning has been proved to be good for the environment. I will leave that issue for now and focus on an important message for the public on wild fires. I encourage all members of the public, including landowners and recreational users, to act responsibly at all times. They should be mindful of their own safety and that of others, the need to protect both public and private property and the value of our national heritage, particularly in national parks, nature reserves and designated sites. As even planned or controlled burning can get out of hand very quickly, it is critically important that everyone realise the damage that can be caused to property and the threat posed to the health and welfare of family, neighbours and the wider community, as well as emergency services in responding to fires. In the event that such fires occur, I urge anyone with any information, no matter how trivial it may seem, to pass it on to An Garda Síochána or the National Parks and Wildlife Service.

**Deputy Joan Burton:** The Minister did not answer my question about whether she had communicated with landowners in the area. That is important, given the weather we enjoyed last summer and the changes in climate we are experiencing. I am sure the Minister saw pho-

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tographs of the fire on 30 March. It was disastrous and hundreds of acres of land were burned. A solicitor based in Killarney, Mr. Pat O'Connor, who is a former member of the local council, has said such fires are now an annual occurrence which are threatening the national park. He described them as causing "wanton destruction." What has the Minister done in response to this dreadful environmental tragedy in one of our premier tourist destinations? Has she visited the site? Has she met local landowners? Has she put in place an information and support system for landowners in order that they will not engage in burning outside the burning season?

**Deputy Josepha Madigan:** The Deputy is again trying to link the two issues together.

**Deputy Joan Burton:** Of course I am.

**Deputy Josepha Madigan:** She is an intelligent woman and knows they are totally separate issues. I have said that this wildfire in Killarney National Park is a violent crime and has severely affected the natural area and the pleasure people get from visiting the park. I asked my Department to undertake a damage assessment of the wildfire site at Torc hill and it revealed that about 155 acres were caught in the blaze. The full effects of the fire will only be ascertained over time, such is the damage it has caused. We can, at present, confirm that the fire has resulted in a loss of nesting habitat for meadow pipits, skylarks and other birds. This fire has also impacted on the small mammal communities, as well as on amphibians and lizards. It has caused significant damage to the wet heaths and blanket bogs.

We take enforcement steps all the time to deter such fires. I have asked the public, in my earlier contribution, to bear in mind what I have said. We take a serious view of any wanton, indiscriminate and illegal burning of this type.

**Acting Chairman (Deputy Eugene Murphy):** Question No. 8 is in the name of Deputy Connolly. I understand it is grouped with Questions Nos. 12 and 23.

**Deputy Catherine Connolly:** On a point of order, I have no idea why this question has been grouped with the other two. It does not refer to the capital of culture whatsoever, which the other two do. It is a specific question about an art collective so perhaps the Minister might clarify why it is grouped with other questions it has nothing to do with.

**Acting Chairman (Deputy Eugene Murphy):** It is a matter for the Minister and she may explain-----

**Deputy Josepha Madigan:** It is a matter for the Ceann Comhairle.

**Deputy Catherine Connolly:** It is not. It is a matter for the Minister.

**Acting Chairman (Deputy Eugene Murphy):** My understanding is that it is a matter for the Minister.

**Deputy Josepha Madigan:** My understanding is different but I can ascertain that for the Deputies.

**Deputy Catherine Connolly:** It is a matter for the Minister and we checked with the Minister's-----

**Deputy Josepha Madigan:** I have no difficulty taking Deputy Connolly's question separately if she wishes.

**Deputy Catherine Connolly:** I would appreciate that. It is separate.

**Deputy Josepha Madigan:** I had no control over the reason this was grouped. I think it is because the question is about Galway.

**Deputy Catherine Connolly:** I would prefer if it was taken separately.

**Deputy Josepha Madigan:** I can do that.

**Acting Chairman (Deputy Eugene Murphy):** The Minister has said she will take it separately and I, as Chair, will accept that.

### **Performing Arts**

8. **Deputy Catherine Connolly** asked the Minister for Culture, Heritage and the Gaeltacht the engagement she has had with a theatre (details supplied) in Galway city; and if she will make a statement on the matter. [16599/19]

**Deputy Catherine Connolly:** What engagement has the Minister had with this theatre group? The group is called Theatre 57 because it started out as a group with 57 participants. That has now grown to more than 80. It is a collective of Galway-based, independent theatre artists who came together because of their exclusion in respect of culture in Galway. What engagement has the Minister had with that collective of artists on the ground?

**Deputy Josepha Madigan:** I have had no direct engagement with Theatre 57 but I understand it is a collection of theatre artists, which has increased in number from the original 57. It was formed in May 2018 and officially launched in January 2019. I also understand the artists have come together to provide support and resources needed by the arts community in the capital of culture. I also understand, from reports, that the group sees Galway 2020 as an opportunity to build an infrastructure for the arts that will continue in the future. The group was established to address the challenges and benefits of making work as independent artists in Galway and have commented that theatre in Galway is made against the odds and that the city lacks effective resources for independent artists. It appears that this group is focused on supporting independent artists and it is hoped that it will work positively with Galway 2020.

Galway is the home of two of Ireland's most prominent and internationally renowned theatre companies in Druid Theatre Company and An Taibhdhearc. The latter is supported by my Department and operates from its theatre in Middle Street in Galway, a facility with 148 seats, projection facilities, stage blacks, a cyclorama, a lighting rig and a full sound and PA system. It has acoustics which are suitable for live music and cinematic presentations. I understand tonight sees the start of a short run of "The Father" by Florian Zeller as translated by Christopher Hampton.

Druid operates from the Mick Lally Theatre and is supported by the Arts Council. I congratulate Druid on its recent successes at *The Irish Times* theatre awards where its theatre festival production of "Richard III" at the Abbey Theatre won a number of awards, including best production. Druid is currently touring nationally with a production of Sonya Kelly's "Furniture". There is much good theatre work happening in Galway which I am sure the Deputy is aware of, as she is from the area.

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**Acting Chairman (Deputy Eugene Murphy):** I know the Minister gave out some of this information in answer to Question No. 4.

**Deputy Catherine Connolly:** No information has been given on Theatre 57. I appreciate the Minister's comments about Druid and An Taibhdhearc. Indeed, d'oibrigh mé go crua chun an Taibhdhearc a choinneál i gcroí-lár na chathrach. This is a specific question about a group of people and I am disappointed to hear the Minister has had no engagement with them and I hope that she will today confirm she will have contact with them. This is a group of performing artists who have come together about sustainable careers for artists in Galway. The group now comprises 82 members who are involved in theatre in a range of roles. They have no permanent rehearsal space, nowhere to have meetings, no office space and no guaranteed funding, despite Galway's reputation as Ireland's capital of culture. The careers they have are precarious and they believe that Galway's cultural reputation is not sustainable unless front-line artists are acknowledged and supported. They are concerned about the commodification of the arts and value being put on it for the economy, which is good, but not value on art for art's sake. That is the group I am talking about.

**Deputy Josepha Madigan:** I thank the Deputy. As I said earlier, I have had no direct engagement with Theatre 57. I am not aware of any contact they have made seeking to meet me unless it has not been brought to my attention. The Deputy says she is disappointed but I have no awareness of the group trying to contact me in any way. I am aware of Theatre 57 but not of any intimation that its members want to meet me.

The Government is focused on increasing funding for the arts. The Taoiseach has repeatedly committed to double funding over a ten-year period and this year's Estimates contain a 13% increase in funding for my Department. There was a €6.8 million, or 10%, increase in funding for the Arts Council which is very important and should, I hope, help the group the Deputy has referred to, which could now be called Theatre 82 with its increase of members. Obtaining this funding may help those members of the group who are interested in broadening their careers. There is also €1.2 billion in capital funding for culture, heritage and the Gaeltacht under the national development plan.

**Deputy Catherine Connolly:** I welcome the increase in funding but that does not take from the stark figures. The European average for arts funding is 1% of gross domestic product and Ireland is at 0.6%.

I appreciate the Minister might not have received a formal letter from this group but her Department would be fully aware of the group, as would the organisation Galway 2020. The facts speak for themselves. The average salary of a dancer is €10,000 and that could be somebody who is recognised internationally as the best in his or her field. One third of performing artists live precarious lives. One third earn less than the minimum wage of €9.55 an hour. These are established and acclaimed artists.

My time is limited. All of these figures are stark and, if anything was to come out of today, I would like it to be that the Minister will meet this group on the ground, not just about Galway 2020, but also about sustainable lives for artists. This Government relies on artists and rolls them out for photo shoots and photocalls.

**Acting Chairman (Deputy Eugene Murphy):** Deputy Ó Snodaigh's question is coming but this is a different question. Does he want to make a quick comment on this topic?

**Deputy Catherine Connolly:** The questions are not grouped now.

**Deputy Aengus Ó Snodaigh:** They were grouped.

**Acting Chairman (Deputy Eugene Murphy):** They are not any more.

**Deputy Josepha Madigan:** This is a separate question.

**Deputy Aengus Ó Snodaigh:** I understand.

**Acting Chairman (Deputy Eugene Murphy):** The Deputy can make a quick comment and we will get through the question.

**Deputy Aengus Ó Snodaigh:** It is welcome that Theatre 57 has organised as a collective. I hope they will be an example to other struggling artists around the country of the need to organise in such a way to ensure that, when events are happening in their area and there is State investment, there can be a legacy afterwards. I am not talking about a bad legacy where people are disenchanted with the State but a good legacy where artists are left with some hope that they can sustain themselves and not be forced to leave the city. Many artists who originally founded Theatre 57 have had to leave the city in recent years because they cannot afford to live there or sustain themselves. That, if nothing else, should be concentrated upon. Even though they may not have asked, I encourage the Minister to seek them and other such groups throughout the country out to discuss with them how to create a sustainable culture for artists and the like in the future.

**Deputy Josepha Madigan:** I will take the Deputies' comments into account. My door is open. My Department and I have an awareness of the particular theatre practitioners. I have outlined what the Government is doing. We must remember that, for decades, an artistic pursuit in this country and across the world has been incredibly difficult. If I had a magic wand, I would increase funding significantly, but I do not. However, I have secured a significant increase in funding this year for artists, primarily for the Arts Council which is at arm's length from my Department and makes its own decisions on the assistance it provides for artists. There is an investment programme of €460 million for the national cultural institutions. A great amount of good work is being done. I am acutely aware of the difficulties faced by everyone endeavouring to engage in any artistic pursuit, be it theatre, the wider field of drama, dance or music, and do all I can to assist in every way.

### **Aerfoirt Réigiúnacha**

9. D'fhiafraigh **Deputy Catherine Connolly** den Aire Cultúir, Oidhreachta agus Gaeltachta an ndearnadh Aerfort na Mine a cheannach; mura ndearnadh, cad é an staid reatha a bhaineann leis an bpróiseas ceannaigh; agus an ndéanfaidh sí ráiteas ina thaobh. [16596/19]

**Deputy Catherine Connolly:** Is ceist shimplí í seo ar chuir mé í arís agus arís eile. Cá bhfuil muid sa phróiseas chun Aerfort na Mine a cheannach?

**Deputy Seán Kyne:** Fuair mo Roinn fógra i mí Meithimh na bliana seo caite go raibh beartaithe ag Galway Aviation Services Limited tarraingt amach as an gconradh a bhí acu chun seirbhís aeir a chur ar fáil idir an mórthír agus na hOileáin Árann agus as an gconradh faoina gcuireann an comhlacht Aerfort Chonamara ar fáil don tseirbhís. Ar ndóigh, chruthaigh sé

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seo deacracht ó thaobh todhcháí na seirbhíse de agus b'éigean do mo Roinn gníomhú chun a chinntiú nach mbeadh briseadh sa tseirbhís. Tar éis próiseas tairisceana a reáchtáil, socraíodh conradh sealadach aer suas go dtí 30 Meán Fómhair 2019 agus ag eascairt as comhráití idir mo Roinn agus an cuideachta, síníodh ceanteidil comhaontaithe idir na páirtithe faoina bhféadfaí tabhairt faoi phróiseas a thabharfadh deis do mo Roinn breathnú ar na féidearthachtaí Aerfort Chonamara a cheannach. Aontaíodh chomh maith go gcuirfi síneadh leis an gcomhaontú faoina gcuirtear Aerfort Chonamara ar fáil don tseirbhís suas go dtí Meán Fómhair 2021. Tá an próiseas maidir le ceannach an aerfoirt ag leanúint ar aghaidh ach níl aon toradh air go fóill. Is gá a lua chomh maith go mbeidh aon socrú maidir le ceannach na saoráide le meas i ndáil le riachtanais an chóid caiteachais phoiblí.

Cé go bhfuil an cheist shimplí, níl an próiseas simplí. Tá an próiseas ag leanúint ar aghaidh, áfach, agus tá dul chun cinn déanta. Tháinig an dá thaobh le chéile. Bhí plé maidir le luach an tsuímh nó aerfort don Roinn agus dá úinéirí. Tá plé ar bun faoi láthair chun teacht ar phraghas agus nuair atá an praghas sin aontaithe liom agus le mo Roinn, pléifear é ag leibhéal an Rialtais. Tá an próiseas ag dul ar aghaidh. Caithfidimid fanacht go dtí go mbeidh rudaí socraithe maidir leis an bpraghas.

**Deputy Catherine Connolly:** Fuair mé an freagra ceannann céanna beagnach dhá mhí ó shin i mí Feabhra. Ag an am sin bhí tuilleadh eolais i gceist. Dúradh liom go raibh na luachálaithe fostaithe agus go raibh suirbhé innealtóireachta i gceist. Tá súil agam go bhfuil an suirbhé sin críochnaithe. Tá súil agam go bhfuil luach anois deimhnithe. An féidir é sin a rá? Dúradh liom i bhfreagra eile go mbeadh an próiseas críochnaithe roimh dheireadh na míosa seo caite. Tá eagla orm go bhfuil muid ag dul ar aghaidh agus ag dul ar aghaidh. Tuigim go bhfuil sé casta ach níl sé casta tuiscint go bhfuil sé de cheart ag muintir na n-oileán seirbhís aer a bheith aici má táimid i ndáiríre faoi shaol inmharthanach a thabhairt di ar na hOileáin Árann. Tá sin simplí. Tá sé simplí a rá liom cén uair a bheidh an próiseas críochnaithe.

**Deputy Seán Kyne:** Tá an Teachta ceart go raibh muid ag súil go mbeadh an próiseas críochnaithe roimh dheireadh mí Márta. Sin an spriocdáta a bhí leagtha síos. Theip orainn é sin a dhéanamh ach tá an próiseas fós beo agus tá an próiseas ag dul ar aghaidh. Mar a dúirt mé, tá an Roinn ag déanamh suirbhé innealtóireachta. Tháinig siad ar luach agus tháinig úinéirí an aerfoirt ar luach don suíomh freisin ach tá bearna idir an dá luach agus caithfidimid teacht ar phraghas a bheadh an dá thaobh sásta leis. Níl sin déanta go fóill ach tá na cainteanna agus an idirbheartaíocht ag dul ar aghaidh. Táimid dóchasach go mbeimid in ann teacht ar réiteach ach aontaím leis an Teachta faoin tábhacht a bhaineann leis an tseirbhís agus go gcaithfear cinnteacht a bheith ann do mhuintir na hoileáin faoi sheirbhís aer sa todhcháí.

**Deputy Catherine Connolly:** Caithfidh mé a rá arís ar an taifead go bhfuil mé thar a bheith sásta go bhfuil cinneadh déanta ag an Rialtas an t-aerfort a cheannach. Sin dul chun cinn agus céim dhearfach. Áfach, tá sprioc ama ag teastáil go géar uainn anois. Cloisim go bhfuil luach ann ach nach bhfuil aontú idir an dá thaobh maidir leis an luach. Cad é an spriocdháta? Caithfidimid deireadh a chur leis an bpróiseas agus gan dul ar aghaidh cosúil le Acht na dTeangacha Oifigiúla ag caint mar gheall ar roimh an samhradh, tar éis an tsamhraidh agus roimh Nollaig. Cén uair a tharlóidh sé seo?

I will use a few seconds to correct the record, as I may have been unclear in my previous question. Just 1% of GDP is spent on the arts. The average elsewhere in Europe is 6%. I am not sure whether I made that point clearly or whether I mumbled it.

**Deputy Seán Kyne:** Níl mé in ann spriocdháta don phróiseas a leagan síos. Tá an próiseas ag dul ar aghaidh agus caithfidh fanacht go dtí go mbeidh an idirbheartaíocht críochnaithe agus ansin beidh próiseas i ndiaidh sin ó thaobh phróiseas dlí de agus tógann an próiseas am. Cé go bhfuil na feidhmeannaigh ag plé an phróisis chun Aerfort Chonamara a cheannach, tá comhairleoirí fostaithe ag mo Roinn chun cuidiú leis an bpróiseas ó thaobh an seirbhís aeir agus an próiseas tairisceana de. Tá mé sásta go mbeidh mo Roinn ábalta tairiscintí a lorg do sheirbhís aeir ach an réamhobair atá ar siúl ina leith a bheith curtha i gcrích. Táimid i mbun próisis chun tairiscintí a lorg chun seirbhís ar thréimhse ceithre bliana ó 30 Deireadh Fomhair i mbliana. Táimid sásta go mbeimid in ann an próiseas sin a chríochnú agus go mbeidh seirbhís aeir ar fáil do mhuintir na hOileáin Árann i rith an gheimhridh.

**Acting Chairman (Deputy Eugene Murphy):** I am going to attempt to get through Questions Nos. 10, 11 and 12 in the names of Deputies Boyd Barrett, Aindrias Moynihan and Ó Snodaigh, respectively. I ask the Deputies to forgo their 30 seconds each and let the Minister reply. They will then be able to ask their two supplementary questions. Is that okay?

**Deputy Richard Boyd Barrett:** Why?

**Acting Chairman (Deputy Eugene Murphy):** There will not be time to have the Deputies' questions answered otherwise. I am accommodating them. I call on the Minister to reply to Question No. 10, after which Deputy Boyd Barrett can ask his supplementary questions.

**Deputy Josepha Madigan:** On Deputy Connolly's point.

**Acting Chairman (Deputy Eugene Murphy):** Has the Minister not replied to her already?

**Deputy Catherine Connolly:** I was just correcting the record.

**Acting Chairman (Deputy Eugene Murphy):** Then we will move on. I call on the Minister to reply to Question No. 10.

**Deputy Josepha Madigan:** That is Deputy Boyd Barrett's question.

**Deputy Richard Boyd Barrett:** Yes. The Acting Chairman is suggesting the Minister just give her response, after which I will ask her supplementary questions.

**Deputy Josepha Madigan:** This is from a time perspective.

**Acting Chairman (Deputy Eugene Murphy):** It is to save time.

## **Film Industry**

10. **Deputy Richard Boyd Barrett** asked the Minister for Culture, Heritage and the Gaeltacht her views on whether the current method of providing public funding for the film industry is the most appropriate for delivering quality employment and training in the industry; and if she will make a statement on the matter. [16760/19]

**Deputy Josepha Madigan:** In June 2018 I was pleased to launch the audiovisual action plan, an industry-wide long-term plan under the Creative Ireland programme, to support the Government's ambition to enable Ireland to become a global hub for the production of film, television drama and animation. The audiovisual high level steering group was established

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to implement the plan. It is a whole-of-Government approach, with representatives from all Departments and State agencies that have an involvement in the audiovisual industry. The group is overseeing implementation of the plan and will report regularly to me as Minister. As the Deputy is aware, the plan deals in detail with the mechanisms used by the Government to support the Irish audiovisual industry. This support is delivered using parallel mechanisms of tax relief and direct funding. The section 481 film tax relief mirrors similar provisions in most other countries and attracts internationally mobile film projects to Ireland. It also encourages valuable co-productions, with international producers partnering with indigenous producers who benefit from the sharing of cutting-edge technology and expertise.

Screen Ireland is the national development agency for the Irish film, television and animation industry, supporting writers, directors and production companies by providing investment loans for the development, production and distribution of film, television and animation projects. In budget 2019, I was able to allocate an additional €2 million to Screen Ireland to build on its vital work, increasing its annual budget by 11% overall to €20 million.

Relief under section 481 may be claimed against a producer company's corporation tax liabilities if certain conditions are satisfied. Under the film regulations 2019, a new skills development requirement is now linked to the section 481 tax credit and producer companies are obliged to submit a skills development plan. For projects over €2 million, this must be agreed in advance with Screen Ireland. It is also a requirement that a post-project skills development report be submitted. A special briefing with my Department and Revenue took place this morning at which this requirement was highlighted to industry stakeholders. I believe all of the measures outlined above will greatly enhance the delivery of quality employment and training in the industry.

**Deputy Richard Boyd Barrett:** The top news item today is that there is a major investigation into a loan of €100,000 by John Delaney to the Football Association of Ireland. It is currently being explored at a meeting of the Oireachtas Joint Committee on Transport, Tourism and Sport. Each year, approximately €100 million in loans and tax relief goes to the Irish film industry. Very serious issues are being raised by workers in the industry regarding wholesale blacklisting, including blacklisting of people who appeared before the Oireachtas Joint Committee on Culture, Heritage and Gaeltacht in January of last year alleging major abuses of section 481 and the rights of employees. Evidence was given to the committee by the chair of Screen Ireland, Mr. James Hickey, that there were 17,000 full-time equivalent jobs in the Irish film industry. We questioned that claim. When the Department of Finance looked into it, it found that there are 2,000 full-time equivalent jobs in the industry, a fraction of what the Oireachtas committee was told was the case. The same film producers in receipt of this funding are refusing to attend the film stakeholder forum recommended by the all-party Oireachtas committee. This situation is not acceptable.

**Deputy Josepha Madigan:** My Department has not received reports of any such alleged activity. I know that the Department of Employment Affairs and Social Protection stated that it would liaise with the Deputy on the issue. It is important to state that blacklisting is against the law and is not and should not be tolerated under any circumstances. The Deputy sometimes refers to a belief that the film industry is exceptional in some way and that normal employment law does not apply to it. However, as the Deputy is aware, that is not the case. Departmental officials are not aware of claims by employers in the audiovisual industry that there are such exemptions to employment law for that industry.

**Deputy Richard Boyd Barrett:** I will put it very simply for the Minister. I appreciate that the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, has agreed to meet me and film workers next week, as well as the engagement of the Department of Finance and Revenue. However, I wish to put certain points to the Minister. I challenge her to find one film worker with a contract of indefinite duration. The State gives €100 million a year to provide quality employment and training in the Irish film industry. In spite of that, she will not be able to find a single film worker with a contract of indefinite duration. There are not 17,000 full-time equivalents as was claimed by Screen Ireland. I do not have time to go into it in detail. One calculates a full-time equivalent by dividing the number of production hours by the number of employees based on a 39-hour week and employees receiving holiday pay and so on. No film worker works a 39-hour week or receives holiday pay or any such benefits. This needs to be investigated and the people who are getting this money need to be brought before the Oireachtas Joint Committee on Culture, Heritage and Gaeltacht and questioned on where are the jobs in the film industry.

**Deputy Josepha Madigan:** As I stated, the film industry is not outside the remit of the law. It must be subject to the same rigours of the law as any other industry. My Department is not aware of any particular issues with workers in the industry. It is important to again stress that the new film regulations are in place and that the tax credit is now linked to quality employment and observance of all employment legislation, as well as enhanced skill development requirements. Screen Training Ireland, a division of Screen Ireland, held an inaugural screen industry education forum in November of last year, the aim of which was to bring together screen industry stakeholders, policy influencers and providers of training and education to focus on the skill development challenges and opportunities in the screen sector in Ireland.

**Deputy Richard Boyd Barrett:** They have refused to come in.

**Acting Chairman (Deputy Eugene Murphy):** The matter is concluded. We move to Question No. 11. As Deputy Aindrias Moynihan is forgoing his 30 seconds, the Minister may provide her reply.

**Deputy Josepha Madigan:** My replies are somewhat in disarray. Is the question on commemorations?

**Deputy Aindrias Moynihan:** Yes.

**Deputy Josepha Madigan:** I thank the Acting Chairman for his forbearance.

### **Commemorative Events**

11. **Deputy Aindrias Moynihan** asked the Minister for Culture, Heritage and the Gaeltacht when the next meeting of the all-party consultation group on commemorations will take place; and if she will make a statement on the matter. [16749/19]

**Deputy Josepha Madigan:** As chair of the all-party consultation group on commemorations, I have held two meetings of the reconstituted group since last October. The group is one of three convened by the Government to focus on the decade of centenaries initiative and any or all related programming, the other two groups being the senior officials group on commemorations and the expert advisory group on centenary commemorations. The expert advisory group

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and the all-party group are consultation groups and it remains the exclusive responsibility of the Government to prepare and deliver an appropriate commemorative programme for the remainder of the decade of centenaries.

The development of this programme is currently in train and is based on a four-strand approach comprising a State ceremonial strand, an historical strand; a community strand and a creative imagination strand. Representation on the all-party group includes members of the main parties and groupings in the Oireachtas, as well as the Alliance Party and the SDLP in the Northern Ireland Assembly. The Ulster Unionist Party and Democratic Unionist Party were invited to nominate members to the group but have not done so to date.

The group most recently met last Wednesday. The meeting, which I chaired, was well attended with a high degree of engagement by the members and this gave rise to a number of useful contributions that will help to inform our discussions at future meetings of the group and, ultimately, the development of the commemorative programme for the coming years. It is my intention that the all-party group will meet regularly over the remainder of the decade of centenaries initiative out to 2023.

The work of the group is supplementary to other work ongoing in regard to the commemorative programme, including the key role of local authorities in supporting engagement and facilitation in local communities and developing appropriate commemorative initiatives as part of the decade of centenaries. In that context, I recently approved a funding allocation of €10,000 for each local authority under the decade of centenaries programme.

**Deputy Aindrias Moynihan:** I welcome the report of the expert advisory group which carefully considered the themes and made recommendations on legacy initiatives. It outlined a significant legacy initiative. I am trying to establish the Minister's level of ambition for such initiatives. For example, the group recommended a virtual record treasury. Are there other such projects which the Minister expects will come forward? What is her level of ambition in that regard? Will the advisory group have an input on the matter? Will there be an opportunity for public consultation across the country? There was a great deal of interest in the 2016 commemorations and there is a great deal of interest in the commemorations proposed for the remainder of the decade of centenaries.

*12 o'clock*

**Deputy Josepha Madigan:** The legacy of the decade of centenaries will be really important. If we think back to 1916 and the 2016 celebrations, the legacy of that was crucial to the success of the second half of this decade. We are all aware of the challenges and sensitivities involved over the next number of years, especially for an appropriate commemoration of the struggle for Independence, the foundation of the State, the Civil War and the partition of the island, as well as the foundation of Northern Ireland. I was very encouraged by our last meeting. We are taking into account the expert advisory group's recommendations. We are not necessarily tied to that but it is a very good guide. The local authorities, with the €10,000 that each has, will be able to do their own individual commemorations. There was one for Soloheadbeg and another is coming up in May. Various different local authorities will be able to use their own imagination and creativity.

*Written Answers are published on the Oireachtas website.*

**An Ceann Comhairle:** Before we start, I ask Members to please adhere to the time allocated.

**Deputy Micheál Martin:** The PwC report on the very significant overspend on the national children's hospital represents a damning indictment of the Government's stewardship of the entire project. Red flags were missed, the public spending code was not adhered to, the project was poorly co-ordinated and controlled, there was fragmentation, poor communication and poor flow of information. That is all in the report. It also identifies a number of failures in the set-up, planning and budgeting of the national paediatric hospital project. It is a far cry from April 2016, when the then Minister for Health, the present Taoiseach, Deputy Varadkar, announced that it would cost approximately €650 million, including contingency and inflation. That €650 million has now risen to €1.7 billion with significant risks that it will rise further. The report outlines about six significant risks in the project relating to its budget, provisional sums, elements of the design yet to be finalised and inflation. If inflation goes up by 10%, there will be another €97 million increase. Construction inflation is currently at 7.1%. Other issues include schedule adherence and programme realignment.

When I asked the Taoiseach some time ago if he was confident that this would stay within €2 billion, he could not answer the question or give a definite view on that. The question that begs to be asked following the report is where were the Ministers for Public Expenditure and Reform and Health during all of this. They were clearly asleep at the wheel. They, along with the Taoiseach, made the glitzy announcements but challenged very little indeed. There was a change of governance in a letter in appendix G attached to the report. A new governance structure was established in May 2017. It is referred to in a letter, which I presume is from the Secretary General at the Department of Health. What led to that change of structure? Were the Ministers for Health and Public Expenditure and Reform alerted to that change of structure? There were problems emerging which were not shared. Did the Minister for Public Expenditure and Reform know about it? I refer the Tánaiste to recommendation 11 of the report, which now states with regard to all future capital infrastructure projects, that "A central assurance and challenge function should be established within Government to provide consistent challenge to and review of major [public sector infrastructure] projects". That clearly suggests that there was no such challenge in Cabinet relating to this project. Most people would say that that challenge function is the role of the Ministers for Public Expenditure and Reform and Health. It is clear that no one challenged anything about this project. I would argue that there was too much politically invested in the project. The announcements were made but no one asked any hard questions at ministerial or Cabinet level. We see that in other projects too. With this extraordinary revelation of shambolic management of this project, where is the accountability for the Ministers for Health and Public Expenditure and Reform? Is it still their position that they were not alerted at any stage to any of the red flags that the report talks about, or to the range of failings identified in the report?

**The Tánaiste:** Yesterday, the Government published the report of the independent review of escalation of costs for the national children's hospital carried out by PwC, and it fully accepts its recommendations. This project is very important for Irish children for generations to come. It is finally under construction and the Connolly urgent care centre element of the project is on target to open this summer. The report acknowledges that the project is unique in scope, scale and complexity, compared with any other health infrastructure project in Ireland's history. It identifies a series of weaknesses in set-up, planning, budget execution and governance. The report states that two thirds of the €450 million cost increase was due to an underestimation of

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the real cost of the project. It also highlights other factors such as VAT, delays and changes in regulation and building standards. It is recognised that a programme of work of this nature can never be fully de-risked. Nevertheless, the report finds that there were significant weaknesses which led to an escalation of costs, which became known far too late in the process. The report considered the alternative option of retendering the work, as some in this House have suggested we should do, and concluded that this was an unrealistic fallback option and would have increased costs further, in all likelihood resulting in no hospital being built at all.

Our priority now must be to finish the job on time to meet the 2023 opening date, contain further cost increases, and learn from the mistakes made in advance of other major projects such as the metro and the national broadband plan. The Ministers for Public Expenditure and Reform and Health will come back to Government and, I assume, to the House, in a month to outline an implementation plan for the recommendations contained in this report. These include strengthening the rules that govern public sector spending and providing essential assurance and challenge functions, which the Deputy has just referred to, to provide consistent challenge and review of major projects through their life cycle. If the Deputy reads this report, as I am sure he has, he will see that there is a very clear explanation of what happened here. This is not wasted money or an overspend *per se*. It is a gross underestimate of what it costs to build a hospital of this standard and type.

**Deputy Mattie McGrath:** The Tánaiste is in a hole. Stop digging.

**The Tánaiste:** We need to understand the systems failures that allowed that to happen and to ensure that they are not repeated. That is why the Government is committed and has already started the process of looking at how complex and large capital projects are managed from a procurement perspective-----

**Deputy Mattie McGrath:** The Tánaiste does not believe that himself.

**The Tánaiste:** -----and a structural perspective to ensure that estimates that we have at the start of projects such as this turn out to be accurate at a later stage when final decisions are made on funding.

**An Ceann Comhairle:** The Tánaiste's time is up.

**The Tánaiste:** The Government had a choice to make last December either to proceed with the project, knowing the full cost, to retender, which would probably have cost more in the end-----

**Deputy Mattie McGrath:** The Government was warned two years ago.

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

**The Tánaiste:** -----or not to build the project.

**An Ceann Comhairle:** The Tánaiste's time is up.

**The Tánaiste:** Nobody is suggesting that we can build this hospital for less than it currently costs-----

**Deputy Mattie McGrath:** It is in the wrong place.

**The Tánaiste:** -----but there are certainly lessons to learn that the Government needs to act

on.

**An Ceann Comhairle:** I do not know if clocks are read differently in Cork but the reality is that time is prescribed here for questions. Can we please ask the question in the time allowed and answer the question in the time allowed?

**Deputy Micheál Martin:** Can the Tánaiste state with certainty that this will stay within €2 billion? The idea that it is a gross underestimation does not reflect what the report is saying. The report is saying there was a complete absence of control, incoherence, lack of information, red flags, poor governance and so on. It is similar to other projects. The Government has not learned. With regard to the broadband plan, €550 million is going to go to €2 billion or €3 billion depending on how it is calculated. It has happened with the event centre in Cork. The lesson is that when the Government tells everybody that this project has to happen without due diligence, everybody, including developers, knows they have the Government where they want it. That is why a former Minister chased down one of the tenderers for broadband desperately to get them over the line because politically the Government has to get them over the line. The costs soar out of control.

**Deputy Denis Naughten:** It is in the interests of the people.

**Deputy Micheál Martin:** The same happened here, there is no control. No one is asking any questions at Cabinet level. I asked the Tánaiste about the letter from the Department of Health of May 2017. What led to that change of governance structure? Why was a new governance structure required? Is it still the Government's position that no one raised these red flags at any stage-----

**Deputy Mattie McGrath:** It was warned by the board in 2017.

**Deputy Micheál Martin:** -----with the Minister for Public Expenditure and Reform or with the Minister for Health? Is that still the Government's position, that right up to December no one raised this? We know the Minister was told in the summer but apparently he told nobody. He told no one in the Cabinet that this thing had ballooned out of control and the Minister for Public Expenditure and Reform says that no one told him, not even the senior public procurement officer. All we heard on radio last night and today are the Ministers of State. The senior Ministers have gone missing on this project-----

**Deputy Mattie McGrath:** They have gone into the hole.

**Deputy Micheál Martin:** -----and will not be accountable for it.

**The Tánaiste:** The Minister for Health is before a committee as we speak answering questions on whatever people want to ask him. Senior Ministers have not gone missing. I do not have the detail on the May 2017 letter the Deputy refers to but I can get that for him.

I think the public does want to understand what went wrong here. From my initial reading of this report the explanation is pretty clear. Whether through incompetence or something else there was a gross underestimate of what it was going to cost to build a project of this scale, type and complexity. There should have been red flags earlier in the system.

**Deputy Lisa Chambers:** There should have been questions on it.

**The Tánaiste:** There were not and we need to learn lessons from that.

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**Deputy Thomas Byrne:** That is the duty of Cabinet.

**Deputy Mattie McGrath:** It was warned in 2017.

**Deputy Thomas Byrne:** It is not just about announcements. It has to govern.

**The Tánaiste:** Both Ministers will be coming to Cabinet within a month and I presume will come to this House too-----

**Deputy Micheál Martin:** They have to.

**The Tánaiste:** -----with an implementation plan for all of the recommendations of this report. That is what Government does, it learns lessons.

**Deputy Thomas Byrne:** This Government announces things.

**The Tánaiste:** It is not true to say that the mistakes that were made in this project have been repeated over and over with other projects. The Deputy is trying to link it with other projects that he does not even know the detail of in respect of the national broadband plan, for example.

**Deputy Thomas Byrne:** The Tánaiste does not know it either.

**The Tánaiste:** I do not know what the final cost is so I do not know how the Deputy does-----

**Deputy Thomas Byrne:** Exactly. That is the point.

**Deputy Lisa Chambers:** The Taoiseach was the Minister for Health.

**Deputy Thomas Byrne:** The Tánaiste is clueless.

**Deputy Willie O’Dea:** Nobody knows.

**The Tánaiste:** -----because there has not been a Government decision on it.

*(Interruptions).*

**The Tánaiste:** The process has not concluded but the Opposition is already trying to turn it into a political football.

**Deputy Lisa Chambers:** The Taoiseach is outlining escalating costs. The Taoiseach is-----

**Deputy Mattie McGrath:** When people are in a hole they have to stop digging.

**The Tánaiste:** If we consider projects that have been completed-----

*(Interruptions).*

**Deputy Josepha Madigan:** Would the Deputies let him speak?

**The Tánaiste:** -----from the N17, the Gort to Tuam bypass, Arklow to Rathnew bypass, the north docklands sewerage scheme and the Phoenix Park tunnel, these are all projects that were

completed on time and on budget.

**Deputy Thomas Byrne:** The Phoenix Park tunnel was built 150 years ago. It was reopened.

**The Tánaiste:** This Government, unlike Deputy Martin's, has a pretty good record actually-----

**Deputy Josepha Madigan:** Yes, hear, hear.

**Deputy Thomas Byrne:** This Government cannot take credit for the Phoenix Park tunnel.

**The Tánaiste:** -----of delivering projects on time and on budget.

**Deputy Willie O'Dea:** Who is judging?

**Deputy Richard Boyd Barrett:** Time, time.

**The Tánaiste:** This is an exception to that and that is why we have asked PwC to look at it in detail and we are factoring in the lessons learned from that report-----

**Deputy Mattie McGrath:** It is exception after exception.

**Deputy Willie O'Dea:** There are two exceptions there worth about €5 billion.

**The Tánaiste:** -----and will report back in a month.

**Deputy Mary Lou McDonald:** Our health service is in a state of perpetual crisis. Overcrowding at our accident and emergency departments and hospitals worsens by the day and yesterday the Midlands Regional Hospital in Mullingar became the latest hospital to announce it was at maximum capacity and to advise patients to stay away. That follows the dangerous level of overcrowding we have witnessed in Cork University Hospital, in University Hospital Limerick, Mayo University Hospital, Castlebar and Kerry and on and on it goes. Hospital waiting lists continue to grow and we now have the worst waiting lists in Europe.

Nurses and midwives have had to engage in industrial action, and general practitioners have protested outside the gates of Leinster House here because of the Government's refusal to adequately invest in primary care. Now to top it all we have the scandalous cost overrun in respect of the national children's hospital. All of this has happened on the watch of the Minister for Health, Deputy Harris.

The PwC report, published yesterday, shows that mistakes were made at every turn and illustrates how a risky and untested two-stage procurement strategy was pursued, which was known to have grave risks in terms of cost escalation. The sole advantage of producing a quick outcome was the opportunity for a Fine Gael Minister to cut a ribbon early.

The report highlights significant issues with governance and oversight and points to the serious matter of non-compliance with the public service spending code. It raises questions about the future of the project and the ability of the development board and the Minister for Health to deliver it within the current expected budget of €1.7 billion. Unfortunately, they have proved time and again unable to navigate this project and are responsible for the €450 million overrun which may grow.

The Taoiseach responded yesterday that the report makes for "grim reading". Ministers

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have said that they “accept all its findings”. The Members of Government need to be reminded that they are not spectators to all of this, they are the authors of this fiasco and the people responsible. I understand that Government has accepted responsibility for this shambles. Who is accountable for the clear and gross incompetence, administrative, professional and political, and who will be held to account?

**The Tánaiste:** It is important to be honest about what has happened here. I understand the frustration and anger being expressed this morning and on many occasions in this House. We thought we could build a national children’s hospital for much less than it will cost. That is what happened here. We unfortunately have seen a process that, until late last year, was proposing that a national children’s hospital of this scale could be built for far less than it is going to cost.

This report makes very clear that most of the cost increase relates to a gross underestimate which should have been flagged much earlier and it does point fairly clearly to who was at fault in that regard and we need to learn lessons to ensure that if there are projects of this complexity, and there will be in the future, that this does not happen again. There needs to be a more proactive oversight of projects like this, that is clear. There needs to be more intense scrutiny of projects as the projects move ahead in terms of estimates, design, bill of quantities and so on. That is where this project primarily has failed to date. We now, I think, have a much clearer picture of what this is going to cost and we need to try to ensure that systems are in place to keep the cost within that final estimate that the Government approved in December. That is what happened here. People keep talking about waste and overspend. This money has not been spent yet.

**Deputy Aengus Ó Snodaigh:** The Government says it has no choice but to spend it.

**The Tánaiste:** This is a project that we now have a clear understanding of in respect of costs. This is a project that was grossly underestimated in terms of cost until relatively recently. Yes, the Government and politicians need to take responsibility for that.

**Deputy Mattie McGrath:** The Government was warned in 2017.

**The Tánaiste:** We will and that is why we are changing systems-----

**Deputy John Lahart:** By cutting other budgets.

**The Tánaiste:** -----to make sure we take account of that. The public spending code is being updated and will strengthen the steps required in public investment evaluation and management. As part of the review of the public spending code, the Department of Public Expenditure and Reform is conducting a full assessment of how cost estimation and management for capital projects could be improved. Updating guidance on better cost estimation and management resulting from this will complement and strengthen guidance on preparing all aspects of business cases for capital projects in the future. This will strengthen the selection, design and delivery of capital projects, which is clearly necessary on the back of this report.

**Deputy Mary Lou McDonald:** For those of us who live in the real world, let me set out what has happened. There has been a €450 million overrun and counting. Those are public moneys that will have to be found somewhere. This whole fiasco has been overseen by a Minister who is clearly incompetent. At this stage he is a lame duck Minister whom the Government, with the assistance of Fianna Fáil, insists on keeping in office. This fiasco has happened on the

watch of an out of touch Government that is only concerned with cutting ribbons and is clearly not capable of managing public - taxpayers' - money. To add insult to injury, the Government refuses to afford any level of accountability. I put a very simple question to the Government. Who is accountable? We know that the Government is responsible, we know that its partners in Fianna Fáil are responsible for allowing a Minister or Ministers who are asleep at the wheel, as Deputy Micheál Martin puts it, to continue in office, but I would like an answer from Government on who is accountable for this fiasco, for these public moneys and for this gross incompetence. Who will be held to account and how will they be held to account?

**The Tánaiste:** The Government has been clear. The Minister for Finance and Minister for Public Expenditure and Reform, Deputy Donohoe and the Minister for Health, Deputy Harris, have said repeatedly that the Government takes responsibility for this underestimate and for the cost increase of this project. There have been people who have felt the need to step aside because of accountability. The chairman of the board has stepped aside and there is a new person in charge of leading the board for this project now, so there has already been some accountability.

**Deputy Mattie McGrath:** Closing the stable door after the horse has bolted.

**The Tánaiste:** With respect, the whole point of getting PwC to do the report that is now being published is to understand fully what happened here and who was at fault so that we can have accountability, we can learn lessons from it and we can put structures in place to ensure-----

**Deputy Mattie McGrath:** Blame nobody.

**The Tánaiste:** -----that this kind of underestimate does not happen again in projects such as this.

**Deputy Mary Lou McDonald:** It is not an underestimate, it is an overestimate

**The Tánaiste:** Of course it is. The money has not been spent yet. Is anybody in this House seriously suggesting that we can build a hospital of this scale and complexity for less than what is currently estimated?

**Deputy Pearse Doherty:** The whole Government is.

**The Tánaiste:** No, they are not.

**An Ceann Comhairle:** Let the Tánaiste respond.

**Deputy Mattie McGrath:** Jimmy Sheehan would build it for €900 million.

**The Tánaiste:** The issue is around how we learn lessons from a process that was flawed in getting us this far while at the same time building a hospital for children in Ireland. That is what we are doing and we have been open about that. We have asked PwC to put a detailed report together so we can act on the recommendations of that. It has done that independently and without fear or favour. Within a month, the two Ministers concerned-----

**Deputy Mattie McGrath:** A glossy report.

**The Tánaiste:** -----will bring a plan to implement those recommendations and they will be accountable to this House on that plan.

**Deputy Mattie McGrath:** They are in hiding.

**Deputy Mick Barry:** Today is the sixth day of national strike action in the National Ambulance Service. Two weeks ago, I had an exchange with the Taoiseach at Leader's Questions on this issue. There were the best part of 100 ambulance personnel in the Gallery that day to listen to his reply. I spoke to many of them afterwards. Some told me they thought his comments were arrogant. Others again described his comments as ignorant. These front-line workers took particular exception to the Taoiseach's claim that the Government and the HSE could not tolerate six, seven, eight or nine unions in the National Ambulance Service. There are two recognised trade unions in the National Ambulance Service that represent paramedics. More than 500 ambulance staff have joined a third union, not a sixth, a seventh, an eighth or a ninth. It is their choice, not the Government's choice. That trade union should be recognised.

The Taoiseach tried to close the door on all of that. Maybe he thought he could demoralise the workers and that they might call off their campaign. If so, he was sorely mistaken. Those workers are on strike again today, which as I said is the sixth day of national strike action this year. I ask the Tánaiste the same question I asked the Taoiseach. Will he instruct the HSE to talk to this union? They may not be in the Gallery today but these workers will be paying very careful attention to the Tánaiste's answer. They have asked their union to convene an extraordinary general meeting in eight days, on Thursday, 18 April. I dare say that the decision they make in eight days will be shaped in large measure by the Tánaiste's answer to this question. A reasonable answer is likely to meet with a reasonable response. A hard-line answer is likely to meet with a hard-line response. I would not be at all surprised if that were to mean a significant escalation of this dispute.

Given the refusal of the HSE to negotiate contingency plans face to face with the union for the strike days, a significant escalation of this ambulance strike could bring dangers to public health and to public safety. I do not want that and the paramedics do not want that, but if it happens, the responsibility will lie at the feet of the Government, a Government which has been playing hardball for a long time with a group of key front-line workers who provide a vital service and who are merely demanding a basic democratic right. On the picket lines throughout the country, the Tánaiste's reply to the question will be eagerly awaited.

**The Tánaiste:** The Government has not taken a hard or a soft line on this. The Government has largely stayed out of this dispute. It is a dispute between the union concerned and the HSE. The Government's policy on trade unions and management is, where possible, to try to consolidate trade union representation to make it as structured and as functional as possible. There is a dispute here that we all want to bring to an end. Ambulance workers and paramedics do a great job in difficult circumstances. It is a pressurised job and nobody wants to see people taking strike action repeatedly, which is what has happened here. The Taoiseach and I have said that this is a matter between the trade union concerned and management. There are other trade unions involved as well that have a different view from those who are striking, and from a Government perspective we want to see a resolution to this dispute without any further days of strike action because it is causing disruption. Even though people have been responsible in putting contingency plans in place, it is something that we would like to see brought to an end as soon as possible. We also want to make sure that the relationship between trade unions and management is one that makes sense and that is not spread across too many trade unions. I have never talked about six, seven or eight trade unions but there are a number of trade unions that already represent this group, primarily SIPTU, and the relationship between management and the HSE and the existing, recognised trade unions that represent ambulance workers is a

relationship that functions well. This dispute is around a proposal that seeks to change those relationships and looks to create another recognised trade union for this cohort of workers. I encourage both sides to try to find a resolution that can bring this to a conclusion. I do not think the Deputy is going to see a Minister intervene here to instruct the HSE. That is not the way in which these issues get resolved.

**Deputy Mick Barry:** The Tánaiste says that the Government has taken neither a hard nor a soft line. That is not true. In this Dáil on 12 March, the Minister for Health indicated a possible softening of the Government line when he said he was hopeful that the dispute could be settled and agreed to requests that the Department would approach the HSE about this matter. I do not believe that any approach ever took place. I think the Minister was possibly overruled on this matter and more hard-line voices have taken over, including the voice of the Taoiseach on 27 March, when he said there would be no such talks. He was standing over the union-busting stance of the HSE in this regard. That is what it is, a union-busting stance. What the Tánaiste has done today is throw out the same mantras, the same robotic approach, the same attempts to distance himself from this dispute.

In reality, the Tánaiste has given a green light to the HSE to continue to refuse to talk to this union and to adopt a union-busting approach. What he has said will have been heard on the picket lines at St. Nessan's Road, Dooradoyle, Limerick, the Kinsale Road, Cork, Davitt Road, Dublin and right around the country. I believe it will inform the choices of those workers who have requested their union to summon an emergency general meeting in eight days' time. Their decisions on that day will be largely informed by the hard-line stance the Tánaiste has taken today. The consequences of that will be at his door and at the door of his Government.

**The Tánaiste:** We cannot make policy decisions on the basis of threats. My understanding of what is at play here is that the Psychiatric Nurses Association, PNA, states that its industrial action is in connection with, in the first instance, a dispute over the automated deduction of union subscriptions from members' pay. The HSE is refusing to facilitate payroll deductions at source of union subscriptions to the National Ambulance Service Representative Association, NASRA, as it does not recognise NASRA. Second, there is refusal by the HSE to engage in negotiations with the PNA or to recognise the PNA as union representatives when representing its ambulance personnel members. I can understand that there are people looking to change those structures. The Government's consistent policy has been one of consolidation of trade unions, such as happened recently in the formation of Fórsa. Giving any recognition to NASRA runs totally contrary to this objective and could indirectly lead to conflict with-----

**Deputy Mick Barry:** The workers decide their unions, not the Government.

**The Tánaiste:** Yes, workers decide what trade unions they want to be part of. That is true. The recognition of trade unions for management in terms of negotiation is a different issue and it is not an issue on which the Government gives an instruction, as the Deputy knows.

**Deputy Mick Barry:** This is union busting. The Tánaiste should call it by its right name.

**The Tánaiste:** What I would encourage workers to do here is to try to bring this strike action to an end and to-----

**Deputy Joan Collins:** Would the Tánaiste not think of approaching the HSE in order to bring the strike action to an end?

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**Deputy Donnchadh Ó Laoghaire:** He should ask the HSE to come in.

**The Tánaiste:** The HSE is trying to make decisions here that ensure that it has the right kind of relationship that it needs to have with trade unions-----

**Deputy Mick Barry:** Standing over union busting.

**The Tánaiste:** -----to ensure that workers get fair representation and to make sure there is an appropriate consolidation there so that the relationship between management and trade union leadership works for everybody. That is the objective.

**Deputy Michael Creed:** Digestible form.

**An Ceann Comhairle:** I call Deputy Mick Wallace.

**Deputy Mick Wallace:** The Tánaiste says the PwC report gives us a clear explanation of what happened here. I do not agree. The children's hospital problems are about construction contracts, cost management, cost measurement and general construction. I am wondering why the Government gave a crowd of accountants, who know nothing about construction, the job of reviewing it. Why did it not engage a construction and procurement lawyer with international experience and a top professional quantity surveying team from outside the State? Was the Government afraid it might not like the answer?

In the introduction to the report, PwC states that the scope of its work was limited to a review of documentary evidence made available to it and interviews with selected stakeholders and project personnel. It states that PwC has taken reasonable steps to check the accuracy of information provided to it but "we have not independently verified all of the information provided to us relating to the services". That is not to talk about the stuff they did not get. This is not an independent report; the authors are saying so themselves.

**Deputy Mattie McGrath:** There is the answer.

**Deputy Mick Wallace:** The Tánaiste is calling this a special project but it is not actually a very special project. It is a construction project; it is not unique. Hospitals get built every year across Europe. It does not justify an extra €450 million. The report states that the board should be less reliant on external advisers. If the Government is going to hire consultants and pay them, maybe it might hold them to account. I am sure the consultants have professional indemnity. I would be very surprised if the Government hired consultants who did not have that. If the legal people gave poor advice, they should be held to account. What was the legal advice regarding the contract? How did the board deal with the legal advice? The likes of Tim Bouchier-Hayes and Tom Costello were put on the board for their professional competence. Were they competent? The Taoiseach talks of the cost of delays, higher building standards, and the knock-on effect of VAT. Delays and changes are meant to be managed. That is what people are paid for. There is always risk involved but the risk should be transferred onto the contractor. The contractor builds that into his price. Why did the price go up? Construction costs have gone up but not by €450 million.

The scary part is that we are only at the start of it. We have not got to the complicated part yet. It has gone up, it is out of proportion and the Government does not know where it is going, where it is going to land or what it is going to finally cost. The Government has the wrong contract in place and is refusing to revisit it. It is a terrible mistake not to revisit this. On page

25 of the report, PwC says that the Government should not revisit the contract. However, the report gives no evidence to back that up. There is no analysis of why it would not make sense to revisit it. PwC tells us that retendering the works would also require the replacement contractor to take on the basement and subsequent structural works and that it would create a number of contractual and legal challenges. It would not. That is nonsense. If I was building a 100-storey building, I would subcontract the piler. The piles would go in. I would not be putting them in; someone else would be putting them in. I would get them tested independently. That is what one does with piles. The contractors would have professional indemnity to back up where they were coming from. This does not make any sense. The Government needs to revisit it, as it is ridiculous.

**The Tánaiste:** I do not think anybody is defending the process that was followed here because it has clearly resulted in a whole series of failings that have been pointed out in this report.

**Deputy Mattie McGrath:** The Government was told two years ago.

**The Tánaiste:** The issue is what we do about it now. I do not believe, having read this report, that we can reduce the cost of building a national children's hospital by retendering at this stage. I know Deputy Wallace has been consistent in contesting that and I respect his view. PwC specifically tries to deal with this issue in the report. When the Deputy tells me that when we pay money for consultants to do a professional job, we expect them to do it properly, I would respond that I expect PwC to have done this review properly.

**Deputy Mattie McGrath:** They have not got the expertise.

**The Tánaiste:** When PwC makes a clear recommendation that retendering would likely see an increase in cost or perhaps the hospital not being built at all, we have to take note and that is what we are doing. The Government is not going to shy away from the other failings that are clearly pointed to in this report.

**Deputy Mattie McGrath:** The Government has had it for a month.

**The Tánaiste:** We will change procedures on the back of this in respect of the mistakes that were made, primarily around the underestimation of cost. As someone who has been involved in the building industry, Deputy Wallace will understand the failings that happened there. There should have been red flags earlier in this process to highlight the fact that there were clear failings in the estimate of costs.

**Deputy Mattie McGrath:** The Government knew in March 2017.

**The Tánaiste:** When those failings were flagged, the Minister responded by asking for more detail at the end of last summer. When he received the extra details, he came to Cabinet with a series of choices for the Government to make. When this report is read, it becomes clear that the choice we made in December, to move ahead with this project even though it was clearly going to cost a lot more, was the right choice.

**Deputy Mattie McGrath:** History will not be kind to this Government.

**The Tánaiste:** Would the Deputy listen to-----

**Deputy Mattie McGrath:** The Government was warned in March 2017.

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**The Tánaiste:** The Deputy is not interested in answers.

**Deputy Mattie McGrath:** I am interested in answers, but not in waffle.

**The Tánaiste:** He wants to push himself into every story.

**Deputy Mattie McGrath:** I have been in this story since the start. This has been going on since 2015.

**The Tánaiste:** I suggest the Deputy reads the report. He probably has not done so yet.

**Deputy Mattie McGrath:** Reading the report would be a waste of time. PwC has no expertise.

**Deputy Michael Creed:** We do not want to confuse the Deputy with facts.

**An Ceann Comhairle:** This is Deputy Wallace's question. Deputy Mattie McGrath should try to contain himself.

**The Tánaiste:** This is a serious project and this Government is determined to deliver it. Mistakes were made in terms of the tendering process and the estimate process that gave a false picture of what this was going to cost. We have to ensure that this project concludes in a way that does not involve a significant increase in costs beyond where we are today. The work that the Minister for Health, Deputy Harris, and in particular the Minister for Finance, Deputy Donohoe, will be doing in the next month will help to ensure that is the case.

**Deputy Mick Wallace:** I do not accept that PwC is in a position to say that this should not be revisited, and I do not see the evidence for that in its report. It has not given us the evidence and has not done the necessary work. It was not the correct organisation to review this. It addressed the peer review issue by saying: "An external perspective, frequently in the form of a peer review, is often needed to help identify potential weaknesses and to provide assurances to the various levels of governance." That is another way of saying that people on the board did not have the competency to mark the design team. Who made the decision that there was to be no peer review team? We need to know.

The Tánaiste has said that there was a gross underestimation that should have been flagged earlier. Public benchmarking is an advanced estimation of what works would cost. I asked a question about whether public benchmarking was done for this project. I was told that no construction benchmarking exercise was carried out prior to the issuing of tenders in 2016. That is unheard of for a project such as this. Who made that decision? Is anyone going to be held to account? I do not understand that. I was provided with the spend on advisers on this project from 2013 to 2019. The quantity surveyors Bruce Shaw got €9.9 million. What has it done? Mr. Robert Watt appeared before the Committee on Public Accounts and said that his Department was given commitments relating to the approximate bill of quantities that underpinned the contract and the accuracy of those estimates. They did not turn out to be accurate. Who gave those commitments? Why will nobody answer these questions? The bill of quantities for the second stage was based on a preliminary design. That is nuts. It is not done in the engineering industry. It is supposed to be based on a detailed design. It is unheard of. Was the board competent? Was the legal advice good? Was it wrong? Is McCann FitzGerald going to be held to account?

The Government must be thanking its lucky stars that the world is currently being exercised

by the spending of €100,000 which is being discussed at the Committee on Transport, Tourism and Sport. We have given PwC €450,000 and it has not provided an adequate report as far as I am concerned. We are looking at a loss of €500 million here if the issue is not revisited. I am convinced that this project can be completed for much less. The biggest problem now is that we do not know how high the price will go. The price is estimated at a certain level at the moment, but it will rise way beyond that price. If the final price rises above €2.05 billion it will be the most expensive hospital ever built in the world. It makes no sense not to revisit it.

**The Tánaiste:** The Deputy has said many times that we should re-tender and that we would save a fortune that way. I do not see the evidence to back that up. We have a report that was only published yesterday. We will now focus on putting a plan together to deliver on the recommendations of that report. Many of the questions the Deputy has asked are perfectly valid, including how the design team got this so badly wrong, including some of the companies to which the Deputy referred. The recommendation in the report of the need to challenge robustly design teams and stakeholders in projects such as this on an ongoing basis through to project delivery is something we need to factor in to the future management of projects and indeed tendering. That is what is going to happen as we put a plan together in the next month to deliver on the recommendations of this report. Many of the issues the Deputy is frustrated by are real and genuine. Many are consistent with what PwC has pointed to in this report. The Government now has to respond to that and make sure we learn the lessons.

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

**Deputy Micheál Martin:** Some weeks ago I questioned the Tánaiste on Dublin Port's policy on cruise ships and the decision to reduce the number of cruise ships from 2021 to 2023 to 80 ships per annum and how that would have a very negative impact on Belfast and Cork in terms of cruise companies deciding to come to Ireland in the first instance. I have tabled parliamentary questions to the Minister for Transport, Tourism and Sport. On foot of the replies I received, it is very clear to me that the situation remains uncertain. The replies stated that Dublin Port hopes to revert with increased capacity after 2023, when its infrastructure works pertaining to the freight side are completed. There is no commitment in terms of developing a dedicated cruise berth. Cost-benefit analysis is ongoing at the moment.

On the previous occasion, I said that this relates to the Government's programme, the development of tourism, and the retail sector, which is on its knees throughout the country, in Dublin, Cork and Belfast. Has the Tánaiste done anything since then? What commitments can be given to the cruise ship industry that a dedicated cruise berth will be provided and that the negative attitude to cruise ships will end and a more positive outlook developed?

**The Tánaiste:** I have spoken to the Minister, Deputy Ross, on a number of occasions about this issue, and he has spoken to Dublin Port about it. Dublin Port has a job to do in terms of running its port efficiently, and it has been put under quite significant pressure in terms of capacity in recent months, linked of course to Brexit. In my view it has done a very good job on that. It also has an obligation, however, as the main port of destination for cruise liner business. It is linked with other ports around this island, and therefore the decisions it makes have significant knock-on consequences for ports such as Cork and Belfast. It has an obligation to work collectively with those other ports to be consistent with our national policy of supporting cruise liner traffic, and it must be factored into its plans. Dublin Port faces short-term challenges in

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the next couple of years in terms of infrastructural investment, but I expect that it will give a medium-term commitment to increasing cruise liner traffic again.

**Deputy Mary Lou McDonald:** The programme for Government commits that the Government will actively fulfil its mandate as co-guarantor of the Good Friday Agreement. Today marks the 21st anniversary of the signing of the Good Friday Agreement. That agreement has delivered peace and fundamentally changed relationships across Ireland and the relationship with Britain. It promised power sharing, equality and the potential for constitutional change, and it was endorsed by the vast majority of people. Sinn Féin supports the provisions of the agreements. We meet our obligations under the agreements. Unfortunately, there are those who continue to oppose the agreement, but they cannot be allowed to undermine the hopes of all who share this island. The DUP, as we know, never signed up to the Good Friday Agreement and consistently opposes equality. The British Government is imposing Brexit and is refusing to honour its obligations under the agreements. The Good Friday Agreement and its institutions are being actively undermined by the actions of an irresponsible British Government and a reckless DUP. The agreement is an international one between two sovereign governments. What steps is the Government taking to ensure that the legal obligations of the British Government will be honoured and the hopes of a generation realised? Will the Government convene the British-Irish Intergovernmental Conference to map a way forward consistent with the Good Friday Agreement?

**The Tánaiste:** The Government is absolutely committed to the full implementation of the Good Friday Agreement, both in word and in spirit. I speak to my counterpart in the British Government on a regular basis - in fact, to a number of my counterparts in the British Government - to that effect. I can assure people in Northern Ireland and the Republic of Ireland that the Good Friday Agreement is a major priority for the Government, particularly in the context of the threats and the strains that come with the Brexit negotiations. We have at all times acted to ensure nothing will happen linked with Brexit that will fundamentally undermine how the Good Friday Agreement operates and what it is meant to deliver by way of a stable peace process into the future. All of us in this House have an obligation to try to work to ensure we can re-establish core elements of the Good Friday Agreement in the coming weeks and months. I look forward to working with the Deputy in that regard.

**Deputy Joan Burton:** Yesterday two reports on children were published. We have just heard about one of them, on the cost overrun on the national children's hospital and the additional €400 million to €500 million being incurred by taxpayers as a consequence of the lack of management of the project. The second was on a survey published yesterday by the charity AsIAm entitled, Invisible Children – Survey on School Absence & Withdrawal in Ireland's Autism Community. It contains a series of surveys of absence and withdrawal from school of children with autism. This year we are facing a really severe crisis. In Dublin 7 and Dublin 15 in my constituency no school places will be found for an estimated 40 to 60 children with a very high level of need, unless a small autism-specific school is developed for these children who may have not just autism but also other conditions, including behavioural issues. Does the Government propose to do anything about the children being expelled from schools, refused access to schools and having to stay at home and receiving little or no education?

**Deputy Joan Collins:** I think we have an impersonator in the Dáil Chamber to talk about children, given what happened to lone parents when she was Minister.

**The Tánaiste:** I am not sure what the Deputy is talking about.

On the previous question, I should have said to Deputy McDonald that we were hoping to have a meeting of the British-Irish Intergovernmental Conference, BIIGC, in the coming weeks.

To respond to Deputy Burton's question, the National Council for Special Education, NCSE, is aware of the recent demand for additional special class and special school placements in the Dublin area. The council is actively engaged with schools, school patrons, parents, the National Educational Psychological Service, health professionals and others who are involved in the provision of services for children with special educational needs to ensure each child will have a school placement appropriate to his or her needs in the 2019-20 school year. This work is ongoing and the Department is liaising closely with the NCSE in that regard.

**An Ceann Comhairle:** I call Deputy Boyd Barrett.

**Deputy Joan Burton:** May I ask-----

**An Ceann Comhairle:** No, I am sorry, the Deputy cannot.

**Deputy Richard Boyd Barrett:** For several years I have asked repeatedly for the income thresholds for social housing to be increased. The Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, has promised repeatedly that they will be reviewed. The failure of the Government to honour its promise to do so is resulting in a cull of working people from housing lists. For example, I have written to the Minister this week about a woman who works for the HSE as an environmental health officer. She is likely to be given a new Brexit-related job with the HSE and if she gets it, she will receive a slight pay increase. If that happens and unless the Minister raises the income thresholds, she will have to resign from her job because she will lose eight years on the housing list and on her income she will have no chance of being able to buy or rent. She is paying over 50% of her income on rent she absolutely cannot afford. This is happening to hundreds, if not thousands, of workers who are being culled from housing lists. When will the income thresholds be increased to stop it?

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I thank the Deputy for the question. The income thresholds are being reviewed by the Housing Agency and I await its report.

**Deputy Richard Boyd Barrett:** I have been hearing that for years.

**Deputy Mattie McGrath:** The PwC report on the national children's hospital is explicitly clear that of the nine organisations interviewed during the process, not one of them included Connolly for Kids Hospital or any of the senior clinicians who have for years campaigned and forensically deconstructed the arguments for locating the hospital on the site of St. James's Hospital. There was not a single interview with the tens of thousands of families of sick children. What is most revealing and worrying about the PwC report is the paragraph which states:

We have considered and agree with recommendations made by Mazars in their reports relating to cost escalation and governance. The recommendations that we have set out below in this report do not replace those...

Effectively, we have paid in excess of €600,000 to find out what we already knew.

**An Ceann Comhairle:** Is there a question?

**Deputy Mattie McGrath:** That is a question. Have we €600,000 to throw away on con-

sultants just for fun?

**The Tánaiste:** The report was-----

**Deputy Mattie McGrath:** Toothless, useless and fruitless.

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

**Deputy Michael Creed:** You are a poet and you don't know it.

**Deputy Joan Collins:** Further to Deputy Barry's question to the Tánaiste, the Minister for Health has stated publicly that he wants to see a resolution of the ambulance paramedics dispute, not confrontation. What the Tánaiste has proposed today is not in any way a solution. The HSE is refusing to talk to the paramedics. It has even refused to discuss contingency plans for today's strike action and the previous strike action days. It is the ambulance drivers and paramedics who are implementing the contingency plans in the dispute. The HSE has twice refused to go to the Workplace Relations Commission, WRC. The Government needs to intervene in the dispute and instruct the HSE to go to the WRC or some labour relations body because otherwise the dispute will not be resolved. Will the Tánaiste instruct the Minister for Health to intervene, as happened with the Irish Nurses and Midwives Organisation in the nurses dispute and the psychiatric nurses?

**The Tánaiste:** I answered that question in some detail earlier.

**Deputy Denis Naughten:** Page 69 of A Programme for a Partnership Government states:

We will develop services and specialties to support people at different stages in life. With a growing older population, it is necessary to build capacity in the psychiatry of later life.

One such facility is Rosalie care home in Castlerea, County Roscommon. The Minister for Health, the Department of Health and the HSE have stated this facility will continue to form part of the health service into the future. However, this morning the HSE has taken a unilateral decision to move 12 mostly older people with Alzheimer's disease and dementia without any decision being made on the future use of the facility. It is disgraceful treatment of residents and contradicts the programme for Government and stated HSE policy on the future of the facility. I want the Government to intervene directly in the issue as a matter of urgency.

**An Ceann Comhairle:** On the same issue, I call Deputy Eugene Murphy who will be followed by Deputy Pearse Doherty.

**Deputy Eugene Murphy:** I will not repeat verbatim what Deputy Naughten said, but what he said was true. A public statement will be issued later today indicating that the 12 people will be moved, despite in 2016 the then Minister for Health and now the Taoiseach giving a commitment in a letter which I have stating the facility would not be closed down. There are severe issues with the mental health service in County Roscommon. I understand a number of staff have moved because they are not happy with what is going on in the system.

I remind the Tánaiste of the 27 recommendations in the Roscommon report, but virtually none of them has been implemented. People in Roscommon have lost their lives because of neglect in the provision of mental health services. Families will never ever lose the pain they

have suffered. I am mindful of those children today who have lost parents. Will the Tánaiste contact the HSE immediately and tell it that under no circumstances is the Rosalie unit to be closed? Will he ask the Minister to inquire into exactly what is happening with the services in Roscommon? I want the Minister to come into the House to answer questions on a Topical Issue matter on this most serious issue.

**Deputy Pearse Doherty:** I also wish to raise this issue and we have raised it on numerous occasions. Our colleagues have attended public meetings there. Deputy Caoimhghín Ó Caoláin raised this issue directly with Tánaiste as far back as the beginning of July last year. Commitments were given by the current Taoiseach and by the former Minister of State, Deputy Kathleen Lynch. The commitment was very clear, namely, that those patients who consider the Rosalie unit to be their home would be able to live out the rest of their days there. As of today, this Government has broken that commitment. The Taoiseach has broken his word, the former Minister of State has broken her word, and the Government, which the Tánaiste serves in, has broken its commitment to those individuals. Will the Tánaiste advise Breda and the other 11 patients why those in government have broken their word to those patients who were told they would be allowed to live out their days in that unit now that a decision has been taken to put them out of their home and to ask them to go to different counties, leaving their home county of Roscommon?

**The Tánaiste:** I understand that both the Minister, Deputy Harris, and the Minister of State, Deputy Daly, have undertaken that, no matter what, the building will form part of the future delivery of health services in the area and that will be discussed in the near future, but decisions need to be taken which are focused on patient care. We have to make sure that patients have the appropriate level of care for their needs. That is the only motivation here, as far as I understand.

**Deputy Pearse Doherty:** What about the commitment given?

**Deputy Eugene Murphy:** All the commitments given have been broken.

**The Tánaiste:** No. I referred to the commitment. This facility will be a future health facility.

**Deputy Willie O’Dea:** A commitment was given in the 2019 budget to extend entitlement to jobseeker’s benefit to the self-employed. When will that system come into operation? It requires legislation. When can we expect to see that legislation?

**The Tánaiste:** I have been told that legislation is being worked on for this session.

**Deputy Willie O’Dea:** For this session?

**The Tánaiste:** I will come back to the Deputy with a detailed response because I do not want to mislead the House.

**Deputy Danny Healy-Rae:** Farmers’ incomes were supposed to be protected under the programme for Government. However, their income has been undermined by the Taoiseach and now the Minister, Deputy Bruton, is supporting An Taisce, which has already inflicted considerable pain, misery and misfortune on young people in rural Ireland who require the basic opportunity of being allowed to put a roof over their heads and which is telling pupils, through their teachers, that they should reduce the amount of meat they eat and the quantity of milk they drink. Good parents provide a square meal for their children when they come from school in

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the evening and milk and meat were always part of a nutritious diet. Are children now going to say to their parents, “We can’t eat this now, Mammy or Daddy, because An Taisce says we can’t eat it, and the Taoiseach says we can’t eat meat or shouldn’t eat meat, and Minister Bruton is saying we shouldn’t eat meat or drink milk”?

**An Ceann Comhairle:** Can we hear what the Minister, Deputy Creed, has to say?

**Deputy Danny Healy-Rae:** Is that what this country is coming to?

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The ultimate arbiters of children’s diets will be children and parents themselves. I have absolute confidence in the parents of the country that they would acknowledge and know that a high-quality dairy and meat content are part of a balanced diet. I have every confidence they also know our farmers are producing those products in abundance and to a high quality.

**Deputy Danny Healy-Rae:** The Government is interfering with that now.

**Deputy Charlie McConalogue:** I have a question for the Minister of State with responsibility for the Office of Public Works, Deputy Boxer Moran, concerning the limbo in which many watercourses and rivers are in as a result of not being either the responsibility of the OPW, under the Arterial Drainage Acts, or of county councils. It is a particular issue in Inishowen where significant damage was done to rivers and watercourses as a result of the August 2017 flooding. Will the Minister of State provide an update on any plans he and the Government have for introducing a specific body which will work with landowners to take responsibility and assist them in maintaining rivers and watercourses? Is something we can expect from the Government in the near future?

**Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran):** I believe the Deputy is aware that one of his colleagues, along with the Minister Deputy Humphreys, has asked me to chair a meeting in the Deputy’s neck of woods on the subject of the question he put to me. I have agreed to that. As soon as we get a date for that meeting, I will him know and we will work together to see how we can solve this issue.

**Deputy Michael Collins:** This week is Parkinson’s Awareness Week and last Saturday I attended the launch of a Parkinson’s bus in Bandon heralded by a champion for those with Parkinson’s in west Cork, Tony Wilkinson, along with Parkinson’s sufferers. Many people assume that Parkinson’s affects the older generation but one in 20 diagnosed with the condition is under 40 years of age. The Government does not give any funding to the Parkinson’s Association of Ireland. We have only five Parkinson’s specialised nurses in Ireland and three of these are based in Dublin. There are 30 specialised Parkinson’s nurses in Northern Ireland. Deep brain stimulation is vital for Parkinson’s sufferers but this surgery is not carried out in Ireland and patients have to travel to Bristol, Liverpool or Oxford for it. Tomorrow, hundreds of Parkinson’s sufferers and their families will travel to the Dáil, not to protest but to highlight how poorly Parkinson’s sufferers are treated in this country. How can we as a country address the major shortcomings on so many fronts in treating Parkinson’s sufferers?

**The Tánaiste:** I have a long note on that issue that I probably do not have the time to read. A small level of funding of €60,000 has been provided through the HSE this year, but a great number of people suffer from Parkinson’s disease in Ireland. We have a health system that needs to support them. I can send the Deputy a longer note on the issue and in that way he will have the information.

**Deputy Michael Moynihan:** I have to again raise the issue of insurance costs. Like many other Deputies, I have been contacted regularly by people who have been given exorbitant quotes for insurance cover, particularly those in the child play area and those who provide entertainment both on and off campus. I have a note of a case where the person concerned got insurance cover for €3,000 in 2015 and the cheapest quote that person have been able to get today in 2019 is €23,500. Many fine words have been spoken about insurance reform but nothing is happening about it. Will the Tánaiste commit the Government to addressing once and for all this desperately serious issue and the challenges facing people and do something about it? That man who contacted me about that quote who is providing significant employment in his community will have to close his business if he cannot get a quote under the almost €24,000 he was given.

**The Tánaiste:** It is not true to say that nothing is happening regarding insurance. We have acted on a number of reports and there has been a significant levelling out of insurance premiums in certain sectors. That is not to say that there is not more work to do. Specific sectors are facing very significant insurance hikes right now. We had a debate on one of those, namely, child play areas and businesses, either last week or the week before, and it was highlighted that some people are being put out of business because of insurance increases. I am conscious there is more work to do but this is a continuing challenge for the Government on which we are working.

**Deputy Lisa Chambers:** I wish to raise with the Tánaiste the issue of the western rail corridor and the campaign to get it opened from Athenry to Claremorris. I understand that EY-DKM have been appointed as consultants for the Government to carry out a financial and economic appraisal of the proposed track extension. Will the Tánaiste outline to the House when the public consultation phase of that will open? Will he confirm that the Government will give this due consideration? It is a reasonable request that a commuter service for workers between Mayo and Galway be put in place. A considerable number of people travel from County Mayo to Galway. Galway has a significant traffic problem that will not be resolved in the near future. I ask that the Government take this on board and open up the public consultation as quickly as possible. I suggested it might take up to 12 months to complete the report. I ask the Government to try to reduce that time as 12 months seems to be an unnecessarily long time to prepare a report.

**The Tánaiste:** I will have to ask the Minister for Transport, Tourism and Sport to come back to the Deputy on the detail of that matter, although she seems to know quite a lot about it already.

**Deputy Martin Kenny:** Today representatives of the FAI are appearing before the Joint Committee on Transport, Tourism and Sport. While I do not want to get into its deliberations, a serious issue regarding a Fine Gael Deputy has arisen and is widely reported on this morning. It concerns Deputy Noel Rock who, supposedly, sent a text message to Mr. John Delaney in November saying he was happy to push back against a proposal made by Deputy Catherine Murphy that the then CEO of the FAI appear before the committee. Given that Deputy Rock had in the past texted Mr. Delaney about match tickets in March and October 2017, as he has acknowledged-----

**An Ceann Comhairle:** That is not relevant to the subject matter.

**Deputy Martin Kenny:** It is relevant because the programme for Government includes a clear commitment to political reform. Does the Tánaiste think it is appropriate for a Deputy to

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behave in this manner and push back against a proposal made by another Member of the House to prevent somebody from coming before a committee?

**The Tánaiste:** I am not going to get into the detail of the activities of a Deputy when he is not here to defend himself. Deputy Rock is at the committee dealing with many of these issues.

**Deputy Bobby Aylward:** Page 105 of the programme for Government commits to ensuring every young person will be enabled to reach his or her full potential. Unfortunately, on a regular basis, almost weekly, we raise the issue of the availability of Spinraza to a very small number of children, a couple of whom are in my constituency of Carlow-Kilkenny. There was a trial by the company involved and the relief families obtained for their children was unbelievable. We are dilly dallying on this issue. I understand the Minister for Health is legally barred from interfering in or influencing the decision-making process. However, the point we made to the HSE drugs group was that the affected families had been waiting under a cloud of uncertainty for far too long and that every effort needed to be made to return a decision as soon as possible. I ask the Government to bring the matter to a final decision. I do not want to stand up here week in, week out, on behalf of the eight or nine children in the country who need this drug which has been proved through trials to provide relief for them and their families.

**The Tánaiste:** A number of Deputies have repeatedly raised the issue of Spinraza in the House. To update it, the HSE has advised that the company has responded with a revised submission, as it was invited to do. People who have been following the case will understand what I am talking about when I say that. The submission will be considered at the next meeting of the HSE drugs group, following which a recommendation will be made to the HSE leadership team for a final decision. The HSE has assured us that it will give the new representations its immediate attention.

**Deputy Gerry Adams:** Today marks the 21st anniversary of the Good Friday Agreement, of which, as we know, the Government is co-guarantor with the British Government. Unfortunately, the power-sharing arrangement is not functioning at this time because of the denial of rights by the DUP which is in breach of the agreement. The Taoiseach has taken to blaming Sinn Féin and An Teachta McDonald for this. Yesterday he blamed Leas-Uachtarán Sinn Féin, Michelle O'Neill, for the breakdown. The Tánaiste who works with Ms O'Neill knows that this is untrue. Will he have a word with the Taoiseach and ask him to desist from making these misleading and unhelpful remarks and instead fulfil his obligation to have the Good Friday Agreement fully delivered and the rights of citizens of the North upheld? He promised recently that nationalists in the North would never again be left behind by an Irish Government. People in the North listen to what is said in this Chamber. The DUP is encouraged by these remarks, but nationalists are upset, annoyed and embarrassed by them.

**The Tánaiste:** In his remarks the Taoiseach referred to Michelle O'Neill in her role as Minister for Health in the last Executive in Northern Ireland. I work with her on a regular basis and have a lot of time for her. We work well together in trying to find a way forward to re-establish the structures of the Good Friday Agreement for the betterment of everyone in Northern Ireland, from all backgrounds and of all identities. I will continue to do so. It is important to recognise that today, 21 years after the Good Friday Agreement was signed, we are in a vulnerable place in the context of politics and political relationships in Northern Ireland because of the tensions and polarisation that has happened on the back of difficult Brexit negotiations, particularly for many people in Northern Ireland. We - particularly those of us in this House but also people outside it - need to work together to try to put the structures back together.

**Deputy Gerry Adams:** The Tánaiste should know that the Taoiseach said Michelle O'Neill had walked away from her responsibilities.

**Deputy Seán Crowe:** In the programme for Government there is a commitment on page 144 to protect and promote human rights. As the Tánaiste is aware, the Sultan of Brunei who has absolute control in that country announced that new barbaric capital punishment laws would be introduced, which would include death by stoning or flogging for LGBT citizens. The sultan is one of the world's richest men and owns the exclusive Dorchester Hotel in London. It has in recent days been the scene of a protest which extend to a picket and an international boycott of the hotel, as well as others owned by the sultan. I am informed that the Attorney General will attend the annual meeting of the International Academy of Trial Lawyers in the hotel in the next two days. Will the Tánaiste confirm if that is the case? Will the Government ensure the Attorney General will refuse to cross the picket and break the boycott?

**Deputy Donnchadh Ó Laoghaire:** It would be inappropriate to do so. The hotel is the locus of the protests taking place against what are absolutely appalling laws brought forward by the Sultan of Brunei. The hotel is in his sole ownership. It would be inappropriate for the Attorney General or any member of the Government to patronise it while the protest is ongoing.

**The Tánaiste:** I join the Deputies in utterly rejecting and criticising recent policy decisions made by the Sultan of Brunei. It is barbaric to propose that anybody be stoned, never mind that people be stoned on the basis of their sexual preference or identity. It is a significant retrograde step and we have an obligation to speak out against it, as I am happy to do. As regards the event to which the Deputies are referring, I will need to speak to the Attorney General. My understanding is he has been invited to an event in a private capacity, but I need to establish the full details before I can give the Deputies a more definitive answer.

**An Ceann Comhairle:** That concludes Questions on Promised Legislation. Deputies Heydon, Byrne, Butler and Buckley have not been reached, but they will be given priority tomorrow.

### **Civil Liability and Courts (Amendment) Bill 2019: First Stage**

**Deputy Michael McGrath:** I move:

That leave be granted to introduce a Bill entitled an Act to amend the Civil Liability and Courts Act 2004 and to provide for related matters.

I thank the Chair for allowing me to introduce the Bill which forms part of a series of constructive measures we, as a party, have brought forward to tackle the issue of high insurance costs for businesses and individuals throughout the country. Last week representatives of the Alliance for Insurance Reform appeared in front of the Oireachtas finance committee, with representatives of ISME. Ms Linda Murray who owns a child leisure centre in Navan, County Meath, with many others, has faced massive increases in insurance costs in recent years. This year she cannot even obtain a quote and, as a result, potentially faces closure in a short number of weeks. We hear that business after business throughout the country is going to the wall because of sky rocketing insurance costs. This is an issue for hotels, pubs, night clubs and other businesses in the leisure industry, marts, festivals, community groups and sports organisations.

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Insurance fraud is one the principal reasons insurance costs are becoming unsustainable for so many businesses. It is certainly not the only reason, but it is a contributory factor. Last year Deputy Billy Kelleher introduced a Bill to enable a judge to inform the people involved in a case where a fraudulent claim or action was found to have been made. This new Bill should be made in conjunction with last year's Bill. A minority of claimants bring fraudulent claims to court in the hope of receiving significant awards of tens of thousands or hundreds of thousands of euro. We see these cases in the media on a frequent basis. This can represent a very serious cost for both businesses and individuals and can lead to the loss of a livelihood. It is simply unjust.

Currently there seems to be no real downside or potential cost to bringing such bogus claims. Section 26 of the Civil Liability and Courts Act 2004 makes it an offence to give evidence intentionally that is false or misleading. Section 26 also states that when this has been established, the court must dismiss the claim. The purpose of this Bill is to provide for an increase in the penalties for those found guilty of an offence under section 26 of the 2004 Act. Those convicted of an offence under section 26 can currently receive a maximum fine of €100,000 or a sentence of ten years. Those summarily convicted can receive a maximum fine of €3,000, a sentence of 12 months or both. This Bill increases the maximum fine that can be imposed for a summary conviction to a class A fine, which currently stands at €5,000. That is as far as we are allowed to go in this legislation.

The Bill goes on to state that where a person's case has been dismissed pursuant to section 26 of the 2004 Act the plaintiff must pay the legal expenses of the defendant. This is in recognition of the fact that significant costs are incurred by the defendant in defending his or her case in the courts. We are cognisant of the use of the word "shall". The Oireachtas cannot instruct the courts on how they shall administer justice. It is for this reason that the language in the Bill replicates that of other parts of the 2004 Act. The court does not have to provide an order to pay legal costs where the court believes that such an order would result in an injustice being done. That terminology is already in the existing legislation. It has been replicated in this provision. In such cases the court shall outline the reasons.

This is not a revolutionary Bill. It is a simple Bill that increases the penalties for making a fraudulent claim, including the potential costs. However, this is only part of the problem. We need more focused attention on fraud on the part of An Garda Síochána. We need an anti-fraud unit to be established within An Garda Síochána. We need those who submit claims fraudulently to be prosecuted in our courts. No such cases are being taken at the present time. The Government has not brought forward sufficient reforms in this area. We need more cases to be brought before the courts in connection with exaggerated, bogus or fraudulent claims. We need to get the message that insurance fraud does not pay out there, because it comes at a cost to every honest policyholder in the country. This Bill is one step in that direction.

**An Ceann Comhairle:** Is the Bill opposed?

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

Question put and agreed to.

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

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

Question put and agreed to.

### **Domestic Violence (Amendment) Bill 2019: First Stage**

**Deputy Jim O’Callaghan:** I move:

That leave be granted to introduce a Bill entitled an Act to amend the Domestic Violence Act 2018 to provide for the establishment and conduct of Domestic Homicide Reviews.

I seek leave to introduce new legislation entitled the Domestic Violence (Amendment) Bill 2019. The purpose of the legislation is to amend the Domestic Violence Act 2018 by introducing a new section providing for the establishment and conduct of what are referred to as “domestic homicide reviews”. The origins of the Bill derive from the tragic murder of Ms Clodagh Hawe and her three sons, Liam, Niall and Ryan in August 2016, and the very powerful interview given by Clodagh’s sister, Ms Jacqueline Connolly, and her mother, Ms Mary Coll, to the RTÉ broadcaster Ms Claire Byrne on 25 February 2019.

Usually there is no thorough criminal investigation in situations of domestic homicide where a family has been killed and the person responsible then proceeds to kill himself or herself. The reason for this is that the suspected offender is dead and consequently there will not be any criminal prosecution. The Garda fulfils the functions it is required to do in situations like that by assembling statements from the individuals who had the tragic experience of coming upon the crime scene. Gardaí record their statements purely for the purpose of the inquest, which takes place before the coroner. As the House is aware, a coroner has a very limited role in determining what happened. He or she identifies how, where and when the victim died. Aside from that, no answers are given. That makes it extremely difficult for families such as the family of Clodagh Hawe and very many others, who are not given any answers in respect of how these tragic and terrible events occur. In many respects the way we deal with them in Ireland is to regard them as tragic events, which is understandable. We move on and nobody really talks about it.

Since 2004 the United Kingdom has had a different way of dealing with these domestic homicides. Legislation was introduced which provided for the establishment and conduct of what are referred to as “domestic homicide reviews”. This commenced in 2011. In the aftermath of a tragic murder such as the ones I have referred to and the many others I have not, the UK authorities take a multidisciplinary approach to identifying any lessons that can be learned. The UK legislation specifically states that this is the objective. The police, social services and local authorities, which have a much more extensive role in the UK than here, get involved in trying to produce a report on how these events occurred. It is important to point out that the function of these reports is not to attribute blame. Sometimes in Ireland we are desperate to attribute blame to individuals. The purpose of these reports is to find out if lessons can be learned and if we can detect these offences and prevent them from happening in the future.

That is the purpose of the legislation I have drafted and am seeking leave to introduce. As I have said, it is entitled the Domestic Violence (Amendment) Bill 2019. It proposes to insert a new section into the Domestic Violence Act 2018 providing for circumstances where the Minister or the Garda Commissioner believes that the death of a person was caused by the violence, abuse or neglect of another person to whom the deceased was related, with whom the deceased was in an intimate personal relationship or who shared the same household as the deceased. In

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these circumstances a review can be ordered.

I have also gone further so that the Bill replicates what is permissible in the UK, where the legislation does not just apply to tragic cases like that of Clodagh Hawe where the suspect proceeds to kill himself. It also applies in situations where there is any domestic homicide and somebody is subsequently convicted. Obviously the review takes place after the conviction. I have sought to provide for that here. It is important to point out that nothing these reviews will do can interfere with or in any way prejudice a criminal investigation. If there is an ongoing criminal investigation, it will be imperative that it concludes before any review is completed. As I said, it is not the review's function to attribute blame. It is about trying to get co-operation from entities such as the Probation Service, Tusla, the HSE or any Department.

The Government will need to assist my party and me with the legislation. This will require the resources and involvement of the Department of Justice and Equality but it is a good start. We need to get domestic homicide reviews onto the Statute Book and for that reason I seek leave to introduce the Bill.

**An Ceann Comhairle:** Is the Bill opposed?

**Tánaiste and Minister for Foreign Affairs and Trade(Deputy Simon Coveney):** No.

Question put and agreed to.

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

**Deputy Jim O'Callaghan:** I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

*Sitting suspended at 1.30 p.m. and resumed at 2.30 p.m.*

### **Estimates for Public Services 2019: Messages from Select Committees**

**An Ceann Comhairle:** The Select Committee on Justice and Equality has completed its consideration of the following Revised Estimates for Public Services for the year ending 31 December 2019 - Votes 20, 21, 22, 24, 25 and 41; the Select Committee on Health has completed its consideration of the following Revised Estimate for Public Services for the year ending 31 December 2019 - Vote 38.

### **Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters**

**An Ceann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy Frank O'Rourke - to discuss the need for public transport improvements in north Kildare, specifically BusConnects for the Celbridge area; (2) Deputy Sean Fleming - to address the need for the replacement of bus services in County Laois; (3) Deputy James Browne - to address lengthy orthodontic waiting times in County Wexford; (4) Deputy Thomas Byrne - to address the issues contained in a report on the exclusion of children on the autism

spectrum from school; (5) Deputy Thomas P. Broughan - to address and end the very serious illegal dumping in densely populated residential areas of north Dublin city; (6) Deputy Martin Kenny - to address the future of the Alzheimer's unit at St. John's Hospital, Sligo; (7) Deputy Éamon Ó Cuív - chun a chinntiú go n-iocfar an deontas le haghaidh múineadh trí Ghaeilge; (8) Deputy Willie O'Dea - to ask the Minister for Health what he proposes to do to address the persistently high numbers of people on trolleys at University Hospital Limerick; (9) Deputy Michael McGrath - to outline the position regarding funding for building works at Cork University Hospital; (10) Deputies Caoimhghín Ó Caoláin and Joan Collins - if the Minister for Health will address matters in relation to the strike action by paramedics; (11) Deputy Pat Buckley - to discuss staffing and overtime for mental health professionals in the HSE; (12) Deputy Clare Daly - to discuss the crisis in Libya; (13) Deputy Martin Ferris - to address the reason a residential centre for adults with autism has still not opened in Tralee, County Kerry; (14) Deputy Mick Wallace - to discuss if Gorey, County Wexford should be designated a rent pressure zone due to the serious housing crisis that exists; (15) Deputy Jim O'Callaghan - to address the failure to transpose EU Directive 541/2017 on combating terrorism into law; and (16) Deputy Mattie McGrath - to address the transfer of Thurles post office.

The matters raised by Deputies Frank O'Rourke, Sean Fleming, Martin Ferris and Michael McGrath have been selected for discussion.

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

### **Public Transport Provision**

**Deputy Frank O'Rourke:** I thank the Minister, Deputy Ross, for coming to the House to respond to the issue I raise. As the Ceann Comhairle said, I wish to deal with issues concerning public transport, in particular in north Kildare. Public transport is socially inclusive. Negotiating traffic in Dublin for car users is becoming increasingly impossible. We need a service that is regular and reliable for the public to engage with and to use. We need sustainable modes of transport. The Government should highlight the environmental benefit of public transport. If we have a regular and reliable service, people will use it. Greater tax relief must be provided through the taxsaver commuter ticket scheme. Dublin fares poorly in terms of traffic congestion when it comes to our European counterparts. It was rated among the worst in a new global report. Improving public transport is the best way to address the issue as, currently, Dublin is an unfriendly place to drive due to congestion. The commuter belts need better public transport. That includes Kildare North, which I represent, and the need for facilities such as park and ride services. We fought hard to get a park and ride service in Kilcock, which is working very well. I was instrumental in delivering that. However, Kilcock needs a better bus and rail service. It does not have a reliable bus and rail service and the town is expanding. We need greater focus on that and there must be improvements in that area.

Maynooth and Kildare rail services, which service Hazelhatch and Sallins, also need extra capacity. There is a growing requirement for extra capacity, and with the current housing developments and future planned housing, extra capacity must be provided. Currently, those trains are leaving people on the platforms in the morning.

The need for orbital bus routes linking villages such as Straffan, Ardclough and Clane to

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Dublin Bus, Bus Éireann and Irish Rail services is critical. About a year ago, I was involved in implementing and advocating for the 139 orbital service, which connects Naas all the way to Blanchardstown via Sallins, Clane, Rathcoffey, Maynooth and Leixlip. That service is working exceptionally well and has proven to be a success. That is the reason we need more of those type of services connecting to the main services.

The BusConnects proposal is generally acceptable. However, it is proposed that Riverforest in Leixlip will lose a direct service to Dublin. That is not the way to encourage people to use public transport. BusConnects should be about adding to the current services to supplement and complement them, not removing existing services. For example, the BusConnects proposal on the W8 route, which connects Maynooth, a university town, and Celbridge, which together have a population of more than 50,000 people, to Tallaght, needs to be implemented as a priority. That route connects important services such as hospitals, colleges and the Luas lines. We need those services as quickly as possible. The 259 service connects Celbridge and Leixlip, another populated area of more than 40,000 people.

Celbridge has a population of 22,000. It does not have a direct service to Dublin. The 67X service runs in the morning and in the afternoon. All of those are at capacity. I have met Dublin Bus representatives on that and what is needed is two additional services to the morning and evening 67X service. Currently, people are being left behind. The last 67X going to Celbridge leaves Dublin at 5.50 in the evening, which is far too early. The 67, which services Celbridge, also services Lucan and Chapelizod. The problem that arises in that respect is that when the buses are leaving town, the people from Celbridge cannot get on them, and when they leave Chapelizod and Lucan they are only half full. They are serviced by other bus services but, unfortunately, the Celbridge people are left on the footpath at the bus stops because they cannot get on those buses. When they are leaving Lucan, they have capacity but that is no good to the people who are left behind. As a result, people are late for appointments, whether it be college, work, medical appointments or whatever, and it is causing major issues.

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I thank the Deputy for raising this matter, which I know is very important. I acknowledge the fact that he is a superb advocate for the Celbridge area. He has constantly been making representations, not just about transport but about other requirements for his area, which have been effective. I propose to outline some of the benefits that have arisen recently for the Celbridge area, particularly in terms of BusConnects.

As the Deputy will be aware, the National Transport Authority, NTA, has statutory responsibility for the planning and delivery of transport infrastructure and services in the greater Dublin area including Kildare. The NTA's Greater Dublin Area Transport Strategy 2016-2035 provides the overarching framework for the planning and delivery of transport infrastructure and services in the greater Dublin area, GDA, over the next two decades. The strategy sets out an ambitious range of improvements across the area of bus and heavy rail. These improvements include the establishment of a combined core bus network, new bus station facilities to provide for intercity and regional buses which serve Dublin city centre, continual replacement and upgrading of the bus fleet, the DART expansion programme which will see the DART system expanded providing fast, high-frequency electrified services to Hazelhatch on the Kildare line and Maynooth on the Maynooth-Sligo line, and the Phoenix Park tunnel link, which connects to the Maynooth line and links Heuston and Connolly stations. We are now trying to implement that strategy. That is the reason I secured the funding allocations under Project Ireland 2040 to allow for its implementation over the next ten years. For 2019, the capital allocation has

increased by €1.325 billion or just over 22% above the 2018 allocation.

Project Ireland 2040 confirmed BusConnects as one of a number of key investment priorities to deliver a comprehensive public transport network over the next decade. BusConnects will improve bus journey times that will benefit many millions of passenger journeys per year, provide a bus service that is easier to use and understand, enable more people to travel by bus than ever before, and provide a network of cycling infrastructure that will enable more people to cycle across the city. As the Deputy is aware, the NTA launched a public consultation last summer on the proposed redesign of the bus network in the GDA. By the time the consultation closed at the end of September, more than 30,000 submissions had been received. The NTA will publish revised proposals later this year taking into account the views expressed in all of those submissions.

The proposals included extensive changes to the routes serving Celbridge, including ten-minute peak time services on the proposed C4 route that would continue into Leixlip, and a peak period route 324 providing a frequent express service from Celbridge to southern parts of the city centre and University College Dublin. Celbridge is a main beneficiary of the new orbital route, W8, from Maynooth to Tallaght, which operates every 30 minutes all day. Finally, outer parts of Celbridge will be served by a new local route to which the Deputy referred, the 259, which would feed every 30 minutes into Hazelhatch-Celbridge station at the south end and Leixlip Confey station at the north end.

The interchange with the rail network will be of huge benefit to Celbridge residents as the enhancements to the heavy rail system provided for in the NTA's transport strategy will create an integrated rail network which will provide the core high-capacity transit system for the region and will deliver a very substantial increase in peak hour capacity on all lines from Drogheda, Maynooth, Hazelhatch-Celbridge and Greystones. The electrification of the line to Hazelhatch-Celbridge and remaining infrastructure to complete the link of the Kildare commuter route to the city centre will be delivered as part of the DART expansion programme as envisaged in the national development plan, NDP.

**Deputy Frank O'Rourke:** I thank the Minister. I acknowledge, as I did in my original contribution, that we agree with much of what is contained in the BusConnects proposal but the problem for a town like Celbridge is that it cannot wait until BusConnects delivers on that. There has to be some intervention in the interim. I have met the NTA and Dublin Bus representatives and the reality is that because Celbridge has a population of 22,000 and there is so much development happening in that area, on the 67X service people are being left at bus stops in the morning. What is needed to deal with that issue now are two additional Xs in the morning and in the evening servicing Celbridge and then leaving Dublin a little later. If we have to wait for BusConnects, which I am aware through public consultation is coming out in June, this problem will get out of control because it is already very difficult for people and, as a result, they are not using public transport because of the problems I have outlined.

The Minister said the 67 service will be replaced by the C4. The problem with that is that it is going into Leixlip and Lucan, therefore reducing the direct service from Celbridge to Dublin. When that bus is returning, unfortunately, Celbridge people cannot get on that bus to come home whereas the buses servicing Lucan and Leixlip have other services available to them. People travelling to Lucan, Chapelizod or Leixlip have three or four options whereas Celbridge has only one, so if a person does not get on that service, he or she does not get there. Our proposals to the NTA and Dublin Bus and through the BusConnects system was that every alterna-

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tive 67, or C4, would go direct from Celbridge to Dublin and then every second one would go in via Lucan and Chapelizod. That needs to happen to have an immediate impact to try to deal with the problem.

I have acknowledged that the W8 and the 259 the Minister mentioned are positive developments but they need to be implemented as soon as possible. Waiting for that to happen until after the BusConnects proposal is approved, which will be much later this year, is way too late. This is a problem now. We are at capacity, there are major issues, and we would appreciate the Minister's intervention. Is it possible for the Minister to have a meeting with the NTA and Dublin Bus to discuss these issues and come up with practical solutions to try to deal with the current stalemate?

**Deputy Shane Ross:** I understand what the Deputy is saying and the fact that he is making a special plea for Celbridge. As he correctly said, there are major problems with congestion in Dublin traffic and Celbridge suffers as a result. However, it should be acknowledged that we are making great strides. We are making enormous commitments to sorting out the problem of traffic in Dublin and the suburbs. While BusConnects might be imperfect in some ways, as it will not suit everybody in every way, it will increase the frequency of public transport coming into the city centre. It is not just the orbital routes that will improve it but also the new bus corridors. In almost all cases that will be accompanied by 200 km of dedicated cycling lanes, which will obviously accommodate some of the people the Deputy mentioned who are currently not able to get onto some of the buses in his area.

It must be acknowledged that there have been great improvements, and not just in rail, Luas cross city, cycling and BusConnects. The Deputy should acknowledge, and I do not take away from the fact that he has been lobbying on its behalf, that there have been great improvements in the routes serving Celbridge. The ten-minute peak times is one. The orbital routes will also benefit Celbridge, as will the interchange with the rail network. In the long term, the electrification of the line to Hazelhatch will benefit the Celbridge area. I understand what the Deputy is saying but, to be honest, the area is not doing badly. The Deputy should claim some of the credit for that as he has been a thorn in my side, or a great asset to his area, for a long period of time. Perhaps he should now sit back and say to people, "Look at what we have got. We are doing quite well".

**An Ceann Comhairle:** I am sure that message will be transmitted to the citizens of north Kildare.

## **Bus Services**

**Deputy Sean Fleming:** Thank you, a Cheann Comhairle, for the opportunity to raise the important issue of the replacement of bus services that are urgently required in County Laois. I am speaking on behalf of the people of Mountrath, Castletown, Pike of Rushall and Borris-in-Ossory, who rely each day on the JJ Kavanagh & Sons bus service.

People received shocking news last week when they were told that from next Tuesday, 16 April, JJ Kavanagh & Sons will be withdrawing from the route through those towns. There are eight buses travelling in each direction each day and JJ Kavanagh & Sons has provided an excellent service over the years. However, the company has made a commercial decision and people are very disappointed. People use these services to go to work in the morning and return

home at night, to do their shopping and daily business in Portlaoise and to go to hospital and medical appointments. Students use them to get to third level colleges. Other people use them to see their family and friends. Many people plan their lives around the public transport bus services and, as public representatives, we are here to serve those people. To put it in context, this is the Dublin to Limerick return route and the people in Moneygall, Toomyvara and Birdhill are also impacted by this decision. However, the people in Laois are primarily affected. JJ Kavanagh & Sons wishes to operate mainly on the motorway and to skip all the local towns because it says it is losing business on the motorway routes if it is taking the longer route through those small towns.

The issue is that a replacement service is required when this service is withdrawn next Tuesday. An application was made to the National Transport Authority and it approved the change of licence. It did not have much choice in the matter, but obviously it has known about this for some time although the news only broke locally a few days ago. The authority has had ample time to ensure a replacement service is put in place. I will quote from what appears to be a very good press release from the authority last Friday, and I hope it will deliver on the good intentions contained in it. That is all we want. I have no wish to have an argy-bargy on this, just to have confirmation before the Dáil gets up tomorrow that there will be a replacement service. The NTA stated “where commercial operators withdraw or curtail services, the Authority examines whether, in the absence of any commercial services, a public service obligation (PSO) exists to provide socially necessary but commercially unviable public transport services”. The authority has examined this as a result of the change in the licence, which it would have known about as it has been dealing with the application. It stated “The Authority has completed an examination of the affected locations and has determined that there is in fact a requirement to continue to provide services to meet the social need.”

According to the statement, funding is not an issue, there is a local service requirement, there is a public service obligation and it must provide for that. To that end it has been engaging locally with Bus Éireann, Local Link in Tipperary and Local Link in Laois with a view to providing solutions for customers next week. I also received an email from the chief executive of the National Transport Authority in which she said that the NTA is doing this with a view to providing solutions for bus customers at local level both in the short and long term. People understand that to mean that next week there will be a short-term solution until a new procurement process is put in place for a long-term arrangement with another local operator. That is what we seek - a seamless transition. We understand JJ Kavanagh & Sons is leaving the route, but people will need a subsidised PSO service. Everybody agrees that should happen but I hope the Minister will be able to confirm that it is in place for next Tuesday. There is a willingness on the part of the NTA to do it but we must ensure it happens seamlessly from next Tuesday.

**Deputy Shane Ross:** As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in respect of public transport. I am not involved in the day-to-day operations of public transport. The operation of bus services is a matter for the transport operators with oversight by the NTA.

Route 735, the bus service to which the Deputy refers, is a commercial service which operates between Dublin Airport, Dublin city and Limerick and is licensed by the NTA. Licences set out the nature of the service and conditions under which a licensed public bus passenger service must operate, such as the point of origin and destination, as well as a detailed timetable and stopping places. By their nature, commercial services cannot and do not receive any PSO funding from the Exchequer. All commercial bus operators will only provide services where it

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is commercially advantageous for them to do so and are free to pull out or curtail their services. Where operators pull out or curtail commercial bus services, the NTA will grant such amendments as it has no legislative powers to refuse.

Under the terms of the new licence, the private company, JJ Kavanagh & Sons, will only serve Portlaoise, Roscrea and Nenagh from April 16. It will no longer serve Borris-in-Ossory, Mountrath, Castletown or the Pike of Rushall in County Laois. I understand that the NTA has arranged a briefing on this issue with Deputies from Limerick, Laois, Offaly and Tipperary at 12.30 p.m. on Thursday in Leinster House. I am sure the Deputy will be there as I am sure he was instrumental in arranging it. I will not anticipate what will happen at the meeting but presumably it is being held to be constructive.

In circumstances where commercial operators withdraw or curtail services, the authority examines whether, in the absence of any commercial services, a PSO exists to provide socially necessary but commercially unviable public transport services. Such examination includes an assessment of the demand for public transport services and options to either reconfigure existing PSO services or to competitively tender for the provision of services. In either event, the NTA's ability to provide such services is subject to the availability of funding, which, as the Deputy noted, is not an issue in this case. To that end, the NTA is already engaging with Bus Éireann, Local Link in Tipperary and Local Link in Laois with a view to providing solutions for bus customers at local level, both in the short term and the long term. Timetables of services are currently being drawn up with the aim of not only meeting the social need but also improving levels of service to a wider area.

The Government is acutely aware of concerns about the proposed withdrawal of certain commercial services in rural areas. The reality is that commercial operators are continuing to take advantage of the major improvements to the national roads network in order to offer improved journey times between Dublin and regional cities by providing more direct services with fewer intermediate stops. The NTA has a key role to play in assessing, within available funding, the appropriate response to changes in services that have an impact in rural areas. The NTA has contracted for the provision of bus services for commercially unviable but socially necessary services in rural areas. As a general principle, PSO funding for all public transport should be allocated to ensure that socially necessary services, particularly in rural areas, are provided to the greatest extent possible.

**Deputy Sean Fleming:** I thank the Minister for his reply, which is substantially along the lines I indicated arising from my direct contact with the NTA since last Friday. I asked it to arrange a briefing session in Leinster House for tomorrow morning, which it agreed to do. I have notified the Deputies in all of the counties affected by the decision to be present. We hope it will be constructive and have a good outcome to enable us to get on with the rest of our lives. Nobody wants to see a gap in service and it would be dreadful if there was to be a gap for a day or a week or two. People will completely believe the plug has been pulled on small towns and villages. That is avoidable. Whatever has to be done to ensure a replacement service next week will, I hope, be done. As the Minister indicated, there have been contacts with local operators, including Bus Éireann and Local Link services. There is a good town link service running along part of the route and other private operators who could enter the fray might perhaps tender to operate a service on a long-term basis. What we need is a short-term measure to be in place from next Tuesday and to last probably for a couple of months. When the timetables are agreed to, the contract will have to be put out to tender. Tenders will have to be assessed and approval given to whichever organisation wins to commence its service and advertise accord-

ingly. This process will inevitably take a number of months to complete. We need to get over the hump between now and then to ensure there will be continuity of service.

This issue does not just concern people in County Laois, whether in Mountrath, Castletown or Borris-in-Ossory, who travel to and from Roscrea regularly; it also affects people in County Tipperary and north Offaly in some measure. The service may have to cover the full route from Nenagh to Roscrea on what was the old N7 to Portlaoise, now that the motorway, as the Minister pointed out, is attracting intercity bus services.

I also make a plea which I will repeat tomorrow for good weekend and Sunday services. Kavanagh's bus services were available seven days a week. Some of the Local Link services only offer a five or six-day service. We also need a Sunday service to facilitate those attending college.

My final point is that there will be long-term implications. From now on people will not be able to take a bus directly from Mountrath to Dublin. One will have to take the bus to Portlaoise to link with the ample number of hourly services from Portlaoise to Dublin.

**Deputy Shane Ross:** It is fair to say the Deputy has made a compelling case, but he would not expect me to give a commitment in respect of a specific route and times. He understands fully that I cannot and would not do so, as it is up to the NTA to decide that matter, but it is clear from what I said and have gathered from what has been happening in this area that the Deputy is pushing an open door. I support his sentiments. There is a real reluctance on our part to see routes in rural Ireland deteriorate or diminish in any way. I want to make that point absolutely clear.

Despite the narrative which is often peddled in this House, the Government is very committed to providing increased and better transport services in rural Ireland. One has only to look at the funding provided for Local Link services which has been increasing since 2016. With €14.9 million allocated in 2018 and again in 2019, there is additional public service obligation, PSO, funding provided for regular Local Link services. It amounted to €4.5 million in 2018, bringing total funding for Local Link services to €19.5 million. The total in 2019 will be almost €20 million. It represents a significant increase on the 2016 allocation of €12.2 million and in 2017 of €14.4 million. The increased funding has enabled the introduction of 66 new commuter services in the Local Link network since 2016, operating five, six or seven days a week. Key features of the new services include greater integration with existing public transport services and better linkage of services between and within towns and villages. Demand-responsive services continued to be developed nationally throughout 2018 in response to local needs.

I wish the Deputy well in his mission tomorrow when he can certainly say I have expressed support so as not in any way to infringe on or hinder the progress of public transport services in rural Ireland.

### **Autism Support Services**

**Deputy Martin Ferris:** I raise with the Minister of State the issue of a centre in Dromavalla, Ballyseedy, County Kerry. It was furnished and officially opened in 2014 since when it has sat idle. No resident has moved into it. The project was spearheaded by Jim and Patricia Adams who, with many others and supported by various agencies, raised €1.3 million to allow

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it to come to fruition. Some €600,000 was provided by Kerry County Council, while €210,000 was raised by way of a cycle run in 2009, 2011 and 2013. Money was also raised on flag days, while other local charitable organisations helped along the way to complete the project.

Initially the centre was meant to be a home for nine residents, but under HIQA regulations, the figure was reduced to four in a congregated setting. The problem is that nothing has happened since. The centre is lying idle. The reason is no funding has been made available to develop a residential centre for autistic children. Many of the parents involved are moving on in years. Their children who are now adults are approaching 30 to 40 years of age and they fear what will happen to them when they pass on. Jim and Patricia Adams' son James, a potential resident in the facility, cannot live independently. That very fact exerts huge pressure on his parents. The Irish Society for Autism owns the building and the centre was constructed thanks to the various fundraising efforts.

In recent months Inspired Well-being, a Northern Ireland service provider, took the first steps to run the facility, but owing to a lack of funding, it had to pull out of the project. The national director of the organisation, Mr. William McAllister, said it had been in discussions with the HSE, the Irish Society for Autism, Kerry County Council, and others. It proposed to rent the building and that the HSE pay its costs as a service provider. However, the HSE has informed it that it does not have the funding available to pay for staffing and so forth. That is where we are at.

What is needed is a service provider, funded to meet its staffing and running costs. Obviously, the service has to be autism-specific. I look forward to hearing the Minister of State's response. I cannot over-emphasise the necessity for this facility, particularly on behalf of the parents, given what they are and have been enduring since completion of the building in 2014. It is a white elephant, although it is state-of-the-art, with furniture and everything in place *in situ*. Funding needs to be made available through the HSE in order that a service provider can help it to meet its responsibilities.

**Minister of State at the Department of Health (Deputy Jim Daly):** I thank the Deputy for raising this important issue and giving me the opportunity to respond.

The Government's ongoing priority is the safeguarding of vulnerable persons in the care of the health service. We are committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide for greater independence in accessing the services they choose and enhance their ability to tailor the supports required to meet their needs and plan their lives. Significant resources have been invested by the health sector in disability services in the past few years. This year alone, the Health Service Executive has allocated €1.9 billion for its disability services programme.

As part of its ongoing service provision, the HSE will provide over 8,500 residential places this year for families in need across the country. In fact, residential services make up the largest part of the disability budget. Our policies are for people with disabilities to be supported to achieve their full potential in order that, where possible, they can live ordinary lives in ordinary places and doing ordinary things.

The need for increased residential facilities is acknowledged and the HSE continues to work with agencies to explore various ways of responding to this need in line with the budget avail-

able.

Residential placements for adults with disabilities are considered following detailed clinical assessments by HSE services. Access to places for those with the most complex needs is allocated on a priority basis and appropriate availability of service.

The Deputy mentioned a particular centre. I am advised by the HSE that the centre in question is a ten-bed house owned by the Irish Society for Autism that was developed independently by the society without the prior agreement of the HSE, including any agreement on a commitment to funding. As the Deputy will be aware, the current policy on residential services for people with a disability is that no more than four persons should be accommodated in any one unit. This is to avoid the institutionalisation of care delivered in any setting. This ten-bed facility is not in line with the HSE policy on residential settings, which has been in place since 2010.

Everyone in the House will appreciate that the HSE must focus its resources on the areas of greatest need and in line with agreed policy. I am keen to emphasise that significant progress has been made in recent years in orienting our health and social care services to a direction more appropriate for users with autism.

Deputies will be aware that my colleague, the Minister for Health, requested that the HSE carry out a review of health services for people with autism to identify examples of good practice that can be replicated more widely in the health service. There was a strong emphasis on consultation with stakeholders and service users during this process. Following the publication of the review, the Minister for Health requested that the HSE establish a programme board to implement the recommendations of the review and to publish an autism plan this year. This commitment is reflected in the HSE national service plan 2019. An initial meeting of the programme board has now taken place and work is under way to ensure people with lived experience of autism are represented on the board. Several actions by the HSE are planned or already under way. These include: the development of guidance for clinical practitioners working in the field of autism; standardising the autism assessment process; and planning of a communications and public awareness campaign.

**Deputy Martin Ferris:** Certainly, the response of the Minister of State is no comfort to the parents of autistic children in Kerry. The Minister of State said that the facility was built for nine people and that the standard regulation within HIQA is for four people. I have been told that the facility is capable of meeting the HIQA regulations limiting the number to four residents.

One thing that disappoints and frustrates me, along with other Deputies, is that we constantly raise issues regarding people with disabilities. I brought up the issue regarding a centre in Listowel where there are four parents in their 70s with four adult children with physical and mental disabilities. Yet there is nothing for them there. The parents are there facing death some time down the road but they do not know what will happen to their children afterwards. The case is similar with regard to the autistic children - they are autistic adults now. Their parents have provided an extraordinary service to the State. They have saved the State millions throughout the island but they now find themselves in their 60s or 70s. They are looking back at their adult children but they do not know what will happen to them.

I have heard the excuse that the HSE looks at every issue. The HSE is not delivering for these parents and adult children. Something has to be done. Some commitment has to be forth-

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coming from the Government to give assurance to the parents that they will be secure. The State can never repay them for what they have saved the State. The same applies throughout the island. Parents and other siblings who have been so good to the person with disabilities and who have brought them through find themselves in this position. I was hoping for a better response than the response given by the Minister of State. Although I do not blame him personally, I am certainly blaming the Government.

**Deputy Jim Daly:** As is often the case, I am not familiar with the detail of the case as I am taking it for my colleague, the Minister of State at the Department of Health, Deputy Finian McGrath. However, the matter is under the community healthcare organisation that I represent and I am happy to have further conversations on the matter.

I must point out that the HSE has said there were no discussions with the HSE and no commitment was secured from the HSE for funding before the development of this particular centre. Without knowing any of the detail, I imagine and assume that would have been helpful had it taken place. Perhaps it did and, if so, the Deputy may want to correct some of the detail. I am only repeating the message I have been given and highlighting the point that it is not in keeping with the agreed policy.

The Deputy maintains that the facility can be transformed into a four-bed unit quickly. I cannot adjudicate on that but I am happy to have some discussion with the CHO management locally to see whether we can make progress on this issue. This is not a question of them-or-us. To the credit of the HSE it is delivering services, although Deputy Ferris said it was not delivering. I am not making the point defensively but rather as a matter of fact. The HSE is delivering residential services for 8,500 people but the demand is greater than that. That is acknowledged by the Government and the HSE. They acknowledge that there is greater demand for the service than the number of places available. Obviously, there is funding. We have a finite budget and significant challenges in the health budget on all fronts, as the Deputy is aware. That applies to disability services as well notwithstanding that we have committed €1.9 billion to disability services this year from the health budget. We accept that the demand exceeds this. I am happy to have further conversations with my colleague, the Minister of State, Deputy McGrath, and the CHO locally on the specific issue and on the case mentioned by the Deputy to see if we can make any progress in the interests of all sides and in the best interests of the parents and, most importantly, of the children with autism.

### **Hospitals Building Programme**

**Deputy Michael McGrath:** Thank you, a Cheann Comhairle, for choosing this Topical Issue debate. It is an important issue not only for Cork but for the Munster area. As Minister of State at the Department of Health and as a Cork-based Deputy, Deputy Jim Daly will be quite familiar, I imagine, with this issue and will have an interest in it. I imagine the Government does not want issues around a children's hospital to be raised any further but this is an important issue for the people that we represent.

As the Minister of State is aware, the national model of care for paediatric services has identified Cork University Hospital, CUH, for development as the biggest regional unit for the care of children outside of the national children's hospital. However, this development is predicated on the centralisation of children's acute hospital care in Cork University Hospital. The infrastructure required is not currently in place. In fact, no upgrade of the inpatient facilities has

occurred since the original Cork Regional Hospital, as it then was, was opened in 1978, over 40 years ago. A planned new inpatient unit has been stalled at the planning stage since 2015. Some believe it is now threatened by the significant overrun in the national children's hospital. That is the first reassurance I am seeking from the Minister. I want to know that this project will not be affected in any way by that.

This project has been known as the Munster children's hospital. The funding envelope for this project at Cork University Hospital is between €34 million and €38 million. The project includes two below-ground floors to accommodate four theatres and associated facilities.

CUH already delivers tertiary care across several specialties that other regional centres have to refer to Dublin. It is delivering specialist care as close to home as possible for paediatric neurology, respiratory, cystic fibrosis, endocrinology and diabetes, allergy and cardiology services. Children within Cork and Kerry have the lowest number of cases occupying secondary and tertiary beds in Crumlin and Temple Street hospitals. Over 90% of our children are cared for their entire treatment locally in Cork University Hospital. The national children's hospital cannot afford for this caseload to change due to a lack of local infrastructure. In fact, it has not been designed with such capacity in mind.

CUH has already had €9 million invested in its modern paediatric outpatient and day-case suite - I wish to acknowledge that. Other charity moneys raised by the staff of the unit are being used to keep phases 2, 3, and 4 of the project moving towards a planning application. It is hoped this will proceed later this year.

The ongoing erosion of surgical and anaesthetic skills is a genuine existential threat to the delivery of all paediatric medical care in Cork. This is what clinicians are telling me. It is not some politician making these claims - they come from clinicians. If these skills are lost, the hospital would have to be immediately closed to all acute admissions and the CUH emergency department would have to be closed to all paediatric cases. Where would they go in that scenario? It is a red line from their perspective. No airway support means no acute medical care for critically ill children in Cork. Cork hospitals perform more than 5,000 operations on children under general anaesthetic per annum. Crumlin performs approximately 22,000. There is a significant differential in the complexity of the cases. The national children's hospital has been funded for 22 or 24 theatres to do that number. It could not absorb the numbers currently being provided for in Cork. I am looking for clarity about where this project stands. I have been trying to pursue it through parliamentary questions and with the HSE. I am not really getting much reassurance that this project will advance and I hope that the Minister of State can provide that.

**Deputy Jim Daly:** I welcome the opportunity to update the House on the paediatric development at Cork University Hospital. A national model of care for paediatric healthcare services in Ireland has been developed by the HSE and sets out the vision for high-quality, integrated, accessible healthcare services for children from birth to adulthood with an emphasis on early detection and prompt treatment. The model aims to ensure that all children should be able to access high-quality services in an appropriate location, within an appropriate timeframe, irrespective of their geographical location or social background. The model of care explicitly supports the development of the new children's hospital and an integrated national network for paediatrics, with strengthened and interconnected roles for local and regional paediatric units, including the regional unit in Cork University Hospital.

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There are a number of distinct phases within the proposed paediatric development at Cork University Hospital. The HSE is responsible for the delivery of healthcare services, including infrastructure projects, and has advised that the phase 2 development, which includes 74 inpatient beds, is currently at the design stage and is funded up to the detailed design and planning stage in 2019. I understand that a capital submission for phase 3 of the development is currently being prepared in order to enable the “shelled” construction of this project during the construction of phase 2. The submission will have to be considered by the HSE’s capital steering committee before it can be approved.

I am happy to confirm that the paediatric development at Cork University Hospital has been included in the Project Ireland 2040 policy initiative announced last year. This 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 these projects and programmes, including developments in Cork, will result in healthcare facilities that allow for implementation of new models of care and for delivery of services in high quality modern facilities.

My Department and the HSE are currently engaged in a process to finalise the HSE capital plan for 2019. In developing its capital plan for 2019 and future years, the HSE must consider a range of issues including the expenditure that is contractually committed, the HSE’s annual requirement with regard to meeting risks associated with clinical equipment, ambulances and healthcare infrastructure. The HSE capital plan will propose the projects that can progress in 2019 and beyond, having regard to the available capital funding, the number of large national capital projects currently under way, the cashflow requirements of each project and the relevant priority. Projects which are currently in construction and which are contractually committed will not be affected. Once the HSE has finalised its capital plan for 2019, it will then be submitted to the Minister for consideration.

**Deputy Michael McGrath:** The Minister of State has not given any additional reassurance that the project will be funded to phase 3 and beyond. He says it is included in the Project Ireland 2040 initiative. That is little comfort to those who are waiting for this investment. I assume the Minister of State is referring to the national development plan, which still has many years to run. Without this investment, paediatric care in Cork will continue to be delivered inefficiently across two sites, Cork University Hospital and the Mercy University Hospital, and surgical services for children will continue to be provided in a scattered way across three sites, including those two hospitals and the South Infirmaries Victoria University Hospital. Children’s surgeries are performed in the middle of adult lists, with no guarantee of having anaesthetic, surgical or theatre staff trained in the care of children.

This project must advance. I acknowledge that it is funded up to phase 2 but we need a capital commitment from the HSE and the Government to ensure that this project can move through detailed design, tender and construction and that the specialist care can be provided locally. The consequences otherwise are that more of the cases currently dealt with in Cork will end up having to travel to Dublin. That is not just an inconvenience but the national children’s hospital, expensive though it is, is not designed to absorb additional capacity that is currently being met regionally in places such as Cork University Hospital. It is not often that clinicians come to us to explain the urgency of a project. For the children of Cork, Kerry and the wider area, the development of this paediatric unit is urgent and I hope that the Minister will lend his full support to get this over the line and make sure that it does not end up at the back of a long queue of projects.

**Deputy Jim Daly:** I appreciate the attention that the Deputy is bringing to this. He has eloquently outlined the importance of this project to the future of not just Cork but to the entire Munster area. I assure the Deputy that I and many other Deputies in the Cork area are very anxious to see this progress, in line with a number of other capital projects that are committed to for healthcare in County Cork, both at a community and an acute level, for a different range of necessary services. We are all watching the capital plan as it progresses. The Deputy will appreciate that I cannot give any further commitment other than what I already have given. Detailed design and planning for 2019 are funded. We have to let the HSE work with the Department to finalise a capital plan for 2019. I cannot go outside that and confirm individual projects until it is complete. I assure the Deputy that I appreciate the chance that he has given to air the necessity and importance of this project. I will support him wholeheartedly to ensure that we have delivery for the people of Munster in the years ahead.

### **Building the Housing of the Future: Motion [Private Members]**

**Deputy Jan O’Sullivan:** I move:

That Dáil Éireann:

declares that:

— shelter is a fundamental human right, as recognised in the International Covenant on Economic, Social and Cultural Rights, and in Ireland everyone has a right to decent, affordable housing;

— it is the duty of the Government and the State, as well as of everyone in society, to ensure that every person can have their right to shelter fulfilled, through the provision of quality affordable housing; and

— in the context of Ireland’s obligations to reduce greenhouse gas emissions, all housing should be designed or retrofitted to minimise emissions, and in so doing, reduce and eliminate energy poverty;

acknowledges that:

— the cost of renting and home purchase has soared in recent years, especially in the major urban areas, far in excess of the average household incomes, which clearly shows that the current situation is unsustainable and that housing is no longer affordable for many workers;

— more than 10,000 persons are currently homeless, tens of thousands of people have experienced homelessness in recent years, and every year more people are becoming homeless than are leaving homelessness; and

— around 75,000 households (4.4 per cent) are unable to afford to keep their homes adequately warm, and around 138,000 (8.1 per cent) go without heating at some point during the year;

recognises that:

— for over 10,000 people to be homeless is a national scandal and proves Government

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policy on housing to have failed utterly;

— Ireland’s market-dependent approach to housing provision has failed and a fundamentally new approach is required;

— in some European countries, especially in cities such as Vienna, a much larger proportion of the population rents their homes from public authorities;

— in some European countries, such as Denmark and Sweden, housing co-operatives provide a much larger proportion of the housing stock, which is more affordable;

— in other jurisdictions, standards of insulation are much higher than in Ireland, whereas in Ireland nearly half (49 per cent) of all dwellings with an energy rating, are rated D1 or worse;

— the Government has the means to invest at least €16 billion for State-led development of social housing and affordable public housing without increasing taxes;

— the State can build well-insulated, good quality homes for less than €200,000 per unit on publicly-owned land; and

— State-led action to provide social housing and affordable housing would reduce house prices overall, making it easier for young families to afford home ownership, if they wish, while also providing them with a secure alternative; and

calls on the Government to:

— create an Irish housing development bank, by merging parts of the National Asset Management Agency (NAMA) with the Housing Agency, Housing Finance Agency and the Land Development Agency, to act as a State-owned commercial housing developer with a remit to produce social housing and affordable public housing on publicly-owned land;

— allocate €5 billion from the Ireland Strategic Investment Fund to the Irish housing development bank;

— allocate annual payments of €500 million to the Irish housing development bank rather than to the so-called ‘rainy day fund’;

— establish a State-led public housing fund in the Central Bank of Ireland, to allow credit unions to invest some or all of their approximately €14 billion in savings, so that this money can be used by the Irish housing development bank to develop social housing and affordable public housing;

— create through these means a fund of no less than €16 billion which can be invested to develop at least 80,000 units of social housing and affordable public housing on publicly-owned land over the next five years;

— keep the same or greater amount of land for residential housing in public ownership;

— establish a retrofitting scheme, to ensure that all local authority housing is brought up to a high-energy rating in terms of good insulation and energy efficiency;

— raise the requirement to sell housing units at cost to the local authority under Part V

of the Planning and Development Act 2000 from 10 per cent to 20 per cent, and allow local authorities to choose which units to purchase at cost;

— create housing executives within a number of local authorities, to operate as shared services across all of the State and to restore the necessary competencies for housing management, maintenance and development at local government level;

— strengthen the protection of tenants in the private rented sector, especially those at risk of homelessness, while supporting landlords with only one or two properties to comply with the law;

— provide a strong legal basis for long-term leasing of private residential property, with safeguards for older people and people affected by illness or disability; and

— support home ownership by supporting the development of housing co-operatives and by regulating institutional buy-to-let investors to ensure they have no unfair advantage over households seeking to purchase housing.

This comprehensive motion, which I have moved on behalf of the Labour Party, sets out the actions that need to be taken to address the most pressing issue for thousands of men, women and children in our country. Homelessness and the housing shortage can be fixed. We are constantly told that the answer is supply and that is true. It is not true, however, that we must wait for the market to provide that supply. This is where we fundamentally differ from Fine Gael. We believe that the State should lead the provision of homes and that publicly owned land and available public resources should be used to deliver enough social and affordable homes for the needs of our population.

I thank the parties and groupings who have taken the time to table amendments. I think there are currently four amendments. That is an indication of the fact that we have had many debates on housing. We need to ensure that we deal with this issue appropriately and quickly. We propose to use €16 billion over five years, with the sources of that money fully identified. Most of it is from the Ireland Strategic Investment Fund. We would build 80,000 homes for people on local authority waiting lists and for the many hardworking individuals and families who cannot afford market prices and who cannot afford their rent. More and more of those families are stuck in privately rented accommodation without adequate protection from rent hikes or from notice of termination of their tenancy. These people are most at risk of becoming homeless. We have published a number of proposals already and tabled a number of amendments to the Minister's Bill that will go before the committee tomorrow, as have other Members of this House. There is a series of proposals and I suggest that they are much more far-reaching than the Minister's plans. They contain the kind of protection that is needed in this time of crisis. While this building programme that we propose is under way, we need to protect people who are renting in the private sector and are increasingly unable to afford the rents. Yesterday, my party leader raised the issue of rent pressure zones. I will not go into it now due to shortage of time. If the 4% cap was appropriate at one stage, it would seem now that it is contributing to increases in rent and we would argue that there should be the same system throughout the country so that there are not areas just outside rent pressure zones and so that the increases are linked more to the cost of living than to a limit of 4%, which is higher than the increases in wages.

Before I outline the details proposed in the motion I want to challenge the Minister's reported view that I was irresponsible for aiming to end long-term homelessness by the end of

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2016. That proposal followed an 85-page report furnished to me by the homeless oversight group which I had established to address the plight of the estimated 2,665 people who were considered to be homeless in Ireland in spring 2014, of whom 2,478 were identified as being homeless for six months or more, which is the definition of long-term homelessness that we were using. The Dublin rough sleeper count at that time was 127 and a further 46 rough sleepers were counted in other parts of the country. That was the scale of the problem then. The report contained a specific plan with 80 actions to achieve the goal set. Now, three years after the Rebuilding Ireland plan of the current Government, more than 10,000 people are homeless including 3,784 children. We were talking about a much smaller number and we specifically identified actions to be taken in respect of those individuals at that time. A responsible Government, with an economy that has recovered from a deep recession, would question why its own plan has delivered such a fate for so many people, almost three years on from the announcement of the Rebuilding Ireland programme. It is not working.

I want to turn to the proposals we are making because we want to focus on what can and should be done; I will also respond to some of the amendments that have been proposed. The context in which we set the motion is the right to decent affordable housing as recognised in the International Covenant on Economic, Social and Cultural Rights. We also support a constitutional right to a home, which has been debated here previously. It is also informed by our obligations to reduce greenhouse gas emissions and the need to eliminate energy poverty. In that regard, Government targets on retrofitting, referred to in the Government amendment, need to be increased to take account of the report of the Oireachtas Joint Committee on Climate Action, which was published recently. The Labour Party would argue for higher targets and affordability measures and my colleague, Deputy Sherlock, argued for those in the committee.

At this stage I wish to explain that due to a family bereavement, Deputy Sherlock is not able to be here. He would have contributed to the debate. My party leader, Deputy Howlin, is meeting leaders of the Party of European Socialists Group today in Brussels and Deputy Kelly is at the Council of Europe meeting. That is why three of our members are not present for this debate.

The specific target for building social and affordable homes in our motion and our policy document, Affordable Housing for All, is 80,000 units over five years costing €16 billion, with the sources of that money identified. To achieve that, we propose the creation of a housing development bank that would incorporate the expertise and resources of the National Asset Management Agency, NAMA, the Housing Agency and the Housing Finance Agency and would also incorporate the Land Development Agency, which the Government has set up. The combined remit of those bodies would be to act as a State-owned commercial housing developer with a remit to produce social housing and affordable public housing on publicly-owned land. We would re-focus NAMA in particular, because its original remit pertained to economic return to the State. It now needs to make returns to the State in other ways, particularly in the current housing crisis.

This is radically different from the current policy of providing a large proportion of State-owned land to the private sector to build for profit, at what the market will allow, with even the so-called affordable homes linked to the market rate, rather than to what households can afford. Under the Ó Cualann model, homes in the Dublin area were built and can be built for less than €200,000 per unit. We would provide for local authorities to deliver homes on a shared services model, similar to a proposal from the Irish Congress of Trade Unions, ICTU, and was modelled on one developed in the Cork area, which would bring local authorities together to

deliver homes and in order that expertise could be concentrated and delivery speeded up. We all know the delivery of social housing in particular needs to be speeded up. We also propose increasing the Part V provision to 20% and a workable Central Bank led investment vehicle in order that credit unions can invest in public housing from their savings. The Government amendment says that it has set up a framework for this but the credit unions have told us, and have told other parties that they do not have the scale or capacity to do this themselves. This is one area where there would be a win-win but there is a need for Government leadership. The State does need to set up this vehicle for public housing bonds and secure investment from our own credit union movement of approximately €12.5 billion can be put into this. That would not take all the credit union savings but would be a significant contribution to the funding needed for social and affordable housing.

We would future-proof public housing construction and stock to provide for the needs of older people and would also commit to the system of universal design and access to transport to ensure that housing meets the needs of people who have a disability. The other area of future-proofing is energy efficiency, which is vital for the future of our planet and the more immediate concerns about the cost of home heating. This must be accompanied by an extensive retrofitting programme in both publicly and privately owned homes. Both of these need to be considerably ramped up, particularly for low-income households, many of which are living in council houses and apartments. There needs to be a funded programme with a specific timeframe in order that local authorities can immediately start retrofitting their own houses because many council houses have a very low building energy rating, BER. My colleague, Deputy Penrose will address some of those issues in a minute or two.

This is a comprehensive motion. We wanted to address the positive measures into which we have put a lot of thought in our document, Affordable Housing for All, in respect of housing policy. We acknowledge there have been many other proposals from other Members of this House. We believe this can be done and this is a positive motion in many ways. We are recognising the seriousness of the problem, particularly that so many children are living in homeless accommodation and the awful effect that has on them. We recognise the problem but are also putting forward practical solutions that are costed to address the problem. That is what we need to see happen and we need to see something delivered much faster than is being delivered under Government policy. We need a radical change to that policy.

**Deputy Willie Penrose:** This motion is timely and appropriate and comprehensive in its nature and extent. I compliment my colleague, Deputy Jan O'Sullivan on bringing it forward. She has worked hard to develop a very comprehensive policy, Affordable Housing for All.

I am very lucky and indeed proud to be the eldest of ten who were reared in a local authority house, as were many in my extended family. I speak on this motion with a detailed knowledge but maybe not everybody can. When we got the house in 1960 there was no water, there were outdoor toilets. That is why I have never had any problem with paying for water. We brought it down by hand in 1972 and we handed it over to the local authority to charge us. As a young lad, I went away to earn money to build on additional rooms and a toilet and to bring the outdoor toilet in. I have a very deep affinity with local authority housing because I know what it means, as does my extended family.

I am proud that the Labour Party has always been very committed to the provision of public housing. We bring forward this motion, based on our comprehensive housing analysis which would see 80,000 homes built over five years. Our housing policies are practical, implementable,

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fully-costed and place the State at the centre of activity on housing. That is where it should be, the State has to be the fulcrum and focus of a comprehensive housing building programme. The role of State agencies, leading the delivery of housing, as they have done through Ireland's history, seems lost on the current Government. It gets lost in debate. That was a central function of local authorities and it should remain so. Every local authority should have a landbank such that houses would be built in many villages, which would make a substantial contribution to reducing the number of applicants. It would sustain rural Ireland and the villages that are in decline and the shops and churches and sports clubs that are under pressure.

Our motion today aims to make the Government face up to the realities faced by hundreds of thousands of people in Ireland right now. Rents are way beyond the ability of many workers to pay. Council housing waiting lists have gone through the roof and tens of thousands of people are unable to heat their homes adequately. I want to focus particularly on this point. Tackling fuel poverty is a priority for the Labour Party and that is why we have included this right in the heart of the motion. Residential use of energy such as oil, gas and solid fuels accounts for 9.5% of all our carbon emissions. That is around 5.7 million tonnes of greenhouse gases annually. That has to be halved by 2030, which means a massive drive for home energy efficiency. If we do this right, we can eliminate fuel poverty at the same time as lowering carbon emissions so we will get two bangs for one buck. From recent surveys we know that around 75,000 households, or 4.4%, are unable to afford to keep their homes adequately warm and around 138,000 households, or 8.1%, go without heating at some point during the year. We know that elderly people or people with disabilities require more home heating, because they spend more time at home. Yet they often have the lowest incomes and they are on fixed incomes so they are in significant difficulties. The Government did not introduce regulations in relation to energy efficiency until 1979, and it must be remembered that nearly half of current housing stock was built before that date. Significant thermal retrofits were not introduced until 2006, meaning that most Irish homes are not properly insulated. That raises the cost of heating and it also means more carbon emissions to achieve the same level of heating.

There is plenty of action that can be taken by the Government to address this issue. If we do not already have this information, we should require every local council to report on the energy ratings of all its housing stock. Everyone in public housing should have a fair expectation of a home that they can heat to a decent standard of comfort. They are entitled to the same as what everybody else has in society. Every home under local authority control should be put into a programme to upgrade and retrofit any home that does not have adequate insulation. There are some programmes out there that aim to do this but they are far too slow and they lack focus. Retrofitting homes will help the residents tackle the cost of heating and will also lower carbon emissions.

All future public housing should be built to a much higher housing standard. This is to avoid the problems that beset social housing in the 1970s and also to ensure that we are serious about reducing our carbon emissions. Housing standards for public housing should include a wide range of measures to ensure the lowest possible carbon footprint from housebuilding and the lifetime use of housing. This should include insulation, computer controlled energy efficient heating systems, local energy generation from solar panels and the reuse of rainwater. Indeed, the collection and reuse of rainwater should be part of planning permissions going forward across all areas and it would be very constructive to do so.

When it comes to delivering more housing, of course we need to increase the supply in every way possible. It all boils down to supply. There have been attempts to privatise the pro-

vision of local authority housing. It has not worked, it does not work and it should never be contemplated that it will work. There are 1,701 people on the housing list in County Westmeath today. In addition, there are 800 who have HAP and RAS tenancies and who are on the transfer list. Effectively, those people are entitled to be housed and 500 people are in need of housing in other areas. We know from our clinics that we effectively have about 2,500 people on the housing list in Westmeath. To meet their needs, and to solve the wider housing problem, we just need to think outside the box.

I was canvassing recently and every evening I come back and I notice about three or four houses unoccupied across the area. I am sure any Deputy in a rural area has seen the same. That is every evening so if I was out for 30 evenings that comes to 90 houses. I know every Deputy has similar houses in their areas. We could do more to bring these privately owned vacant houses back into use. Very often they are left to somebody and they do not have the money to carry out the repairs. Hundreds of millions of euro are being spent on rent supplement and HAP and some of this money could be diverted into making vacant houses habitable. The houses I am talking about could be made habitable for maybe €30,000 or €40,000. There is no free lunch, if we give them a €40,000 grant we will do so on the condition that they take on local authority tenants and maintain them for seven years on a contract. A house would be brought back into habitation that might have been left to them by their grandfather, father or uncle which they did not have the money to renovate.

Let us think outside the box and let us not always be prisoners of bureaucracy. I know what that Department is like. I was only in it for eight or nine months. If I was in it for a few years I probably would have ended up in an asylum because I could not stick the bureaucracy. It is as simple as that. I had to leave on a point of principle on another matter but if I did not leave on that I would have gone on another reason because I could not stick bureaucracy always coming in and putting the heavy hand down on top of me. I am somebody who comes from an ordinary working class family who resents that so unfortunately I am anti-bureaucratic. Maybe I am in trouble over saying that but so be it. I will be gone out of here and they cannot do anything with me after that anyway.

**Deputy Eamon Scanlon:** We will miss the Deputy.

**Deputy Willie Penrose:** They could provide great homes for people in County Westmeath and I am sure they could do so in other counties throughout the country as well. I would venture to say that Westmeath is not unique in having a large number of unoccupied houses. A small grant from the State would help to put them into a habitable condition. Owners must commit to renting out the properties for social housing for a period of years. We could get better value this way than leasing properties under the HAP scheme, and we would be stopping houses going into dereliction in cases where their owners cannot afford to do much with them. A lot of those people are left a house by an uncle which is not in the best condition. If it is still in the condition in which the uncle left it to the person, this grant could help those people.

Another policy that would permit the State to deliver more public housing, which I know the Minister will not implement but I would have had a shot at, is implementation the 1973 Kenny report. I read this as a student when I was doing law and I believe in everything that the former Judge Kenny said. He was an exceptional judge. It is not the first time I have made this suggestion. I have been advocating this point for many years and when Labour's social and affordable housing Bill 2016 made this recommendation, I was the cause of that being at the centre of it in case Members are looking to find out. We should legislate for the compulsory purchase of

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lands at existing use value, building on the Kenny report proposals. By the way, my brother is a farmer so I know all about this too. Judge Kenny made it clear that there is no constitutional impediment to doing this. He proposed paying a premium of up to 25% on lands compulsorily purchased, but that was at 1973 prices. A smaller compensation would be fair today, but this Government has gone in the opposite direction and is selling off public lands to private developers as their great idea to solve the housing crisis.

Private developers are only interested in profit and they will only build so many houses when there is profit. Public housing has a different ethos and a different philosophy to build houses to provide for people. Public ownership of public housing built on public land is how we will solve this crisis. Labour understands that, housing organisations outside the House recognise that and public housing experts are calling for that. We are all just waiting for Fine Gael to admit that its policies are not working, and to be honest cannot work with the best will in the world. There is only one way: to go back to the old trusted and tried way of local authorities being development vehicles for the provision of local authority housing.

**An Ceann Comhairle:** I thank the Deputy. He will forgive me for saying that the House will be the poorer for him leaving us.

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** I move amendment No. 3:

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

“Dáil Éireann acknowledges the extensive range of measures which the Government has brought forward to address the significant challenges in the housing sector and, in particular, notes that:

— the Government introduced the Rebuilding Ireland Action Plan for Housing and Homelessness in 2016, providing a comprehensive framework for tackling the range of complex issues needing to be addressed across the housing sector, and it 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 6 years from 2016 to 2021;

— very significant progress has been made on delivery through local authorities, approved housing bodies (AHBs) and a range of other delivery partners, with over 72,000 households having their housing needs met during the first three years of Rebuilding Ireland, with a further 27,300 households, supported by a record investment of €2.4 billion in housing, to be supported this year, bringing to almost 100,000 the total number of households who will have been assisted under Rebuilding Ireland by the end of 2019;

— notwithstanding the continued increases in homelessness, record exits from homelessness into sustainable tenancies have been achieved in recent years and the Government remains resolutely focused on ensuring that all appropriate measures to address the challenges in relation to homelessness will continue to be deployed, including:

— the national roll out of Housing First;

— the provision of additional emergency beds to reduce rough sleeping; and

— the further development of family hubs to provide more appropriate short term accommodation for families than can be provided through hotels, while more enduring housing solutions are brought forward;

— Rebuilding Ireland is further supported by Project Ireland 2040, the Government's overarching policy initiative to align, in a strategic manner, our spatial planning and investment programmes, to underpin a sustainable approach to planning for a growing population and the associated need for housing;

— the new €2 billion Urban Regeneration and Development Fund aims to support sustainable growth in Ireland's five cities and other large urban centres, with the aim of delivering at least 40 per cent of our future housing needs within our existing built-up areas;

— the Land Development Agency (LDA) has been established to ensure more effective co-ordination and management of the development of lands, in particular publicly-owned lands in our urban centres, supporting the ambition to achieve more compact and sustainable growth;

— the LDA has an immediate focus on managing the State's own lands to develop new homes, and regenerate under-utilised sites and, in the longer-term, assembling strategic landbanks from a mix of public and private lands, with the overall objective to be involved in the delivery of 150,000 new homes over the next 20 years;

— to enable more delivery of social and affordable homes on public lands, the Government has, in parallel with the establishment of the LDA, approved a new public land affordability requirement, whereby a minimum of 30 per cent of any housing developed must be reserved for affordable purposes, be it affordable purchase or cost rental, in addition to the 10 per cent statutory social housing requirement under Part V of the Planning and Development Act 2000, whether such development is being progressed by the LDA or any other market operator;

— following enactment of the required primary legislation, arrangements will be finalised in relation to the capitalisation of the LDA, through a combination of transfers from the Ireland Strategic Investment Fund (ISIF) and private finance, with capital of up to €1.25 billion to be used to fund enabling feasibility appraisal, masterplanning, infrastructure, and in some cases the ultimate development of sites, as well as strategic private land acquisition;

— in order to support local authorities to get their sites ready for affordable housing, funding of €310 million over 2019 to 2021 has been allocated for enabling infrastructure via the Serviced Sites Fund (SSF) in Budget 2019;

— cost rental housing is being brought forward in conjunction with the Housing Agency, the Land Development Agency, local authorities and other stakeholders, with two pilot projects already being progressed;

— there is no current legislative or regulatory impediment to the credit union sector (or any other party) establishing a Special Purpose Vehicle (SPV) to invest

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credit union funds in Tier 3 AHBs, and on foot of proposals from the credit union sector, a new investment framework was introduced by the Central Bank in March 2018, following a public consultation, to specifically allow for such investments up to certain limits;

— in terms of housing generally, overall supply continues to show significant increases, with over 18,000 new homes built in 2018, 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, and almost 800 dwellings in unfinished housing developments were completed, meaning the number of new homes available for use increased by almost 21,500 in 2018, together with over 3,700 student bed spaces;

— there is clear evidence of moderation in the annual rate of growth of house prices, due primarily to increasing supply and the Central Bank macro-prudential rules, and residential property prices increased by 5.6 per cent nationally in the year to January 2019, compared to 6.4 per cent in the year to December and 11.8 per cent in the year to January 2018;

— moderation in the rate of rent increases is also evident, reflecting increased supply and the impact of the measures introduced under the Government's Strategy for the Rental Sector, including the introduction of Rent Pressure Zones in areas of high and increasing rents, and further strengthening of these and other measures in the rental sector is being introduced through the Residential Tenancies (Amendment) (No. 2) Bill 2018;

— the Housing Agency has a broad remit to work with and support local authorities, approved housing bodies, and the Department of Housing, Planning and Local Government in the delivery of housing and housing services and is already working with the LDA in appropriate areas;

— the Housing Finance Agency is operating effectively, in advancing loan finance to local authorities and the voluntary housing sector;

— the Government has also established Home Building Finance Ireland (HBFI), a new State lender for small and medium sized builders/developers, with an initial €750 million to fund the delivery of up to 7,500 new homes over the next five years;

— the National Asset Management Agency (NAMA) was established with a very specific legal mandate, which was approved by the European Commission in 2010 and it is important that NAMA's role is preserved and that it completes its work in line with its original mandate;

— The 'rainy day fund' forms part of the Government's policy to stabilise the public finances and increase the State's resilience to external economic shocks, and it is intended to act as a counter-cyclical buffer which can complement the operation of the automatic stabilisers in the event of a particularly severe economic downturn; and the annual allocation will operate in the first instance as a contingency reserve that may be drawn on in the event of a serious unforeseeable event occurring during the relevant year, with the unused balance rolling into the 'rainy day fund';

— the Government’s commitment to improving the energy efficiency of our housing stock, through a number of grant schemes to encourage energy efficiency upgrades in homes, including supports for lower income households, an energy efficiency programme in the social housing stock that has seen 64,000 homes upgraded with some €116 million of investment to end 2018, with a further 9,000 homes to be upgraded in 2019;

— the National Development Plan sets out the Government’s target of 45,000 deeper retrofits each year from 2021;

— new Building Regulations will be brought forward to introduce minimum energy performance requirements for existing buildings undergoing major renovation where feasible; and

— the issue of a right to housing has been addressed in the Eighth Report of the Convention on the Constitution, which, by resolution of both Houses, has been referred to the Oireachtas Committee on Finance, Public Expenditure and Reform, and Taoiseach for consideration.”

And yet the motion that the Labour Party has put before us is taking responsibility for local authority housebuilding away from local authorities so the Labour Party Members’ contribution contradicts what is in the motion.

**Deputy Jan O’Sullivan:** No it is not, it is clustering.

**Deputy Eoghan Murphy:** I will start with an apology because unfortunately I cannot remain for the entire debate and the Minister of State, Deputy Phelan, will be coming in after me. The motion says that shelter is a fundamental human right and I do not disagree with that at all. The motion also says that it is the duty of Government and the State to have that right fulfilled through the provision of quality and affordable housing. I do not disagree with that at all but we are not waiting for the market as the Deputy proclaims. It was a Fine Gael led Government that put the provision of public housing, social and affordable, at the heart of Government policy and at the heart of Government spending. It was a Fine Gael led Government that created a Department and Minister for housing, a Fine Gael led Government that created and published the Rebuilding Ireland framework over a five year period, a Fine Gael led Government that oversaw one in four of homes built last year built for social housing and that also saw 27,000 new tenancies created last year through taxpayer money and it was a Fine Gael led Government that will oversee €2.4 billion being spent this year on housing, more than any Government has ever provided in a single year in the history of the State.

Labour held the housing brief until the middle of 2016, when it had a majority in the Dáil and it did not do any of those things, but a Fine Gael led Government did do that after the 2016 election.

**Deputy Willie Penrose:** The Minister is in cuckoo land.

**Deputy Eoghan Murphy:** A Fine Gael led Government in a minority brought forward Rebuilding Ireland and this year will spend €2.4 billion on housing, more than any previous Government has spent. Labour held the housing brief until the middle of 2016, when it had a majority Government. Why did it not do any of these things when it had both the responsibility and the power to do so?

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**Deputy Jan O’Sullivan:** Some €4 billion as soon as the Troika came.

**Deputy Eoghan Murphy:** It is irresponsible to suggest that long term homelessness could be solved in the time period that the Labour Party has provided. It is irresponsible because the Labour Party did not do it and the Labour Party has to ask itself if some of its policies actually make things worse. This motion speaks to a number of issues in the housing area-----

**Deputy Jan O’Sullivan:** It is a fairly comprehensive proposal.

**Deputy Eoghan Murphy:** -----because it is a very complex area. We have to talk about supply of course but it not just purely about supply. It is about sustainability of supply, security of supply, diversity of supply and affordability of supply. It is also about the safety and security of citizens, new stock and dealing with existing stock.

Deputy Penrose talked about vacancies, with which we have a problem. The scheme about which he talked is actually in place; it is called the repair and leasing scheme. We also have a problem with objections when we try to do things about vacancies. We receive objections not only from citizens but also from politicians when we try to do things in providing new homes.

Deputy Penrose also talked about the Kenny report and the recommendations made in it. In subsequent reports we have adopted a lot of those recommendations in the Land Development Agency, LDA. The agency has not sold any State land. It is about developing public and private land in the public interest not only for public, social and affordable housing but also private housing. We believe the appropriate use of public land is for it to be used in the public good in the provision of housing for everyone. We intend to use our housing policy to ensure mixed tenure, housing for everyone; we do not want to use housing policy to divide communities. When we talk about existing stock and new stock, it is about making sure it is suitable to live in. It is about having the correct standards in place and not going back to the accommodation we had in the past, by which I mean bedsits. We should not go back to the type of accommodation that was not suitable for those in vulnerable circumstances. We must make sure we have emergency accommodation that is suitable and of the highest standard possible. It is also about making sure we have robust protections for both landlords and tenants. We need to make sure we have landlords operating in the housing system, but we also need to make sure people who are renting have protection, not just in terms of the standard of accommodation but also security of tenure.

The operational clauses included in the motion seem to suggest it is a money problem we are facing and that if we spend more money, we will have more homes more quickly and cheaply. That is poor logic which does not account properly for the economies of the housing sector. We have to increase output sustainably. We have to use land more strategically and economically and as we increase output, we have to make sure we are building in the right places and the right types of home. It is not just about the mix of tenures but also about making sure we have homes for different people at the different stages of their life cycle. I refer to homes for people who are elderly or disabled, as well as for young couples and single people. Almost half of the entries on housing lists are single adults. We have to make sure that as we build homes, we are building the right types of home. It is not about throwing up 80,000 new social and affordable homes in fields sprawling outwards from towns and cities.

We have to think of the people who were badly hurt in the housing crash, the people who were stranded in large housing estates without any social capital or infrastructure, with no

shops, schools, playgrounds and public transport. We have to think about the people who were abandoned in unfinished housing estates, some of which still scar the landscape. We have to think about the people who were trapped in negative equity in homes that were too small for their growing families, the people who were burdened with debts they still cannot afford to pay and the people who invested their lives in homes that are no longer safe in which to live because the right standards were not in place in building regulations and controls. They are the mistakes of the past that we have to ensure we will not repeat as we rebuild the housing sector and build tens of thousands of homes each year.

The motion seeks to merge elements of NAMA, the Housing Agency, the Housing Finance Agency and the Land Development Agency to build homes on State land. It is accepting the benefits of the Land Development Agency while trying to use it for a different purpose.

**Deputy Jan O’Sullivan:** We cannot ignore it.

**Deputy Eoghan Murphy:** How long would it take to build it, if we are being honest with ourselves and recognise the bureaucracy about which Deputy Penrose spoke? How long would it take to build the new agency? Would it take a year? It could be another 12 months before that agency had control of the lands it would need and would lodge its first planning application. It would be another year before a home was completed. We are talking about a period of three years.

**Deputy Jan O’Sullivan:** No.

**Deputy Eoghan Murphy:** It cannot be wished up overnight; we cannot all of a sudden add an extra 50,000 homes to the housing stock in a year. We have to be honest with the public about the time it takes to get shovels into the ground to get things built. Yes, we have cut the red tape where it has been safe to do so, making sure it will not result in a fall in standards. We have to be honest with the public about the challenges we face. The agency proposed in the motion would be a complete duplication of the Land Development Agency which is up and running. It has a pipeline of sites that it will take from other State bodies. It will lodge its first planning applications this year. There will be significant capital investment by the Ireland Strategic Investment Fund, ISIF, when the legislation passes through the House. The agency is already funded from my Department with enough capital to begin its work. It has its interim board in place and is the State’s developer. It will take public and private land and develop it in the public good and get an uplift from the increase in the value of that land because it will service sites, receive planning permission and have land zoned for housing. It will use the benefits to deliver more affordable housing. That is exactly what we want to do with a new agency similar to the one proposed in the motion. We have created it in the Land Development Agency.

The motion proposes that we stop allocating money into the rainy day fund. That is incredibly irresponsible because we know that there will be economic shocks in the future. There are the potential risks posed by Brexit, whether it is orderly or disorderly, right in front of us. We have to make sure the wider economy will have the buffers in place to protect not just the housing sector but also other sectors from future shocks. The motion proposes that we bring together the fund of €16 billion to tackle the housing challenges we face, but funding and finance are not issues. Under Rebuilding Ireland, more than €6 billion has been ring-fenced for the housing programme, with €2.4 billion to be spent this year. Home Building Finance Ireland, a new bank to help builders to build homes throughout the country, has €750 million available to it just as a start. The Housing Finance Agency has access to loan facilities of up to €5 billion. The urban

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regeneration and rural funds amount to €3 billion. The Land Development Agency will have capital of €1.25 billion. In all, being conservative, roughly €16 billion is being dedicated to the provision of housing. That is not counting the additional moneys that have been ring-fenced in the national development plan to 2027 - an additional €7 billion to €8 billion under Project Ireland 2040. That is the amount of money being invested by the Government in housing because we believe we have to provide housing for all citizens, including social, affordable and private housing. That is exactly what we are doing.

The motion refers to the credit unions. The Central Bank has given approval for credit unions to invest in house building but only in tier 3 bodies because that is what it thinks is prudent. It is not €14 billion we can just take from the credit unions and invest. It is incorrect to suggest we could just take the €14 billion, yet that is how the motion accounts for the money about which it talking. The figure might only be as much as €1 billion; yes, we should use it, but some housing bodies are reluctant to take credit union money because it may impact on their ability to use other sources of private finance to invest in housing. We have put funding in place to allow them to explore the possibility of using special purpose vehicles, but we cannot force a housing body and a credit union to come together to invest in housing. We have taken away whatever restrictions were in place to allow them to do so. The retrofitting programme will see 9,000 more homes being retrofitted this year to the new nearly zero energy building, NZEB, standard in the building regulations. The national development plan has a target of 45,000 deep retrofits of homes each year from 2021, while the climate plan on which the Minister, Deputy Bruton, is working will go even further in respect of what we want to do with building energy rating, BER, certificates and heating standards and in the replacement of heating equipment.

On tenancy protections, we are bringing very robust, reforming legislation through the House to strengthen rent pressure zones. The motion supports rent pressure zones in that it wants to see more areas included, extend the period to 2021, change the qualifying criteria, make sure areas outside them can only see a rent increase or rent review every two years and not more frequently. It also wants to make sure any perceived loophole is closed, whether in respect of substantial renovation or the second letting of a new property that has come online. We are robustly enforcing and reforming the rent pressure zones to make sure we can continue to give tenants some security on the affordability of rents and help to drive down further rent inflation. In respect of section 34, there will also be protections.

**Deputy Pat Casey:** I am sharing time with Deputies Scanlon, Aindrias Moynihan, Murphy O'Mahony, MacSharry, O'Loughlin and Troy.

Fianna Fáil welcomes and supports the motion. Fine Gael has overseen a crisis marked by homelessness which is reaching unprecedented levels. Surging rents are at historic heights. Home building numbers are tens of thousands behind where they need to be, while some 130,000 people are in need of a permanent social home. All the while, another massive problem is emerging that the Government is completely ignoring; ordinary working families cannot afford to own or rent a place.

Fianna Fáil voted through some significant measures in budget 2019, but the key is delivery. The Government has to start to deliver on housing. After six separate plans and over a dozen launches, it just needs to put bricks and mortar into the ground. While other parties grandstand on motions and Bills that will not help to build a single additional home, we have worked to deliver changes in budget 2019 and will continue to hold the Government to account. There is no silver bullet solution to the housing crisis. Fianna Fáil supports the Labour Party motion as

we will work on constructive solutions proposed by all parties. The Labour Party motion reflects that party's thoughtful and considered approach to housing solutions, which is in contrast with the showboating and anger management of others who just provide headlines, not homes.

The motion calls for the establishment of a housing development bank, increasing the percentage in Part V to 20%, credit union investment in the provision of social housing and protection for tenants and small landlords. Fianna Fáil has worked on many of these proposals and is willing to continue to help progress them. The Labour Party's motion echoes closely Fianna Fáil's policy position. It reflects the fact that the State and the Government has a responsibility to the common good to ensure that all people have homes. The State must become the key actor in housing delivery in the Republic of Ireland.

The recent ESRI report, setting out the high amount of money being spent on rent alone, was not a surprise to anyone active in the rental sector in recent years. The increase in the number of homeless people to more than 10,000 is a fundamental failure of policy. This failure of policy is becoming increasingly clear. Fine Gael is very reluctant to change the State's role in housing policy. It is clear that it believes that the private market will sort out things eventually, but this will not be the case. Our housing crisis is getting worse, and after eight and a half years of Fine Gael in government, this is simply not good enough. Rent levels are very high, a whole generation cannot save enough to own a home, while vulnerable households are put at risk of homelessness. Home ownership is slipping away from an entire generation as house prices rise by 13% per annum while wages rise by only 2.5%. The 68% home ownership rate is the lowest since 1971. In Wicklow, house prices in the majority of the county are out of reach for thousands of hard-working families. Only last week a constituent wrote of her despair that even the rental sector in Wicklow was out of reach for her. I will quote an extract from Fiona's email to me.

My husband and I were married in August and found a beautiful rental apartment to call home. For eight months we have been completely happy. I work in Bray and my husband in Carlow, so Rathdrum is the perfect halfway point. Most unfortunately the place we live in has been sold and we have six weeks to vacate. We are rather urgently seeking somewhere to live. Our price range is only between €800 and €900, which is low at the current market rate of inflation, but we are still trying every possible avenue. We have asked around locally and we have been in touch with every estate agent and auctioneer in the Wicklow area. We are growing desperate with every passing day. We have trouble sleeping [and] eating, and I have become prone to panic attacks since we received the news. We just don't have the income to afford the staggering rents being charged.

This woman and her partner both work and commute, yet they have to move into separate parental homes because this Government cannot get on top of the housing crisis.

Fianna Fáil has shown its commitment to finding meaningful solutions through out role in the confidence and supply agreement, and has not shirked away from leading criticism of the Government where it is at fault. The people demand that the Government listens and acts rather than spinning and controlling news cycles. Delivery of new homes is not happening and the crisis is getting worse. I have stated time and time again that the Members in this House will work proactively and energetically to deliver solutions and will step up to the task at hand. However, the scale of the delivery and the response to our genuine support has been very poor. When working families are moving into parents' houses because they cannot even afford to rent a home in Rathdrum, the centre of Wicklow, it is clear that the Minister's policies are failing

badly.

**Deputy Eamon Scanlon:** The ongoing delay in the publication of the review on social housing is seriously affecting families and individuals who find themselves unable to secure housing because they do not qualify for social housing and do not earn enough to secure a mortgage. I am regularly contacted by people who have found themselves stuck in the situation where they cannot get approval for social housing because they earn more than the threshold allows, but who also fail to qualify for a mortgage because they do not earn enough. This is a ridiculous situation and is penalising families. It makes no sense that the majority of them are paying more in rent than they would if they had a mortgage, either privately or through a social housing programme.

The Minister committed to a review of social housing eligibility in 2017, but this review has still not been published. Unless action is taken, we are condemning people to the rental market for life. Vulture funds, which pay virtually no tax, are buying thousands of houses all over Dublin city and achieving exorbitant rents. What chance does any young couple have of purchasing a house when the houses do not even get to the marketplace?

I heard on the radio recently of a young family who were getting a loan under the tenant purchase scheme, but unfortunately the funds ran out. These people are now probably liable to lose their deposit. That is very serious and very critical. It should not be allowed to happen.

I have been calling on the Minister for years to address the anomalies in the tenant purchase scheme which make it almost impossible for some people on low and middle incomes to buy their home. Opening a pathway to home ownership is at the heart of Fianna Fáil policy, and the right to do this under the tenant purchase scheme has been an important tool in extending home ownership opportunities to low-income households. However, qualifying rules are making it very difficult for people in receipt of social welfare to qualify. The scheme restrictions are particularly cruel when older people, who may have been living in their homes for 30 or 40 years, are prevented from buying their house. It does not matter if they have saved the money to buy their home. The rules of the scheme disqualify them from participating because their current income is solely based on social welfare payments. The majority of these cases involve people in their 70s and 80s for whom the bulk of their income comes from pension payments. It is very unfair on these elderly people. They are being discriminated against because they do not have an annual income of €15,000. The houses they live in are not going to come back into the housing stock again. These people have been living in these houses all their lives, and their families have lived in these houses as well. It is very unfair. This must be addressed urgently.

**Deputy Aindrias Moynihan:** I will focus on vacant housing and getting those houses which are built into circulation as quickly as possible. In the 2016 census the CSO identified that 12.3% of houses were vacant nationally, but in Cork the percentage was 13.2%. That amounts to 22,000 housing units throughout the county which are vacant. They are vacant for a host of reasons. Perhaps they are for sale, to rent or are under repair. Those situations are more acceptable, but there are also houses vacant because banks are sitting on them or because developers are just not able to finish them. There are also many houses which need a little bit of repair to get them into circulation.

The repair and lease scheme, which was aimed at bringing some of those vacant houses into circulation, had only delivered 48 houses throughout the country at the end of last year. People had expressed an interest in the scheme but only one in ten of them was able to create a tenancy

from it. It was clearly too restrictive and not operating properly. The Minister needs to take a serious look at it, make it more widely available and bring more of those vacant homes into circulation for people.

The Minister should also look at water infrastructure that is blocking housing. Unfinished estates or villages exist where people have sites and money but cannot build houses because there is no sewer connection available to them. In the meantime they are forced to occupy rental properties. Coachford is the classic example of this. The people there are waiting for a sewer, and there is an unfinished estate sitting idle, waiting to be finished. People cannot build there. The Minister has to co-ordinate with Irish Water to get such schemes progressed as quickly as possible. There are apartment blocks standing vacant, such as that over the shopping centre in Macroom. People want to let them out. Every effort should be made to release any blockages so that those units can be made available for rent.

*4 o'clock*

**Deputy Margaret Murphy O'Mahony:** It seems as though we are here week after week discussing the issue of housing and homelessness in circumstances where there has been no real progress in this area over the lifetime of this Government. After the launch of six separate plans by this Government, 130,000 people are in need of permanent social housing, more than 10,000 people are homeless, a whole generation are facing the prospect of never owning their own home, and rents are spiralling out of control. I do not see much success here.

I have spoken many times about the lack of housing. Specifically in terms of rent, I point out that rent pressure zones were designed to target spiralling rent costs. Fianna Fáil legislation to extend this into 2020 and after must be approved.

This morning my office received a call from a concerned constituent in Clonakilty who advised that a tiny one-bedroom apartment where it is not possible to swing a cat has just been placed on the rental market at €825 per month with a deposit of €1,000 required in advance. This may sound low to people in Dublin but obviously rents are relative and this is not within the grasp of many people seeking to rent a property in Cork South-West.

Fianna Fáil has worked continually to effect change in the housing sector. If the Government is serious about tackling this matter once and for all, it will adopt this motion.

**Deputy Marc MacSharry:** Obviously we are supporting the motion. Before he left the Chamber, the Minister said we have cut red tape where it is safe to do so in order to protect against a fall in standards. That is just ridiculous. We are effectively saying to Sligo County Council that it can give Marc MacSharry planning permission for 1,000 houses without needing to come near the Department, but Sligo County Council cannot build ten local authority houses without coming up here and going around the administrative merry-go-round for seven, eight or ten months or into years at times. When will we realise that we have to strip out all this unnecessary duplication? If they are capable of giving planning to me, they are capable of planning for themselves. Let us get building. That is what needs to happen. We are hearing about all these hare-brained schemes, this launch and that launch. We are not getting the supply for the demand that exists.

We should outlaw vulture funds and institutional investors purchasing entire schemes in the small amount of building that is going on. The Minister needs to do something about it because nobody can get near to that. Because rents are so high, those institutions are coming in and banking them knowing they will give them a good return. That should not be allowed. The

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vulture funds that came in under the tax incentives that were there for them are getting these rents tax free.

Deputy Penrose rightly mentioned the number of derelict properties throughout the country, particularly in rural areas. We should be incentivising by providing grant aid to get these up and running. By all means, as the Deputy said, this can be tied into renting to the local authority for a period of years in lieu of that. Certainly let us get them back in use.

Some years ago, probably towards the peak of the boom, I read about Ireland having enough retail space for 15 million people. That may well be the case in villages and towns that no longer support the old-fashioned retail units on their streets. If that is the case and retailing is not possible, we should incentivise those people. Let us get a mix of retail and people living on the streets in those villages and towns.

The motion refers to a housing development bank. The banks are telling us they are lending money at the moment. While they are lending, they are lending to only a handful of people in non-tertiary areas. Non-tertiary areas are effectively everywhere outside Dublin. They will not lend. We need an equivalent of the ACC or ICC, 20 good underwriters and get money out to small builders and large builders throughout the country so that they can get building.

As everybody has been advising, the Government needs to cut out this ridiculous duplicative process for local authorities building houses. They are capable of overseeing me as a private developer building; let them build themselves. The Government should give them the money to do some building and let us begin to eat into the current demand issues.

**Deputy Fiona O'Loughlin:** We have already had six plans. We have had more than a dozen launches and relaunches, too numerous to count. The Government needs to deliver. It is about bricks and mortar and foundations in the ground, which is key for the 130,000 waiting to have a home.

Fianna Fáil supports the motion and I commend those who have introduced it. We are willing to act responsibly and to work cross-party to deal with the crisis. Almost 7,000 people are on the housing list in my constituency of Kildare and 150 people are in emergency accommodation. Home ownership is slipping away from an entire generation. House prices are rising by 13% and yet family incomes are rising by a derisory amount. Renting in Kildare, as in Dublin, Galway, Cork and other counties, is becoming prohibitively expensive. Those on HAP or RAS are finding it increasingly difficult to find a private rental property they will be able to pay for with the allowance they get.

Fianna Fáil also had a key input into budget 2019 on the increased social housing fund and the affordable housing scheme, but unfortunately we have not seen any plans on that. We would also establish an affordable rent scheme, which would be very important for those who need to continue to rent. Even though people are very keen to complain about landlords, we need measures to keep landlords in the market. We need to address delays and red tape in the Department and local authorities.

The motion calls for the establishment of a housing development bank, with which we agree, and to increase from 10% to 20% the requirement to sell housing units at cost to the local authority under Part V of the Planning and Development Act 2000.

**Deputy Robert Troy:** Housing is one of the biggest issues facing Deputies in their weekly

clinics. The numbers on housing lists are at an all-time high. People cannot afford to buy houses. Developers cannot afford to build and sell houses at the current market value. Demand far outstrips supply. Last week, I raised the issue of the land identified by the Land Development Agency more than 12 months ago. What is the status of that? Eight sites were identified. Last week the Minister advised that it is going through the process and they will not be ready for four to six weeks. That is just to complete the transfer of land from the current ownership to the new ownership. That means it will be at least another 24 to 36 months before any houses are built in that area.

Another initiative introduced was the planning exemption for changing commercial premises to residential premises introduced more than 18 months ago, but there have been only 48 applicants in that time. The Government made a promise regarding credit unions. The Government is failing to use available funds. Developers are sitting on land banks with planning permission but are not building because the current regulations are driving up the cost, the development levies are too high and they cannot get access to credit. This needs to change. The Government needs to revise the building regulations - not to compromise them but to revise how they are certified. It needs to revise the levies being charged and incentivise developers to build properties that are affordable for couples.

Some local authorities are far better than others in advancing applications. It is still too bureaucratic and takes too long. Unfortunately, the Government is still failing to deliver.

**Deputy Eoin Ó Broin:** I listened very carefully to the Minister and it is clear he is not living in the same place as the rest of us. His Department's homelessness report published two weeks ago shows homelessness has reached its highest level since those reports began and, in fact, his own report is a significant underestimation of the real level. A subsequent report by the Residential Tenancies Board, a Government-established body, showed that rents had increased by 7% across the State and by 8% in the city of Dublin, which is twice the level permitted under the terms of the clearly failing rent-pressure zones. A few days later the quarter 1 daft.ie 2019 house price report showed that house prices have increased by a further 6% despite the increase - albeit modest - in the supply of new homes for purchase. However, wages are not increasing by 6%, but house prices are. The UN's special rapporteur on affordable housing then released a report and wrote a letter to the Government highlighting the potentially negative impact of short-term vulture fund investment in our rental market and the negative impact for prices and tenants' rights. That was followed by a Savills report confirming that same picture but also estimating that rents will continue to rise by up to 17% over the next three years on the basis of its market calculations. In the middle of all of that bad news, both *The Irish Times* and the *Irish Independent* - no radical publications - wrote the most stinging reviews and criticisms of the Government's failing housing policy. In fact, the *Irish Independent* within one week alone wrote two separate editorials demanding a right to housing and saying Rebuilding Ireland was failing and needed to be replaced. Yet the Minister, Deputy Eoghan Murphy, waltzes into this Chamber and, with all of the confidence of his privileged upbringing, tells us that his plan is working. At what level is this Minister detached from reality?

Let us consider Rebuilding Ireland. Social housing output continues to be glacial. Last year, we got approximately 6,000 extra real social houses, owned by approved housing bodies or local authorities. There are 70,000 households on local authority waiting lists, 45,000 families in two-year housing assistant payment, HAP, tenancies, 20,000 families are in four-year rental accommodation, RAS, tenancies and last year, an extra 14,000 families came on to the local authority housing waiting lists. Therefore, not only is the Government not clearing the

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historic need that exists, it is not even coming close to dealing with the new need that is arising.

As other Deputies mentioned, not a single affordable home was delivered by any Government scheme in 2016, 2017 or 2018. Yet we know, thanks to the good research of the ESRI, that up to 75% of lower income workers living in the private rental sector, who are not eligible for any State supports, are spending up to 40% of their disposable income on rents. We have a crisis of rental affordability, additional to the crisis of social housing, like we have never had before. How many affordable homes will be delivered this year? None. How many will be delivered next year? On the basis of what we are hearing, perhaps a few but the rent will be €1,300 a month when affordable rents would be somewhere close to €700 to €900. The length of time families are in emergency accommodation beats almost all other European member states. We are dealing with families who spent their third Christmas last December in emergency accommodation and still have no prospect of adequate housing to meet their needs.

The Minister has told us funding is not an issue. Of all of the bizarre things he said here today, that is possibly the most bizarre. We are chronically underfunding our local authorities to deliver the volume of social and affordable homes that are needed. It is true they have lost capacity not only under this but under previous Governments. If we are to seriously build their capacity to deliver the homes that people need, we have to give them money for capital investment and for current improvement and we have to give them the staff. Until they have a significantly larger level of investment than is being proposed under Rebuilding Ireland, things will not change. My view is the same as every other time we had have a debate on this issue. Rebuilding Ireland is failing. Under every single indicator that anybody would reasonably look, it is clear it is failing. We need the Government to accept the plan does not work and that we need a new plan. We would not need to spend a long time developing a new plan. Many of us in opposition, despite some agreements we will have here today, have a clear consensus in terms of the alternatives that are required and it would not take very long to quickly introduce such a plan.

To specifically deal with the Labour Party's Private Members' motion, I fully support the intentions behind it. I also support many of the sentiments expressed in it, particularly the need to significantly increase the supply of social and affordable housing. I have a fundamental disagreement with the delivery mechanism, which is why Sinn Féin will not be supporting this motion. I want to outline why that is the case. We have long been of the view that the best agencies to deliver good quality public housing to meet and social and affordable housing needs are local authorities. They are democratically accountable to their elected members. They are located closest to the communities where housing needs have to be met and until the mid-1980s, because they were properly funded and resourced, they delivered significant volumes of both social homes and supports for affordable homes for working families and we did not have the level of crisis we face today.

I and my party do not support the creation of a new State-wide agency to finance or develop public housing. We want the local authorities to be equipped and empowered to do precisely that. I also do not accept that NAMA should have any role after its current mandate is up. I would like the surplus from NAMA to be reinvested in a variety of public infrastructure projects and housing would be one of those but that should be through the Department of Housing, Planning and Local Government and directly into the local authorities. I am also strongly against the Land Development Agency, LDA, having any developmental role. I actively support, and I am on public record as having done so, the LDA as having a function in the strategic management of public landbanks. That is necessary for a body with funds and powers to move land

around from one State agency to another, but where land is to be developed for residential or residential and mixed use, it is the local authorities that should be in the driving seat. The LDA could partner with them as the provider of that land. The Housing Finance Agency is already in place to provide finance. It would be able to provide much more finance to local authorities if the Government would approve loan facilities, which is the major block in that respect. We do not need another financing vehicle. The Housing Agency, and people in this Chamber might have a different view, is a good agency. It does a good job but its function is to support local authorities in delivering their statutory responsibilities and to provide policy support to central government and I do not believe that should change.

What I would like to see, and this Chamber voted on a motion that almost 40 Deputies from the broad left signed and introduced on 3 October, is an immediate doubling of capital investment to deliver public housing on public land to meet social and affordable housing needs. If we did that, and it could be done by way of an emergency budget if the Government thinks money is not a problem, we could start to ramp up projects that have been a long time on the shelf waiting for investment. That should be done through local authorities and where smaller rural local authorities need additional assistance, the shared services model for procurement, quantity surveyors, architects and designers could be introduced as well.

We also need emergency measures to reduce the flow of families into homelessness. Fianna Fáil and Fine Gael made it very clear they would not support the Focus Ireland amendment. I disagree but that is okay. However, they have yet to propose a credible alternative to reduce the number of families presenting as homeless every single day across this State. They have an obligation to do that if they are not willing to support propositions from the Opposition.

We also need emergency measures to constrain and reduce rents. The idea that the rent pressure zones are working is laughable. Tomorrow the Select Committee on Housing, Planning and Local Government will deal with a series of amendments to the Residential Tenancies (Amendment) (No. 2) Bill from both the Minister and from Opposition Deputies. While many of them are positive, more than a year ago the Minister did not support some of the amendments he is bringing forward and he has been forced into doing this because of Private Members' Bills coming through on Second Stage. I support those measures but they will not be enough to tackle and to reduce rents.

Crucially, I seek a referendum to enshrine in the Constitution the right to housing. More than 80% of voters in the Citizens' Assembly supported such a call. The *Irish Independent*, again not an organisation I often quote in defence of my arguments, has publicly called for a right to housing. We need that referendum as a matter of urgency.

Those were the demands of the Raise the Roof campaign in the mobilisation outside this building on 3 October last year. They are the demands of those of us in this Chamber who support that campaign. On 18 May in this city, Raise the Roof and all the political parties, community organisations and activist groups, civil society organisations and the Irish Congress of Trade Unions are calling for a massive mobilisation of public support for those core housing policy demands. It is clear having listened to the Minister today that he is deaf, "tone deaf" to use the words of the *Irish Independent*, to the harsh realities that have been caused by the failure of Fine Gael's housing policy. Until we see tens if not hundreds of thousands of people on the streets, I am fearful that will not change and the housing crisis will continue.

I cannot support this motion but I will continue to work with colleagues who proposed it and

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with other colleagues until we have the kind of housing policy that meets the social and affordable housing needs of the tens of thousands of families who are being ignored, abandoned and whose lives are being made more difficult every day by Fine Gael.

**Acting Chairman (Deputy Frank O'Rourke):** The next speaker is Deputy Boyd Barrett who I understand is sharing time with Deputy Mick Barry.

**Deputy Richard Boyd Barrett:** Yes, we will have three and a half minutes each. The most important thing one can say to people who are angry and frustrated about the worsening and ongoing housing crisis is that they should come out onto the streets for the Raise the Roof demonstration on 18 May. People are sick and tired of the discussion here and the failure of the Government to address the problem. Just as we defeated the unfair and unjust water charges through mass mobilisation, the only way we are going to force a change to deliver the public and affordable housing we need, have the rent controls we need, stop the land speculation and land sell-off, stop the flow into homelessness, have the right to housing inserted into the Constitution is by getting the people out onto the streets. The people who are on housing lists, in the hubs, living with their parents and grandparents because they cannot afford to buy a home and spending more than 50% or 60% of their income on rent, as well as the young people who have no prospect of having a house they can own or rent in the future unless we address the crisis need to get out onto the streets on 18 May.

The motion the Labour Party has brought forward has aspects with which I agree. We have kept much of it, although we have sought to amend other aspects. There is a role not so much for the banks but for a State construction company that would work with the local authorities as the primary deliverer of local authority and public housing on public land. However, we have added in that we should not just maintain public land but also that there should categorically be no sell-off of public land of any description, in any circumstance, by the State, semi-State companies or local authorities - that is critical - and that there should be aggressive measures to stop land boarding and speculation.

I was hoping the Minister would be present in the House for the debate as I had asked him about this issue today. I want to give a couple of examples to highlight the problem we have to address. First, we need to raise the income thresholds to qualify for social housing. Working people, the people who the Taoiseach said get up early in morning, are being axed from the housing list in their hundreds and thousands because their earnings are ever so slightly above the income thresholds such that they are left in limbo, unable to pay market rents or find affordable housing because it is not available. That has to stop. I asked the Minister about this issue and ask him again about it now. A woman who is working for the HSE has a job that is going to change because of Brexit. She will have to check food imports. Her wages will go up slightly, which means that she will lose eight years on the housing list. As a result, she is thinking of resigning. A man who is a council worker effectively has to do mandatory overtime on a Saturday. As a result, he has been taken off the waiting list having been on it for ten years. I have lots more examples, but I do not have time to go through all of them. It is wrong. If we want to have a social mix, the last thing we want to do is constantly cut people from the social housing application list just because they are working, but that is what is happening. The other thing I have discovered this week is that much of the Part V social housing that has been delivered is of a lower spec and substandard compared with the housing provided in private developments, which is wrong.

My last point concerns the scandal of selling off public land, including NAMA lands and

property, to speculators and land hoarders, including the Sentinel building in Sandyford. It is a scandal.

**Deputy Mick Barry:** In late 2017 the Leaside apartments on Bachelors Quay in Cork were bought by the vulture fund, Lugus Capital. Notices to quit were issued immediately to all residents in the 78-apartment complex. Lugus Capital's plan was to evict, renovate and charge much higher rents. When the residents approached me, we set up a residents' group and decided to campaign against the evictions. The majority of residents who were Erasmus students went home at Christmas. The remainder who were unable to find alternative accommodation in a housing crisis had no alternative but to campaign and fight. They brought the vulture fund to the Residential Tenancies Board to force it to issue new notices to quit. They organised a series of protests outside the apartments. They also organised a march through the city which was attended by more than 300 people. They went on radio and television and to the newspapers, scandalised their landlord and made it absolutely clear that they were not for moving.

Last summer, Lugus Capital sued for peace. It offered to keep the residents in apartments if they agreed to switch apartments within the complex, pay higher rents under the HAP scheme and sign a non-disclosure agreement. Cork City Council agreed to the HAP option and, so to speak, the deal was done. I cannot say exactly when, but at some stage Lugus Capital decided to sell up. Having 14 HAP scheme tenants in its new luxury apartments was never part of the plan. Last month, the Clúid Housing Association bought the apartments from Lugus Capital for €20 million. The 14 families get to keep a roof over their heads, the HAP scheme tenants will be allowed back into the original apartments, while more than this, 59 households are being taken off the Cork City Council housing waiting list and given new homes at Leaside.

This victory is a testament both to the Leaside residents who fought the evictions and my colleague Councillor Fiona Ryan who advised and worked alongside them every step of the way. With more than 10,000 officially homeless, the Leaside saga is rich in lessons and offers pointers on how the housing crisis might be tackled. Lesson No. 1 is that evictions can be fought and defeated, even when the landlord is a powerful vulture fund. An important pointer is that the key to saving homes and creating new one was taking the building out of private ownership. I prefer a model where the council directly takes control. I prefer a model where vulture fund landlords have their properties seized, rather than receiving lavish compensation. Nevertheless, there is a strong lesson, that is, that ending private ownership can save and create homes. The victory should provide inspiration for every tenant nationwide who is fighting eviction. It should not be a one-off. It should provide a strong element of a template for how the State should intervene in similar cases in the future. Last but not least, the Government should stop kowtowing to the landlord lobby and match the courage of the victorious residents by moving to ban all evictions into homelessness.

**Acting Chairman (Deputy Frank O'Rourke):** I understand Deputy Connolly is sharing time with Deputy Joan Collins.

**Deputy Catherine Connolly:** I welcome the opportunity to speak to the motion, as I have spoken to every motion on housing since I was elected. It is significant that we are just over 70 years on from the UN Declaration of Human Rights of 1948 which enshrined a number of rights in Article 25, at which the Minister might look, particularly the right to food, clothing, housing and medical care. This and previous Governments have utterly failed to comply with that article.

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There are many good aspects to the motion. It seeks to declare that shelter is a human right, acknowledge that rent prices are soaring and recognise that over 10,000 people are homeless and so on. In seeking the declaration, the acknowledgement and the recognition the Labour Party utterly fails to declare, acknowledge and recognise the integral role it played in implementing a housing policy that has led us to where we are. It is important to say this because if it is recognising that it was wrong, that is good, as we all make mistakes. However, it had a golden opportunity when in power with an overwhelming majority. In fact, today we had the undignified spectacle of the senior Minister telling Labour Party Members they did not take their chance, trading insults and telling them that they were irresponsible. When they were elected in 2011, they were fully aware of the extent of the housing crisis because the construction of social housing had ceased in 2009. As an experienced councillor, with my colleagues, I repeatedly invited them to Galway and told them that they were creating a nightmare by not building houses. Did they recognise and tackle that problem? Quite the contrary; they intensified the reliance on the private market which had utterly failed and continues to fail to provide homes for citizens. They enshrined this reliance on the market in legislation and fundamentally changed housing policy by introducing the housing assistance payment and informing local authorities that it was the only game in town.

**Deputy Jan O’Sullivan:** We did not inform anyone of that. The Deputy is completely distorting what happened.

**Deputy Catherine Connolly:** Housing applicants were left with no choice. In a time of post-truth it is important that politicians stand up and be honest. Housing applicants are being removed from housing waiting lists and have no choice but to take the housing assistance payment. Security of tenure and the concept of a home for life were gone with the stroke of a pen. In the midst of previous economic crises, construction of public housing never ceased. It ceased from 2009. That was under the previous Government, to be fair, but it was Fine Gael that enshrined the policy and it continues.

Galway city has a waiting list going back to 2002. The rents rise continually. As has been mentioned already, the most recent report from Savills Ireland predicts a 17% rental price increase in the next three years. The average cost to rent is €1,347. The caps of the housing assistance payment, HAP, and the various other schemes are much lower than that. Galway rents have risen by 47% since 2008. For God’s sake, even IBEC is calling on us to have a public construction programme. That is exactly what we need on public land. It is tragic. Galway is a city that does not need to have a housing crisis. We have land that has been zoned as residential. We have land at Ceannt Station. We have land near the docks, not to mention the institutional land. The missing part is a master plan. Lately the Government has recognised that there is a crisis in Galway and it has set up a task force. Can the Minister of State update us on when that task force has met, what its aims are and whether it will give us three quarterly reports? My time is coming to an end. I support much of the motion and the amendments proposed by Sinn Féin and Solidarity.

**Deputy Joan Collins:** Yet again we have a Private Members’ motion on housing, or the lack thereof. I have no problem supporting motions or Bills on housing that put forward progressive arguments, strategies and proposals to go some way towards resolving the housing emergency we face. I agree with many parts of the Private Members’ motion put forward by the Labour Party, but I want to ask a question which perhaps the Labour Party Deputies can address when they speak again. The second paragraph of the motion refers to “the duty of the Government and the State, as well as of everyone in society”. I do not know who constitutes

“everyone in society”. Does that include the landlords, who provide some sort of housing for people, albeit insecure? I also note that there is no mention of security in the motion. To me, security of tenure is the crucial thing that people need.

Rebuilding Ireland is a mess. People on the average industrial wage find it practically impossible to rent or get a mortgage. I know a person working in this House who has three children and five grandchildren living at home with him and his wife. They are all working and cannot afford to buy or rent. It is a reality for many families that we come across. More than 10,000 people, nearly 4,000 of whom are children, are in emergency accommodation despite a Government commitment that in July 2017 there would be few or no families in emergency accommodation. The figure keeps rising even though some families are being housed through local authorities or HAP. No family should be evicted into homelessness. That message must come out of this debate.

Up to 50% of house builds are being bought with cash. Five out of ten purchases in the residential property market are made by cash buyers. These figures exclude purchases made by property funds and institutional investors such as Wilson Wright. The number of houses bought with cash payments is actually much higher. A couple of weeks ago the UN rapporteur noted that the massive US fund Blackstone has bought and sold rental properties here, including the Elysian Tower in Cork. Canadian-backed firm I-RES REIT is the biggest landlord in Ireland, with more than 3,000 houses and apartments. The Los Angeles-based Kennedy Wilson is already a big landlord. The firm recently said it has billions of euro to buy more rental properties. US fund Starwood Capital has put a consortium together to spend €1 billion on rental properties.

If this continues, there will be very little housing stock left for anybody to buy even if they can afford to do so. Tenants will be paying very high rents. The Government must bring in legislation to deal with the phenomenon of vulture funds buying swathes of apartments and housing in this country. There is enough public land throughout the country to build 100,000 houses. We know that the European cost rental model presents an alternative.

I find it very hard to countenance the Labour Party attempting to wrap the red flag round itself, despite the fact that it is part of the problem and has been since 2011. From 2014 to 2016 the Labour Party presided over the Department of the Environment, Community and Local Government, as it then was. A massive 90% increase in homeless took place under its watch. In 2013, Deputy Jan O’Sullivan introduced the HAP as the only game in town.

**Deputy Jan O’Sullivan:** It was not the only game in town.

**Deputy Joan Collins:** It accelerated the crisis.

**Deputy Jan O’Sullivan:** It helps people who are working-----

**Deputy Joan Collins:** Some 75% of social housing tenancies are now being provided through private landlords. That is absolutely outrageous. The HAP is being used as a long-term answer to housing need rather than a short-term measure.

I will finish on this note, as I notice the time passing. Thanks to the Labour Party, €390,000 was spent on HAP for 500 households in 2014 but by last year, €276.6 million was spent on HAP for more than 40,000 households. That is the turnaround that developed in that period of time. We need to push these housing initiatives onward. The one point we must drive home is

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that vulture funds should not be allowed to come into the housing market in this country and buy up homes that people cannot afford.

**Acting Chairman (Deputy Frank O'Rourke):** On behalf of the Rural Independent Group, Deputies Mattie McGrath, Michael Collins and Danny Healy-Rae will be sharing seven and a half minutes.

**Deputy Mattie McGrath:** I welcome the opportunity to speak on this motion. Given the seriousness of the issue it is absolutely vital that we support any effort, wherever it comes from, to throw an effective spotlight on this matter. This is such a crisis that the official record shows that 10,000 people are homeless, more than 3,000 of whom are children. I refer to the ongoing scandal of the national children's hospital. We do not care about children whether they are sick, healthy or homeless. I wonder where the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, is this evening. This is a damning condemnation of the Government's policy. It has failed. Fine Gael has been in power for eight years and it is getting worse.

I note that the motion recognises that in some European countries, such as Denmark and Sweden, housing co-operatives provide a much larger proportion of the housing stock, which is more affordable. Deputy McGuinness and I called for cross-party support when we introduced the National Housing Co-operative Bill 2017, which aimed to establish an off-balance sheet national housing co-operative. The sole intention of this co-operative would have been to keep families in mortgage distress in their homes. We did not get the necessary support. I welcome the Labour Party's motion this evening.

The time for piecemeal and clearly ineffective solutions to the mortgage and homelessness crisis is over. We need a radical approach that will generate significant and sustainable progress in the shortest possible time. The Bill we submitted sought to establish a new stand-alone entity, the national housing co-operative society, that would acquire all principal dwelling house, PDH, loans and all buy-to-let, BTL, residential loans in arrears for more than 360 days. We got great help with that and did great research. It is still my belief that this Bill would have greatly assisted us in reducing the levels of homelessness we are again discussing today. However, we did not get the support. We even had offers of help from American funds. However, the big banks called a halt.

Now we are talking about a boom, with construction cranes visible over the city. They are not building houses. Throughout the country no houses are being built. Something radical needs to be done. It would be better for the Minister of State to recognise this, because his Government will be facing the people very shortly and they will tell him the real situation.

**Deputy Michael Collins:** The homelessness figures have reached an all-time high, with 10,000 people currently homeless. Does this Government really realise that these are not just statistics, but real people who deserve the fundamental human right to safety and shelter? In this Chamber we have debated ways to relieve to current housing crisis over and over. I am baffled as to why, after all the hours of discussion and hopeful promises, more people are becoming homeless than are leaving homelessness every year.

Rural Ireland is crying out to be populated and wants to see its deteriorating villages and towns restored to their former glory. In my own constituency of Cork South-West, 100 new houses were proposed for the village of Ballinspittle over the lifetime of the county development plan. None of these houses have been able to go ahead because of the inadequate sewage

treatment system in the village. This needs to be looked into.

It is always one step forward and two steps back for rural Ireland. Belgooly is in a similar situation. For years, locals have been crying out for their water problems to be addressed and their water system to be brought up to standard. Typically, a huge promise was made just before the last election. The Government is well used to that and the people of Belgooly are too. The election came and went and there has been no delivery. How much longer will the people of Belgooly have to wait?

This is a problem throughout west Cork. According to Irish Water, Castletownbere, Castle-townshend and Goleen are among five towns and villages in County Cork with substandard treatment plants. Untreated sewage is currently discharged into the water. These are all major problems which are holding back the development of houses in rural towns and villages.

The Rebuilding Ireland scheme could have made a difference to the housing crisis and helped to get people on the property ladder. Instead, it was a scheme that was launched without adequate resources on the ground to deal with the number of applicants. Reports indicate that 50% of applicants are rejected, which is outrageous. I am in blue in face from asking the Government to deliver on promises it made during the programme for Government. During the talks on Government formation, a rural resettlement scheme was discussed. As the housing crisis is only getting worse, there was never a better time to promote actively the concept of rural resettlement. The scheme has been rolled out in County Clare and we can see how it worked there. It could work anywhere, perhaps even in west Cork as well, but there has not been any activity on the ground to resolve the issue. Year after year thousands are being added to the waiting list. The situation is scandalous beyond belief.

**Deputy Danny Healy-Rae:** I, too, am pleased to get the opportunity created by the Labour Party this evening to talk again about this very serious problem that we all have to deal with and listen to, namely, housing. I do not think the Minister of State, Deputy Phelan, is listening to any of us this evening. We have enough plans, reports and reviews. What we want is money and action. If the money is not available, then the Minister should spell it out and tell us that is the case. There are a number of simple things that need to be addressed. Deputy Boyd Barrett mentioned that the income threshold for people on the housing list needs to be raised as a matter of urgency. A couple with two children can earn up to only €33,000, and if they go over that, they are taken off the housing list. I am aware of one couple, among others, who are on the housing list for 11 years and they are afraid they will be thrown off it due to that ridiculous situation.

The cap on the housing assistance payment, HAP, is too low for places such as Killarney and the busier towns such as Kenmare and Dingle. Currently it is €550 and it is €650 if a person gets the increased 20%. That is not adequate and the matter must be addressed. I am bawling here since I was elected asking the Minister to bring forward a tenant purchase scheme in such a way that retired individuals or couples would be allowed to purchase their homes. We had no tenant purchase scheme for five or six years and then it was opened up. People who have savings and the wherewithal to purchase their homes are not allowed to do so.

No funding is available in County Kerry for demountable or modular homes. They were part of the housing set-up, for example, in a case where a farmer whose house got into a bad state of repair but who wanted to stay on his land brought in a demountable home, but that is not allowed. The stock we have is not being repaired and the living conditions are not adequate

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for those living in them. No funding is available for them. I do not know what the Minister of State is looking at but I know he is not listening to me.

**Deputy John Paul Phelan:** I am listening.

**Deputy Danny Healy-Rae:** That is the reason the housing situation is in its current state. There are more than 50 applicants in Kerry who have sites but the Department is not giving adequate funding for rural cottages in Kerry. The funding allocated between 2016 and 2021 is enough to build ten cottages. That is not adequate. The Minister should cop on and give us the money and the personnel to deal with the applications because we do not have them in Kerry at present.

**Deputy Eamon Ryan:** I support the Labour Party motion. We tabled an amendment to it on a point where we differ. It is more respectful to highlight that rather than just glossing over it. We believe that we should set aside funding into a rainy day fund as it may help us in the event of an unseen downturn to have a countercyclical ability to increase investment in such circumstances. We tabled the amendment because we believe it is important to keep such a facility for fiscal reasons.

In the brief time available to me, I wish to outline other ways that we can achieve the same objective and guarantee the financing of the public housing that we need to tackle the housing crisis. We have been obsessing about this for two or three years. It is based on switching from the current system of providing either social housing, private rented accommodation or privately owned housing to a cost rental model of public housing. Everyone cites Vienna, which is a good example of how such a system can work, but I favour continuing to use the term “cost rental” because it is important to recognise that the rent we would apply on such sites would cover the cost of construction. The cost would be lower than in other developments based on the assumption that it would largely be built on State land where the cost of land would not be included in the development cost. I have yet to hear anyone disagree with the notion. In addition, because it would be developed by the State, there would not be the same developer’s profit margin. In that way we would hope to achieve in the region of a 20% to 30% reduction in the rent that would apply compared with the private sector. There are significant advantages to it in that it is intervening in the market. It is opening up such property to people who at the same time would be looking for private rented accommodation. In that way, critically, it attacks the worst point in the housing crisis, namely, in the private rented sector, and brings down the prices in the market in a way that we see no other intervention doing.

The cost rental approach provides for social protection because if someone does not have sufficient income to pay the rent, it would be possible to apply an allowance for the individual or family to make sure that they could avail of such accommodation. It would be far better to give the rent supplement to the State-led public housing development rather than the way Fine Gael is doing it, which is giving it all to the private sector. Critically, because the costs are covered by the rent, it is also amenable to being financed, and in a way that takes us through downturns, because we are looking at a 15 to 20 year guaranteed rent return and we would move away from the current system. If we stick with the current social housing model, we are sticking with a system where the Department of Housing, Planning and Local Government still holds all the cards and, in particular, if we did not have a rainy day fund, we would see a constant cycle of boom and bust, stopping and starting depending on the annual fiscal situation. We need to get away from that and to be countercyclical in our building activity as well as in every other aspect of the economy, and the cost rental model does that. It does it in a way that would

allow local authorities to start raising funds and issuing municipal bonds as well as setting up their own funding mechanisms separate to central State funding to deliver it. That is the most secure way of providing public housing, rather than always going back to the central Exchequer and allowing the Department of Finance and the Department of the Housing, Planning and Local Government run everything and then put the brakes on when funds run dry. As the former Minister, Charlie McCreevy said, if he had it he would spend it and if he did not have it he would not. That has to stop. We need to start thinking long term and planning and financing. That is the reason the cost rental model works.

We support the rest of the motion. There is widespread agreement across this House and throughout the country that the current model being applied by Fine Gael is a complete and utter disaster. The worst legacy of the Government is the ongoing reliance on private market solutions in a private market system that is clearly broken. What is really egregious in the way Fine Gael is approaching the policy is that it is also, in a sense, privatising the provision of public housing. In the land lease arrangements we are effectively paying a developer to develop private housing and in the end he owns it after being given a 20-year guaranteed rent stream. It is a subsidy to the private market and it is not building up the public asset that would be built if we were to opt for the alternative cost rental model. We are at the stage where private developers are going to the banks and other finance agencies and borrowing long-term at reasonably low rates to buy up properties which they then offer to local authorities and the State for public housing. The reason they can get the low interest rates is that the banks and financial institutions know the housing lists are so extensive that council rents are pretty much guaranteed and there is no real risk. We are providing a privatised solution that has zero risk and provides a guaranteed return. After 15 or 20 years of financing a property that way, the owner then has an asset rather than the State having a public housing asset that it can then reuse for another family or use as leverage to get further borrowing for other public service investment.

There is a stubborn reluctance on the part of Fine Gael to listen to other voices in this House. As the Taoiseach said, as they see it, their strategy is the only one that is working, they will stick to it and no one else has a clue. It is obvious to everyone in this House that the Fine Gael model is not working, will not work, and is inequitable, inefficient and the biggest threat to our country and our economy. It has to change. That is the reason we support this motion with the twist that cost rental is the way to scale up the financing. We do not need to rob the rainy day fund to do it now. We need to have a rainy day fund for housing financing, which we get with the cost rental model. That is why we come back to it time and again as the intervention that will unlock and change the entire housing crisis we have before us.

**Deputy Brendan Ryan:** I thank Deputy Jan O’Sullivan for putting together this motion on behalf of the Labour Party, which fairly reflects our housing policy at this time. The time for a State-led approach to housing is long overdue and, unfortunately, this Government has driven us further towards a market-led approach. That has been a disaster. The shift in Government policy in 2016 towards a landlord-led solution to the housing crisis has served to deepen the crisis further and add needless complexity to a situation that was already very complicated.

In late 2014 and 2015, as the economy began to improve, we were able to secure funding for investment in the building of local authority homes. It was a start and was only part of the solution, but we did make a start. In my constituency of Dublin Fingal, a number of social housing schemes came off the shelf and went into development in places like Lusk, Balbriggan, Balrothery and Ballyboughal. It was encouraging, but it was not to last. Unfortunately, since 2016, the focus has shifted to the landlord-led approach we see now. Some of the projects that

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got out the gate, so to speak, in 2014 and 2015 have been completed in Fingal. Some are still under construction but not too many have got the go-ahead since 2016.

This shift to a landlord and developer-led solutions to the housing crisis has worsened the housing and homeless crisis immeasurably. We are now in a position in which there is no hope for so many. I refer to families in hotels, families split up, the hidden homeless still living with parents, crammed into box rooms or getting by due to the generosity of friends. It is scandalous. They are all trying to navigate a complex administrative procedure which, in my own case of Fingal, can see them having to shuttle between Blanchardstown and Dublin city homeless services and filling out endless forms only to receive a phone number at the end of it for self-accommodation. That is demoralising and soul destroying for those people.

Single homeless men have been thrown to the wolves due to absurd administration rules laid down by the Dublin Region Homeless Executive. They cannot avail of bed and breakfast accommodation and they cannot self-accommodate. The housing assistance payment, HAP, rates available to single people are nowhere near adequate, even if a place can be found. Single people are forced into city centre hostels, which are sometimes dangerous, or, even worse, they are forced to take to the streets. It is an abhorrent state of affairs.

There is also inertia in terms of recognising the changing environment of the housing crisis. In particular, that is the case for people who find themselves marginally over the income thresholds to qualify for social housing support, as other Deputies mentioned. As it stands, the income threshold level at which an applicant may qualify for social housing in Fingal is set at €35,000 per annum for a single person. Beyond that, depending on family size, the threshold varies, yet for an average family of two adults and two children, the level currently sits at €38,500 per annum. In cases whereby a household contains three adults and four children, the threshold stands at its highest - €42,000. These limits were established in 2011 and have not changed since. The income threshold as it stands is simply too low and has led to more problems being created than are solved. Furthermore, the working family payment, WFP, is reckoned as part of the household income assessment. We have one arm of the State recognising that a family does not have enough to live on and therefore qualifies for WFP while another arm of the State is saying that, as a result of that payment, the family ought to be able to provide accommodation for itself. That is nonsense and must be addressed and resolved urgently.

Many families in the Fingal area who have been on the housing list for in excess of seven years have now been removed from that same list due to being a couple of hundred euro over the existing threshold. That is an unacceptable situation which is causing great distress for families who have been waiting patiently for many years to be offered housing. A situation whereby a person may have to refuse a promotion or overtime to ensure they do not rise slightly above the threshold is in complete contrast to the kind of employment innovation the Government should be promoting.

I was told last July in the Dáil that:

As part of the broader [social housing reform] agenda, a review of income eligibility for social housing supports has commenced. The Housing Agency is carrying out the detailed statistical work [on behalf of the Department]. I expect the results of this review to be available for publication [later in the summer].

Despite the publication of these statistics with the Summary of Social Housing Assessments

2018, no change has been implemented yet. Is it the case that the Government is holding out on increasing the threshold to avoid making more people eligible for HAP? I hope that is not the case. I am aware the work on the review is done, so let us publish it and issue the circular to local authorities with immediate effect.

The Government has failed to explain adequately the implications of the influx of large private equity funds into the housing market. The sale of 118 two, three and four bedroom properties in Balbriggan and Donabate by Glenveagh Properties to private investment fund I-REIS REIT, at an average price of €323,728 per property, will take first-time buyers out of an already squeezed market. That organisation is the largest rental company in the State and this will inevitably push the price of houses up in the midst of a housing crisis while also pushing the already extortionate rental prices up even further. I imagine these properties will not be rented at an affordable level. They will be put on the market at the current market value rents which are boiling hot. It is another example of what happens when the market is given a free rein on housing. I congratulate my colleague and council candidate in Donabate-Portrane, Corina Johnston, on raising the issue last week, which was followed by others.

Last week, we had a presentation in Dublin on the Vienna housing model. It was very interesting and we include it in our motion. The Vienna model delivers large-scale public housing for long-term and secure rent through a number of vehicles, including private developers. The result is that large swathes of the population rent their homes from public authorities, and people from all walks of life, at all skill levels and wage levels, unskilled workers and professionals, understand the need for a communitarian approach to housing in which rents are affordable and security is provided. We are so far away from that under the Fine Gael and Fianna Fáil Government arrangement that it seems like a utopian dream. This Government could not even continue with the beginnings of traditional social housing builds which we got off the ground at the back end of the previous Government. Its loaves and fishes approach to hoping the increased demand will be met with existing supply has led to the shocking statistic of more than 10,000 people in homelessness. That is the equivalent of the entire population of Cavan town, Ballina or Skerries without a home. That is shocking, and it is only getting worse. This is at a time when rents have soared to unaffordable levels for many. The major split that is occurring in our society is less one of class or income and more one of security, that is, those who have security of tenure and those who do not.

I acknowledge the positive contributions by Members from Fianna Fáil, the Green Party, Solidarity-People Before Profit and the Rural Independent Group. Unfortunately, Deputies Joan Collins and Catherine Connolly have left the Chamber, but I note the usual bitterness of these people towards the Labour Party, which somehow clouds their judgment.

**Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan):** The Minister, Deputy Eoghan Murphy, had to leave early. He cannot speak twice in the debate in any case, but as he outlined earlier, many of the aims in the motion are already being achieved through either the Land Development Agency  
*5 o'clock* or other Rebuilding Ireland housing policy initiatives.

The immediate focus of the Land Development Agency, LDA, is on managing the State's lands to develop new homes, regenerate underutilised sites and, in the longer term, assemble strategic landbanks from a mix of public and private lands, with the overall objective of being involved in the delivery of 150,000 new homes over the next 20 years. The new public land affordability requirement, whereby a minimum of 30% of any housing developed must be

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reserved for affordable purposes, in addition to the 10% statutory social housing requirement under Part V, will enable greater delivery of social and affordable homes on public lands. This new requirement will apply regardless of whether such development is being progressed by the LDA or any other market operator.

On establishment, the LDA had access to an initial tranche of eight sites across Dublin, Kildare, Cork, Westmeath and Galway. Significant preparatory work is under way on these sites, with feasibility, planning and other preparatory works already initiated. Construction activity is envisaged to commence on the first homes in 2019 for delivery in 2020, pending the granting of planning permissions on those sites. Development of LDA managed lands will make a substantial contribution to the achievement of wider Government targets for housing delivery in general and social housing specifically, as set out in Rebuilding Ireland, thus enhancing supply, aiding the moderation in increases in housing costs and enabling new sources of affordable housing supply, including for cost rental accommodation, which has been mentioned by many speakers.

The Government is committed to bringing forward cost rental housing and the LDA will be involved in that. Under the cost rental model a provider supplies accommodation and charges rents sufficient to cover the capital costs associated with delivery along with the ongoing commitments related to the management and maintenance of the development. Together with delivering more affordable and predictable rents, cost rental will make a sustainable impact on national competitiveness and the attractiveness of our main urban centres as places to live and work. As cost rental is a new housing model to Ireland, and to drive delivery, a number of important early mover projects are being advanced, delivering important lessons in cost rental in an Irish setting. These cost rental pilot schemes are at Enniskerry Road, in Dún Laoghaire-Rathdown, and Emmet Road in Inchicore, where 50 and 330 units, respectively, are being developed. The Department is also engaging with the National Development Finance Agency, the European Investment Bank and the Land Development Agency to examine the optimum funding and delivery options to support delivery at scale in Dublin and other urban areas.

As stated, overall housing supply continues to show significant increases. More than 18,000 new homes were built in 2018, a 25% increase on the previous year and the highest number of newly built homes in any year this decade. More than 2,500 homes were brought out of long-term vacancy and almost 800 dwellings in unfinished housing developments were completed, meaning the number of new homes available for use increased by almost 21,500 in 2018, together with more than 3,700 student bed spaces.

The key focus of the Residential Tenancies (Amendment) (No. 2) Bill 2018, which is scheduled for Committee Stage in Dáil Éireann tomorrow, is to deliver on a number of commitments flowing from Rebuilding Ireland and the commitments made to provide the Residential Tenancies Board, RTB, with additional powers and resources to deliver enhanced protections to both tenants and landlords. The key measures and reforms in the Bill are designed to enhance enforcement powers for the RTB, provide greater security of tenure for tenants, and further underpin the operation of the rent pressure zone arrangements, along with some further targeted priority measures. The Betterlet: RTB Accredited Landlord programme has been developed from an action in the strategy for the rental sector and is a voluntary accreditation scheme for landlords to participate in to gain knowledge on best practice, including a comprehensive understanding of the rights and responsibilities of landlords and tenants.

I always listen to Deputy Danny Healy-Rae's comments on housing. Just as his speeches are

always the same, the answer also remains the same. There is no prohibition on Kerry County Council providing extra resources from its funding sources. Almost half of the Healy-Rae family are members of Kerry County Council at this stage and perhaps the Deputy could encourage them and other councillors to provide extra funding, be it for demountable homes or the once-off rural houses he mentioned. Not every answer necessarily rests with central government. Local government still has significant autonomy, and just because decisions are not made at local government level does not mean everything should fall back on central government.

The motion calls on the Government to create an Irish housing development bank by merging parts of the National Asset Management Agency with the Housing Agency, Housing Finance Agency and the Land Development Agency to act as a State owned commercial housing developer with a remit to produce social housing and affordable public housing on publicly owned land. There is no obvious rationale for creating a bank of the type suggested. The Housing Finance Agency and the Housing Agency have specific functions and I am confident that each is operating effectively. In addition, Home Building Finance Ireland, HBFI, a new State lender for small and medium-sized builders and developers has been established with an initial €750 million to fund the delivery of up to 7,500 new homes over the next five years.

The rainy day fund forms part of the Government's policy to stabilise the public finances and increase the State's resilience to external economic shocks. It is important to remember that the almost complete shutdown of residential housing development after the crash is a major contributor to the current housing shortage. The reason it is so important to have a rainy day fund is so we have a buffer against a future crisis and a better capacity to sustain capital infrastructure projects in particular. Diverting investment from this fund would deplete the reserves available to be drawn on in the event of a serious unforeseeable economic event occurring during the relevant year.

Rebuilding Ireland: Action Plan for Housing and Homelessness was introduced by this Government in 2016 and provides a comprehensive framework for tackling the range of complex issues that must be addressed across the housing sector. Very significant progress has been made on delivery through local authorities, approved housing bodies and a range of other delivery partners, with in excess of 72,000 households having their housing needs met during the first three years of Rebuilding Ireland. A further 27,300 households are supported by a record investment of €2.4 billion in housing this year, bringing to almost 100,000 the total number of households that will have been assisted under Rebuilding Ireland by the end of 2019. Overall, the Rebuilding Ireland action plan will increase the supply of new homes to 25,000 per annum by 2020 and meet the housing needs of a further 87,000 households through the housing assistance payment scheme and the rental accommodation scheme.

This Government remains resolutely focused on ensuring that all appropriate measures to address the challenges of homelessness will continue to be deployed. The Dublin Region Homeless Executive, DRHE, is provided by Dublin City Council as the lead statutory local authority in the response to homelessness in Dublin and adopts a shared service approach across the four Dublin local authorities. The Department also established a dedicated housing delivery office in September 2017 to support local authorities, approved housing bodies and all stakeholders involved in the delivery of key elements of the ambitious private and social housing targets in the Rebuilding Ireland plan. The purpose of this office is to accelerate and monitor housing delivery, both private and social, on key sites and identify further mechanisms to accelerate delivery.

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What is critical at this stage is to ensure that all of the structures already in place are aligned, co-ordinated and working towards a common objective. This includes the Department, the Housing Agency and the Housing Finance Agency working with local authorities and housing bodies throughout the country. The Government is satisfied at this time that appropriate arrangements are in place to deliver much-needed social and affordable homes across the country.

The Government is committed to improving the energy efficiency of our housing stock. Funding is being provided for a number of grant schemes to encourage energy efficiency upgrades in homes. These schemes, which are funded by the Department of Communications, Climate Action and Environment and administered by the Sustainable Energy Authority of Ireland, SEAI, provide financial support for installing insulation, ventilation, heat pumps, solar, thermal, and photovoltaics. Additional supports for people on lower incomes, including free energy efficiency retrofits are also available. More than 400,000 homes have already upgraded the energy performance of their homes with the assistance of these grants.

**Acting Chairman (Deputy Frank O'Rourke):** I thank the Minister of State and call on Deputy Burton now to conclude this debate.

**Deputy Joan Burton:** I thank everyone who contributed to the debate here today: the many who agreed with us and those who were critical or in opposition to our motion. People are feeling a sense of total desperation and shame at present that almost 4,000 children are now homeless. As a society, we do not know what the long-term impact of that will be for those children.

What disappoints me most about the Government is the return of the mass speculation over which it has presided, which was a feature of the last boom. The then Taoiseach, Bertie Ahern, described the boom as having just got boomier. Can I advise members of Fine Gael to take a look on Thursday or Friday at the weekend or midweek supplements on commercial property in our national newspapers and consider the land prices that are being quoted. We have seen a significant return, sanctioned by Fine Gael as a Government, of grotesque speculation in property for landowners, as opposed to the interests of people who desperately need a home.

A small site in Harold's Cross, comprising less than a hectare, has a suggested price of €3 million and my guess is it may well go higher. The old college of engineering in Kevin Street has been put up for sale in recent times and a deal has been reached for an astronomical value for a mixture of education and commercial uses, a small amount of housing and possibly some student apartments. All over Dublin, student apartments are being built at present but has the Minister of State seen the report, in part by Irish students, to the effect that these apartments, which are major commercial developments, are now almost impossible to rent for local Irish students, given the exorbitant rents?

The Government is driving a type of Gordon Gekko-style approach to land and land development, which is saying to landowners and speculators that greed is good. That was one of the key elements that brought about the last collapse. It shocks and pains me that Fine Gael does not remember this at all. It simply wants to replace Fianna Fáil in its role of encouraging, permitting and endorsing speculation in land. In my constituency and that of Deputy Brendan Ryan, modest, very nice A-rated, three and four-bedroom houses now have a land price incorporated in the houses of anywhere from €50,000 to over €100,000. Prices are going that way in Kildare, particularly in north Kildare.

The crux of our social dilemma is that for people who are working hard on moderate to mid-

dle incomes, owning a home under Fine Gael is becoming an impossible dream. The Minister, Deputy Eoghan Murphy, confirmed to me on a recent radio programme that the Government has not been able to do anything to help people to buy an affordable home. A garda married to a teacher may both have to commute 30 km or 40 km into the Dublin region where their work is. One is talking about attracting and encouraging nurses to work in the city centre, when the children's hospital is finally built, €500 million over price. How in Heaven's name will they be able to afford to buy a home?

The senior Minister's local authority in south County Dublin, that is, in Dún Laoghaire-Rathdown, quoted an affordable cost rental of €1,200. What does a corporal in the Army earn? A comment by the Minister for Finance, when I asked about this recently, indicated a figure of approximately €27,000 per year. A person in our Defence Forces, putting his or her life on the line and serving his or her country with pride, earns between €27,000 and €30,000, if he or she receive extra allowances, and will be expected to pay a cost rental of €1,200 a month. What planet is the Minister living on?

We hear talk today of black holes being discovered. The black hole in Ireland is what is happening on housing. The situation is getting worse not better. This on the Government and Fine Gael's watch.

A report in *The Irish Times* the other day, which has not been contested by anyone in government, stated that 10% of families who are renting are now paying more than 60% of their income in rental cost. When I worked in social protection, the generally agreed and desirable level of contribution for rent was 15%. It was recognised that in certain circumstances that could perhaps go to 25% but that support would be needed for those in particular in a family situation in such instances. We have now a report in a reputable national newspaper saying that one in ten families are paying 60% of their income in rent. We, as a society, are poised to have some upsides to Brexit. There will not be any upsides for people coming from other countries to work here in financial services if they do not have affordable rentals and homes. What we are seeing now is a grotesque distortion of the market.

The Minister of State has reeled off there a list of things that, apparently, the Departments of Housing, Planning and Local Government and Communications, Climate Action and Environment are doing but being honest, we cannot see this on the ground. The test has to be a Government that will not acknowledge that its ordinary ranks in the Army cannot afford to buy, rent or get a social home. The Minister of State's response contained little or nothing of any substance on the building and development of social housing. The Labour Party has brought forward a motion which is feasible in policy terms, which can be produced and is affordable. We have set out a very clear mechanism as to how we will do this through the setting up of a housing fund. Again, Fine Gael seems to be ideologically opposed to public ownership of social housing. That is unfortunate because approximately 30% of the people and families in this country are unable to buy their own homes. They will need something like public socially-owned developments to have security of tenure over their lifetimes.

I will say one thing to those in Fine Gael. They do not understand social housing because relatively few people in Fine Gael seem to have any experience of being social housing tenants. I was brought up in a rented house. My family could not have afforded to buy a house, like many of the families in the country at the time. There is nothing wrong with social housing.

We have heard great comments about the Vienna model. Two years ago I travelled around

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Vienna with some of the principal people in the Department of Housing, Planning and Local Government to look at the model there. Like the Labour Party motion, it is based on an investment model that over a long period puts a significant amount of money into housing. That is what we did. Deputies should remember that we sorted out the ghost estates, which were the symbol of Ireland's crash, in 2011. We also reopened 6,000 boarded-up houses in the Dublin area. We know how to deliver. We created the €4 billion fund for housing, to which the current Government has added a relatively modest amount.

Amendment put.

**Acting Chairman (Deputy Frank O'Rourke):** In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 11 April 2019.

### **Proposed approval by Dáil Éireann of the Direct Election of Mayor Plebiscite Regulations 2019: Motion**

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

That Dáil Éireann approves the following Regulations in draft:

Direct Election of Mayor Plebiscite Regulations 2019,

a copy of which was laid in draft form before Dáil Éireann on 1st April, 2019."

I welcome the opportunity to address the House on the draft direct election of mayor plebiscite regulations 2019. I will set out the background. Part 6 of the Local Government Act 2019 provides for the holding of plebiscites on the direct election of mayors in Cork city, Limerick city and county as well as Waterford city and county. Section 41 provides that the Minister for Housing, Planning and Local Government may make regulations for the purposes of holding a plebiscite. It also provides that, where regulations are proposed to be made, a draft of the regulations shall be laid before each House of the Oireachtas and the regulations shall not be made until a resolution approving the draft has been passed by each such House. The draft regulations were laid before both Houses on 1 April 2019.

It is intended that the plebiscites will take place on the same day as the European Parliament and local elections on Friday, 24 May 2019.

These draft regulations provide for procedural and administrative matters relating to the conduct of the plebiscites. They set out the statutory arrangements for the taking of the plebiscites, the counting of votes and electoral offences. The provisions relating to the conduct of the plebiscites set out in the draft regulations apply many of the provisions of the Local Elections Regulations 1995. They provide that the local authority returning officer, who is responsible for the conduct of local elections, would be appointed as the plebiscite returning officer with responsibility for the conduct of the plebiscite. They set out the form of the ballot paper, including the question to be put at the plebiscites. They also provide that the plebiscite returning officer is responsible for giving public notice of the holding of the plebiscite; the distribution of information for voters; the printing of ballot papers; and making arrangements for postal and special voting. Provision is also made for matters such as the secrecy of the ballot; the official mark on the ballot paper; the security of ballot boxes; the procedure for voting; arrangements to

deal with spoilt ballot papers; and voting by those who are visually impaired. The arrangements for the counting of votes at the plebiscites are also set out in the draft regulations. These include the time and date of the count; the appointment of a place for the count, including practical arrangements such as the provision of furniture and equipment; and the arrangements for the safe custody of the ballot papers and documents relating to the plebiscites. The draft regulations set out who can attend the counting of votes; who can handle ballot papers; and the arrangements for opening, extracting and counting ballot papers as well as ensuring that the number of ballot papers tally with the information on the ballot paper account that accompanies each ballot box. Provision is also made for mixing the ballot papers; identifying invalid ballot papers; and arrangements for counting the votes and recounts, if necessary. On completion of the count, the draft regulations set out the procedures that must be followed by the plebiscite returning officer, including the retention and disposal of documents and the preparation and signature of a plebiscite certificate. This certificate, which states the number of votes recorded in favour of and against the proposal, must be published in *Iris Oifigiúil* and a copy must be also sent to the Minister and the relevant local authority. Electoral offences set out in the draft regulations apply many of the provisions regarding electoral offences contained in the Local Elections Regulations 1995. These include matters such as breach of secrecy; offences relating to ballot boxes, ballot papers and official marks; and obstruction of the poll and interference with electors.

The Department, under instruction from the Minister for Housing, Planning and Local Government, Deputy Murphy, and myself, has established a committee chaired by Henry Abbott, a former High Court judge and Member of both Houses of the Oireachtas as well as a former local authority member. The committee includes local government section officials and representatives from the three local authorities where the plebiscites will take place. The committee is in place to ensure that the public information issued as part of the plebiscite campaign is in line with the McCrystal and McKenna judgments, which also apply for the plebiscites. I understand that early next week in each area where the plebiscites are taking place, the committee will launch its public information campaign. I know that next week Fine Gael will launch its plebiscite campaigns in the three local authority areas where the plebiscites are taking place.

The only criticism of the plebiscites thus far has been of the public information campaign. I ask the House to note that, at this stage, it looks quite likely, notwithstanding the fact that all Stages of the referendum legislation are to be taken in the Seanad tomorrow, the public information campaign for the plebiscites will commence before the public information campaign for the referendum. The argument that there is not sufficient time and that insufficient information will be made available does not stand up to scrutiny, even in the context of polling taking place on 24 May.

I will welcome contributions by all colleagues.

**Deputy Shane Cassells:** It is a pleasure to speak about this issue of plebiscites and directly elected mayors. It is great to hear the subject being spoken about at all because there has been little to talk about up until this point. While the motion deals with procedural and administrative measures related to the holding of the plebiscites, I will use my time to address the detail of what will be involved in the very important question that will be put to the people and the issues they will have to weigh up.

My concern, unlike the Minister of State, is that the people will not be armed with the information they need to make this important decision. For the Minister of State to make the assertion that it does not stand up to scrutiny is fundamentally wrong. Everyone in this Cham-

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ber flagged this issue in the extensive debate on 24 January at the start of the 2019 term. One thing all Opposition spokespersons said on that day was that they all supported the concept the Minister of State was bringing forward but that they wanted to see the detail promptly and that the public should have it promptly in order that this unique moment would not be lost. The first we saw of it was last week, while the public is completely in the dark. Ten weeks after the discussion in the Dáil, the Minister of State published the detail and we are now six weeks from polling day.

The void caused by the lack of information has been filled, as it always will be, with endless discussions about what the mayors will be paid. That is the one detail that was leaked. The public debate from the start has been framed by the pay issue, not by the potential powers related to finance or the policy issues of which the mayor would have control. It has come down to pay. That was caused by the Minister of State and the Government. He has been on local radio stations debating the pay of the proposed mayors with radio presenters. That is what people hear. That is with what our canvassers and the Minister of State's councillors in Waterford, Cork and Limerick are being hit at doors. People ask why the Government is creating a job for someone with another big pay packet. With what does the Minister of State expect canvassers to reply when the 46 page document on the proposals was only issued last week? As he knows from his time in local government, it is not easy to explain the complex structure of local government to someone on his or her doorstep in 60 seconds in the evening when canvassing. Explaining the dynamics between chief executive officers, directors of services and the new elected mayors and how they will change is not easy. Does the Minister of State accept this? Does he accept that he had the support of Members in this Chamber when we had the debate in January but there was a qualification that we wanted to see the detailed proposals brought forward swiftly? Will he tell me that he is standing over this?

This is a Government proposal that needs to be sold to the public, but, on the other hand, the Minister of State has said it will be run on the same basis as the referendum commission. I am very worried about the information that will be provided. For over 100 years we have been frustrated at the over-centralisation of power in the Custom House. This was a chance to break some of the chains. Even at that, it was not being fully embraced. I expressed my fears in the earlier debate and will say it again. It does not go halfway towards being enough to rebalance powers between the CEO and the directly elected mayor in the same way citizens across the rest of Europe understand their directly elected mayors. The document spends far more time speaking about what the mayor will not be allowed to do than it does about what he or she will or should be allowed to do. The language used about what the mayor could do is all couched in terms of engagement, bringing people together and achieving goals collectively, but the flowery adjectives are dropped when it states what they cannot do. It is more like the Ten Commandments. It is definitely a house production from the Custom House.

The opportunity which was and still is before the Minister of State, to start a process of real reform, is at risk of being lost. I do not want to see this fail because something would be better than nothing. I hope the lack of information that has been the case up until this point will not cost in the passing of the plebiscites. There is a need for a rebalancing of powers between the executive and directly elected councillors. I hope the much awaited information campaign will not cause more confusion than help and that it can convey to people in simple terms the complexity of the structures of local government and how any rebalancing of powers would be beneficial to citizens. People are not going to go out to say they want to have a mayor for Cork. They want to understand the powers mayors will have, the dynamics with the chief executive

officer and what they will or will not be able to do across the range of issues mentioned by the Minister of State, including finance, planning and so on. The expressions of concern from the Minister, Deputy Bruton, in the press, among others, do not fill me with confidence. I want to see the people of Cork, Limerick and Waterford have the directly elected mayors they require. It is disgraceful that this much talked about reform has failed because of the engagement with the public so far.

**Deputy Eoin Ó Broin:** Three words come to mind when describing the position in which we find ourselves. One is to welcome the detail of the proposals the Minister of State published last week, about which I will talk. I am disappointed that things I would like to see in them are not in them and I will bring them to the attention of the Minister of State, too. Notwithstanding the fact that Sinn Féin will support the proposition, I am concerned that we are very late in the day. The Minister of State should listen to some of our concerns, rather than dismissing them because it might help us to come out with a positive result.

At the core of the proposals is a significant reform of local government. Anybody who denies this is being churlish. Transferring all policy initiation powers from the chief executive to a directly elected mayor is a big deal. I am sure the County and City Management Association fully understands the significance of it and is lobbying away on the issue. I do not in any way underestimate its significance. Allowing a directly elected mayor to initiate the capital budget is a significant transformation. I disagree with the previous speaker. The exclusions are eminently sensible. No directly elected mayor should have any role in dealing with individual planning applications, individual housing allocations, individual licences or the award of grants.

**Deputy Shane Cassells:** I never said that. The Deputy should not put words in my mouth.

**Deputy Eoin Ó Broin:** It is very good that they are being taken out. I am glad to see that the mayor will still have a role to play in policy initiation in strategic planning, but the exclusions related to planning applications are sensible.

With regard to the expression of my disappointment, it is not that I expected these things to be included, but I would still like to see them included. There is no devolution from central government or State agencies. Notwithstanding the fact that it is not included, we need to have a conversation after the plebiscites, if they are successful, to ask if we can work into the legislation the possibility of further rolling devolution after this proposal, subject to the votes of the people in the three cities concerned. That would be very positive. We also need to have a conversation about deeper levels of fiscal independence for local authorities. It is a significant challenge and the system does not lend itself well to it, but that needs to be part of the debate when we come back with the legislation if the plebiscites are successful. It seems strange to me that we are having plebiscites on this reform in three cities and that the four Dublin local authorities are not being included. I know that we could not do this with a directly elected mayor for all of Dublin city and county, but there is no reason the proposition that will be put to the people of Limerick, Cork and Galway could not be put to the people of the four Dublin local authorities in order that those of us in south Dublin could decide if we wanted to have a directly elected mayor for south Dublin on the same basis. I ask the Minister of State to think about this and even if it is not possible to do it because the legislation providing for the plebiscites has been passed, could we find some way to do it and have plebiscites before mayoral elections are held in these three cities?

I am concerned about the short timeframe involved. I do not think the Minister of State's

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argument about the divorce referendum stands up because despite the fact that many of us support it, we are concerned about the timeline. I have been talking to my colleagues in Cork, Waterford and Limerick, who tell me either that people know nothing about this or that there is very limited information. I absolutely agree with Deputy Cassells, the information that ended up in the public domain as a result of conflicting briefings from two Ministers in two newspapers after the Cabinet meeting some weeks ago is not helpful. I am sure the Minister of State did not want it that way. All people are talking about is the salary. I want us to focus on the powers. I do think the salary is too high and that should be dealt with separately. I do not think that putting a leaflet into every house in the three cities will suffice. There is a real concern, even among people who are supportive of the reform on its own merits that we will have a hard job convincing people to get this across the line. That will not lead us to oppose the proposition but there is a job of work to be done in order to get it across the line.

The worst possible outcome here would be for these plebiscites to go ahead and to be lost. Several of us said when the legislation was coming through that we had spent quite a lot of time in the Dublin mayoral reform process and my experience, having been involved at the tail end of that as a co-opted councillor and from its being unsuccessful, was that in hindsight, it almost looked as though it was set up to fail. It was so cumbersome, so badly designed and there was such lack of clarity in what we were asking our elected members in the Dublin local authorities to do that it was no wonder that one of the four councils opted out. The Minister of State should listen to what we are saying about the difficulties and the lack of time and should work with us to ensure that if this is put to the people of the three cities in question, we will do everything we can to win it because if we do not, it will be a setback rather than an advance.

**Deputy Jan O'Sullivan:** As a public representative of one of the three cities concerned, I am very worried about the lack of time to debate this issue. I raised this point when we debated the proposals themselves. My concern is they will be lost because of the points already made that the focus so far has largely been on the money, that is, on the salaries. The Minister of State spoke on my local radio station a week ago last Monday. There have been three Monday debates on Live95FM and I participated in the other two, the first and the third. The third debate took place on Monday last. Among the people ringing into the station, there was a real focus on the money. A sitting councillor, who was on the programme with me last Monday, asked where the money will be found to pay the salaries. I understand there will be three salaries altogether but it does not appear that any extra money will be allocated to those local authorities to provide for the office of a directly elected mayor. Immediately, there is a conflict between the money available under the current system and what will be provided for the new system.

I want this to succeed. I am in favour of directly elected mayors. I note the Minister of State's script indicated it is intended that the plebiscites will take place on the same day as the European Parliament and local elections, namely, on Friday, 24 May. I wonder whether there is any possibility of putting it off. I hate to say that because I really want this to happen but it has to happen properly. The fact that Cork will have an extended boundary, Limerick and Waterford have merged city and county councils, Galway has gone off the table because it was not ready to make a decision on which option it was getting and Dublin was not included because it is to have a citizens' assembly makes a mixed bag of what should be a coherent policy on a huge and positive change in terms of democracy and of bringing people closer to decision-making in their local authority areas. This should be much more consistent but I believe it will be rushed and there will be many questions. In Limerick and Waterford, there will be questions about what if the directly elected mayor turns out to be from a rural area. I have nothing against

the rural parts of Limerick city and county and Waterford city and county but mayors of cities are generally considered to be people who represent municipalities and we could end up with a mayor who does not live in the city. That would be a problem when dealing with people coming from other metropolitan areas with directly elected mayors who expect that this will be a city-led office. Those are the real difficulties we will have in persuading the public to vote for this.

I have read the document in full but I am not sure it answers the question about how the other elected people will relate to the directly elected mayor because the directly elected mayor will be putting forward a programme. That is a good thing in one way because it might avoid having the celebrity candidate that I was worried about because the mayor will have to set out a programme for what they intend to do. What about the other councillors who are elected by people in a local electoral area who also want to be able to bring forward the priorities of the people who elect them? Will they have less power than they have in the current system? All of those points are really important because what the local councillor does is very important to people wherever they live and I would hate to lose any of that. I also regret that there are no devolved powers because more powers could be devolved locally in areas such as education, social welfare, transport and others. Maybe that can be done in time. If it can, and if that can be added on, I would support that. My concern is that we do not have enough time to debate this. I do not know if what the Minister of State said would suggest that there is a possibility it will not happen on 24 May but if that is the case, the Minister of State might indicate that because it does not seem to be specifically stated in his speech that it will definitely happen on 24 May. I do not want this to be lost because we have seen what has happened in other countries where there has not been adequate information for people making vital decisions. We only have to consider the neighbouring country to see that. It would be a pity to lose something to which people would regret later not having given the go-ahead. I hope the Minister of State will be able to answer the various issues raised by those who have spoken so far, as well as other issues that will I am sure be raised by other Members.

**An Ceann Comhairle:** Now for the Corkonian's perspective, I call Deputy Barry.

**Deputy Mick Barry:** I oppose the proposed wages of the democratically elected mayors. The proposal is that the new elected mayors in Cork, Limerick, and Waterford be paid a salary of €130,000 per annum and that they will be able to draw down vouched allowances of €16,000. The newly elected mayors will also bring with them a special adviser with a salary of just under €67,000 per year, a programme officer with a salary of just under €67,000 per year and they can have a driver with a salary of €35,000 a year. The grand total is €314,000 there or thereabouts per council or more than €940,000 between the three councils. Addressing this issue the Tánaiste stated:

The salary is at that rate because it needs to be. This will be a serious, full-time job that will require a lot of energy, a lot of drive, 14-hour days.

I put the rather obvious point that there are plenty of serious full-time jobs that require a lot of energy, a lot of drive and 14-hour days but which do not pay €130,000 a year or anything like it. That salary will certainly set any newly elected mayor apart from the people who elect them. How can it be otherwise when a mayor lives on an income 13 times the size of the income of a single person on social welfare, 6.5 times the income of a worker on the minimum wage or 3.5 times the income of a worker on the average wage? The Tánaiste knows as well as I do that a lord mayor on an elite wage, and that is an elite wage, is more likely to identify with the elite in Irish society than with the people who elect him or her, and perhaps that is the reason for the

sky-high wage. Either way, that is gravy-train politics of the highest order.

The Ceann Comhairle asked for a Cork perspective and the feedback I and other Deputies have been getting is that there is opposition to the proposed wage. That is to put it mildly. There is a reasonably high level of anger and disgust at that proposal. If the Government wanted the proposal to be defeated, it would have a hard job to come up with a proposal that is linked to it that would have more of an effect than that particular proposal.

The proposal for directly elected mayors is not without its positive aspects. I like the idea of some of the powers of an unelected chief executive officer being transferred to an elected person and I like the idea of getting away from the pass the parcel game that is played in so many councils with the lord mayor's position, and giving that power to the people. Having said that, there are also negatives around the proposal and they are not insignificant, apart altogether from the wage. If one looks at the lord mayor positions in a city such as London or in big cities in the United States, they are executive style positions and the mayors tend to rise above, not just the unelected officials in the council, but the elected councillors themselves.

The key issue for councils is not addressed in the legislation, namely, the question of the real powers that have been stripped from councils with neoliberal policies over the past ten, 15 and 20 years with the bins, the water services and housing maintenance. The privatisation programme that has been driven through and that needs to be reversed is the key issue facing our local authorities if we want to give real power back to councillors and democratically elected people.

**Deputy Mattie McGrath:** I am sharing time with Deputies Michael Healy-Rae and Michael Collins. In his remarks on this issue in January, the Minister of State said the following: "A Programme for a Partnership Government includes a commitment to consider directly elected mayors in cities as part of a broader range of local government reforms." My colleagues and I in the Rural Independent Group looked for that during the talks. He went on to say the following: "The reforms' principal aim is strengthening local democracy and shifting the balance of power, which is lopsided in many respects, between the executive and those who are directly elected by the people." This could not be made up. This Government, which has taken a legislative axe to local democracy, now wants us to believe that it actually cares about local democracy. The Government does not care a whit about it. The Minister of State and the former Minister, big Phil the destroyer, ruined local democracy. Where is the commitment to hold a plebiscite in the borough districts and to put them back? It is a sick joke.

The Minister of State also went on to say: "The executive mayor would have a similar relationship with the local authority chief executive as a Minister has with a Secretary General of a Department." I do not know what kind of Secretaries General there are in the Departments but I certainly do not want that kind of relationship because the Ministers are only standing idly by and nodding. They have their hands on the handlebars of power and the Ministers might as well stay at home. Again, who does the Minister of State think he is kidding? He should be honest and level with us if he thinks this is a democratic advance.

The Government does not care about local democracy and it proved that recently with putting the Cahir electoral area into the Tipperary Cashel area and it left out the brand name of Tipperary. My goodness, how uncaring those officials were, whoever they are. The Minister of State told me one day that they did not mean it. If they do not know where Tipperary is, they do not know where Mullinahone is and so they should not say they have travelled at all.

The Minister of State did not travel very far either if he thinks this will fly. This is going nowhere. It is a dead duck, it is a sop and it is an insult to local democracy and to the people who are in it. Many of them do not want a big salary, they want to serve the people. They were public representatives in the real spirit of the words. They wanted to serve the people, not like the Government wants them to be, earning big salaries and just nodding with the county manager and doing what they are told.

**Deputy Michael Collins:** This motion is on the proposals for directly elected mayors with executive functions. What I want to know is if there is going to be a separate mayor for Cork county? All the talk is about Cork city but the county is there too. I know the Government has forgotten it down through the years but surely to God I do not need to keep reminding the Government. How much is the directly elected mayor going to cost the taxpayer and what value for money will the hard-working taxpayer see from these directly elected mayors? There are loads of questions and the rush of this through the Dáil leaves many unanswered questions.

Internationally, some directly elected mayors have been very successful but in some cases directly elected mayors have not demonstrated the value of the office and voters have, in some instances, chosen to abolish the office of directly elected mayors. I have looked at the detailed policy proposals on directly elected mayors with executive functions and the report is fluffing around the real costs for this type of mayor. The report says there are a number of possible options for the salary of the directly elected mayor, ranging from €94,535 up to €129,854 per annum, which is equivalent to the salary of a Minister. On top of this, the report suggested that directly elected mayors should also receive an annual vouched expenses allowance of €16,000. They have special advisers, they have drivers, they have managers, they have cars and they have offices. We are talking about €500,000. The real question here is if the public fully are informed as to how much of taxpayers' money will be spent on this directly elected mayor and the information needs to be made clear in a transparent manner to the public before they vote. Before the public vote, there should be strict decisions made on the salary of these mayors and not a proposed range of salary.

**Deputy Michael Healy-Rae:** This is definitely the highest blackguarding that I have ever seen in my life. I will remind the Minister of State what a man sitting in the seat alongside him said on the record of the Dáil, and I hate talking about somebody when he is not here but that was the former Minister, Phil Hogan. I made an impassioned plea on behalf of our town councils and our town councillors of all political persuasions. I did not care what politics they were, whether they were Fianna Fáil, Fine Gael, Sinn Féin or whatever, because as far as I was concerned they were respectable people elected locally and they were doing a great job. When I put it to the then Minister and said that I was making a plea on these people's behalf not to abolish the town council in Killarney, Listowel, Tralee and places such as that around the country, he told me that I could go back and tell them: "I am quaking in my boots." I quote him word for word. I would not dare-----

**Deputy Mattie McGrath:** He fled the country then.

**Deputy Michael Healy-Rae:** -----misquote anybody. That is what he said.

**Deputy Mattie McGrath:** He fled Ireland then.

**Deputy Michael Healy-Rae:** This was a big Minister at the time and he was telling his own foot soldiers on the ground to go away and scratch themselves. That was what he was telling

them.

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

**Deputy Michael Healy-Rae:** It was an absolute disgrace then and it is a disgrace now to leave towns such as that without town councils. It was a stupid act by a stupid Government and it will forever be remembered for doing that and for robbing very genuine and committed public representatives who were not in it for the money. The Ceann Comhairle knows as well as I do, and better because he has been there longer than I have, that those very committed politicians were not getting the wage or the recompense. It would not cover their mobile phones and the Ceann Comhairle knows that. They were in it because they loved their towns, they loved their areas-----

**Deputy Mattie McGrath:** That is right.

**Deputy Michael Healy-Rae:** -----and they wanted to represent people. They were not talking about €90,000 or €120,000 for directly elected mayors. All they wanted to do was to represent the people in their communities. The Government robbed them of that and now the Government is trying to say it is empowering-----

**Deputy Mattie McGrath:** A sop.

**Deputy Michael Healy-Rae:** -----local democracy by putting these directly elected mayors in place. I would have no problem with that happening if the Government had started where it left off in the blackguarding that it did in the past by reinstating the town councils. The Government cost the nation a fortune because if anybody thinks it saved money, the Ceann Comhairle knows that is not true. It cost an absolute fortune to do what the Government did at that time. It was a stupid act.

**An Ceann Comhairle:** Would the Minister of State like to reply to all of those issues?

**Deputy Michael Healy-Rae:** Try to reply.

**Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan):** I will try to. There were not many questions on the regulations themselves but-----

**Deputy Mattie McGrath:** It is a farce, that is why.

**An Ceann Comhairle:** Let the Minister reply.

**Deputy Mattie McGrath:** He is goading us.

**Deputy John Paul Phelan:** On what was raised, I accept the arguments from most Members who have spoken. I would prefer if the Government made a decision more quickly, but sadly I do not decide when the Government takes particular decisions. My points at  
*6 o'clock* the start were essentially outlining the fact that the public information campaign for this will coincide with the referendum and with many other referenda that we have and that the public information campaign that the Government will lead through the three local authorities in question will have to be balanced as per the judgments in McKenna and McCrystal.

On what Deputy O'Sullivan asked, there is no question of it being put off. There will never

be a perfect time to ask any question, but it is 20 years in June since I was first elected and the issue of directly elected mayors has been a near constant one over those 20 years. There have been different fora in the past that Deputy Ó Broin mentioned but the question has never been put to the public. What differentiates this from the usual referendum situation is that this is effectively a public consultation. There is a report that is produced and the people are asked their opinion on the question.

Both Houses of the Oireachtas will decide within two years of the plebiscites what the legislation will be on pay and the full roll-out of functions. We are asking the public if it believes in the proposal of directly elected mayors and we are presenting what we think the role, pay and functions will be. It is up to the political organisations as well as individuals and Independents to fight a campaign as they would on any referendum, plebiscite or election issue. The public information campaign has to be balanced by its very nature. Deputy Cassells spoke with me on local radio debating pay. I have been on many local radio stations debating this issue and pay was raised in Limerick and Waterford. All the other questions have been raised, too. The question of pay was always going to be an issue that would be discussed. We need to be clear with the public. There is no definitive position on the question of pay. What is suggested in the Government's report is that these are options that might be considered. We have two years following the plebiscites to enact legislation to establish these roles. There is responsibility on each of us, if we believe in the objective of directly elected mayors, to campaign for it and to talk to the voters about what it is about.

Deputy Jan O'Sullivan talked about the document not being clear on existing councillors. The document is clear. There is no diminution whatsoever of the existing reserve functions of councillors. Councillors will retain all the functions they have now. The report by Sara Moorehead, SC, which is due in the middle of this year, will outline a number of other policy areas where we want to give powers to councillors. I often have rows with Deputy Mattie McGrath about different issues. I want to quote him correctly; he stated that this Government has "taken an axe" to local government powers. Not a single power has been removed from local authority members in the 18 months or however long it is that I-----

**Deputy Mattie McGrath:** It is the same Government. Does the Minister of State not remember he was there before?

**Deputy John Paul Phelan:** That is not the same Government.

**Deputy Mattie McGrath:** My God, it is.

**Deputy John Paul Phelan:** It is not.

**Deputy Mattie McGrath:** The Blueshirts are still here.

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

**Deputy Michael Healy-Rae:** Is he denying that it is a Fine Gael Government?

**Deputy Jim Daly:** I am not. It is not the same Government, that is all.

**Deputy Mattie McGrath:** It is the same Government, it might as well be.

**An Ceann Comhairle:** The Deputies have made their point and must let the Minister of State answer.

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**Deputy John Paul Phelan:** They do not like the answer.

**Deputy Mattie McGrath:** He is denying who he is now.

**Deputy Jan O'Sullivan:** The Minister of State must ignore them. We want to hear what he is saying.

**Deputy Mattie McGrath:** He is not ignoring us.

**Deputy John Paul Phelan:** On the question Deputy Michael Collins asked in respect of Cork, the Government made a decision more than 12 months ago that the question would be put in the three local authority areas in which the plebiscites are being asked. Ultimately, it is the objective of Government that every local authority would be looking at having a directly elected mayor, if the question is successful in the three areas where the plebiscite is being held. It will be similar to other jurisdictions in that it is a learning process as well. As it is our nearest neighbour, we often possibly look too much to the UK in terms of different sectors of government.

**Deputy Mattie McGrath:** Keep away from that. It has gone awful for them.

**Deputy John Paul Phelan:** They have many different types of directly elected mayors with many different types of function. It is the intention that the question would be put. In respect of town councils, my fundamental objection to that is that it gives certain people in certain parts of the country two votes in a local election whereas the rest of us have to live with one.

**Deputy Shane Cassells:** They are different.

**Deputy Mattie McGrath:** Different authorities.

**Deputy John Paul Phelan:** I think it is essential for democracy that everybody be treated the same. Deputy Barry spoke about wages. I hope I have answered that. It will be a matter for the Oireachtas to establish the position through legislation after the plebiscites have been held.

Deputy Ó Broin made a very valid point about the issue of devolution of powers from agencies in central Government. A decision was taken that the question would be put to the people on whether they wanted to pursue a directly elected mayor in the three areas where the question is being asked. I think the development of the role in the future will involve devolving more powers from central Government and from agencies. We await the report of Ms Moorehead to point us in the direction of some of those matters.

**Deputy Mattie McGrath:** We will be waiting.

**Deputy John Paul Phelan:** There will be that period of up to two years after the plebiscites before the Oireachtas will consider legislation which will establish the role fully with the powers, remuneration and responsibilities that it has.

Question put.

**An Ceann Comhairle:** In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 11 April 2019.

## **Regulated Professions (Health and Social Care)(Amendment) Bill 2019: Order for Second Stage**

Bill entitled an Act to give further effect to Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications as amended by Council Directive 2006/100/EC of 20 November 2006, Commission Regulation (EC) No. 1430/2007 of 5 December 2007, Commission Regulation (EC) No. 755/2008 of 31 July 2008, Regulation (EC) No. 1137/2008 of the European Parliament and of the Council of 22 October 2008, Commission Regulation (EC) No. 279/2009 of 6 April 2009, Commission Regulation (EU) No. 213/2011 of 3 March 2011, Act concerning the accession of the Republic of Croatia, Commission Regulation (EU) No. 623/2012 of 11 July 2012, Council Directive 2013/25/EU of 13 May 2013, Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 and Commission Delegated Decision (EU) 2016/790 of 13 January 2016 and, for that purpose, to amend the Dentists Act 1985, the Health and Social Care Professionals Act 2005, the Pharmacy Act 2007, the Medical Practitioners Act 2007 and the Nurses and Midwives Act 2011; to make provision for certain other amendments to those Acts; to make provision for certain amendments to the Health Act 1953, the Health Identifiers Act 2014 and the Children and Family Relationships Act 2015; and to provide for related matters.

**Minister of State at the Department of Health (Deputy Jim Daly):** I move: “That Second Stage be taken now.”

Question put and agreed to.

## **Regulated Professions (Health and Social Care)(Amendment) Bill 2019: Second Stage**

**Minister of State at the Department of Health (Deputy Jim Daly):** I move: “That the Bill be now read a Second Time.”

I am pleased to address this House on the Second Stage of the Regulated Professions (Health and Social Care) (Amendment) Bill 2019. The purpose of this Bill is to improve processes within the health professional regulatory bodies and amend their Acts following the amendments to the European Union professional qualifications directive, which provides mechanisms for the recognition of qualifications as well as the conveyancing of disciplinary information within the EEA space.

This is a mainly technical Bill containing seven Parts and 169 sections. The Bill amends the five health professional regulatory Acts, which are the Dentists Act 1985; the Health and Social Care Professionals Act 2005; the Pharmacy Act 2007; the Medical Practitioners Act 2007; and the Nurses and Midwives Act 2011. The Bill also makes some minor amendments to the Health Act 1953, the Health Identifiers Act 2014, and the Children and Family Relationships Act 2015.

When the United Kingdom leaves the European Union, the professional qualifications directive will no longer apply to the UK. The UK becomes a third country, that is, a state other than Ireland and the European Economic Area member states. The Bill includes a number of third country provisions related to qualification recognition and the conveyancing of disciplinary information. These amendments are to give further effect to the requirements of the so-called modernised professional qualifications directive, which Ireland transposed into law in January 2017. The Bill is included in the Brexit legislative programme because the provisions

which relate to third countries will apply to the UK post Brexit. These are important given the volume of movement of health professionals between Ireland and the UK. The Bill also makes a number of other important amendments to each of the five Acts in respect of a number of matters, mainly related to fitness to practise and registration.

I will now outline some key provisions of the Bill in more detail. The Bill is divided into seven parts. Part 1 provides for the short title and commencement; and for repeals. Parts 2 to 6, inclusive, contain amendments to each of the five health professional regulatory Acts. Part 7 provides for amendments to the Health Act 1953, the Health Identifiers Act 2014 and the Children and Family Relationships Act 2015. Most of the amendments to the health regulatory Acts are common to more than one Act, and a number of the amendments are common to all of the Acts. These are repeated throughout parts 2 to 6 to effect the relevant change in each Act. In outlining the key provisions, I am therefore grouping the amendments under the headings: fitness to practise; registration; other amendments; and amendments to other legislation.

On fitness to practise and appeal of minor sanctions, currently there is no right to appeal the sanctions of advice, admonishment or censure in writing, called the “minor sanctions”. This Bill amends the five Acts to give health professionals the right to appeal the imposition of a minor sanction to the High Court, in line with other sanctions.

With the increased mobility of health professionals, the importance of maintaining patient safety, while supporting professional mobility, is ever important. The alerts mechanism provision of the modernised professional qualifications directive aims to give greater protection to EU citizens, as it requires member states to inform competent authorities of all other member states about health professionals who have been restricted or prohibited from practising their profession, even temporarily, by national authorities or courts. However, the directive does not specify what action a competent authority, i.e. the regulatory body, should take when it receives such an alert. To deal with this matter, I have decided to introduce additional grounds for complaint in each of the five Acts. It will be possible to make a complaint against a person who is the subject of an alert. For the further protection of the public, the Bill provides that such a complaint can be made against a person where the person is working in the health and social care profession they were prohibited or restricted from practising in, or where the person is working in a different health and social care profession. By way of example, the Bill provides that a complaint can be made against a person who is the subject of an alert as a doctor, but who is practising in the State as, say, a dentist.

There is no obligation on third countries, which will include the UK post Brexit, to report to other countries any restrictions or prohibitions on the practise of health professionals in their jurisdiction. However, Irish regulatory bodies need to be aware of such restrictions or prohibitions on the practice of any registrant or applicant for registration, including those from third countries. The Bill, therefore, provides that all registrants or applicants for registration are required to make a declaration in relation to restrictions and prohibitions on their practise. In addition, all regulated health professionals will be required to make declarations at registration and annually in relation to any sanction or pending relevant proceeding.

I am also making amendments in the fitness to practise provisions of the five Acts to provide that regulatory bodies can use disciplinary information from other countries in fitness to practise cases. Currently, information on minor sanctions imposed by regulators is not published, while information on other sanctions imposed is only published if the regulator is satisfied that such publication is in the public interest. The five Acts also provide that such information is

made known to me as Minister of State and the HSE and an employer, where known. I am amending all five Acts to provide that each regulator will be required to publish all sanctions it imposes in the State. I am removing the notification to the Minister as it is not necessary for me, as Minister of State, to receive this information.

The Bill includes a number of amendments to increase the effectiveness of the fitness to practise processes set out in the Medical Practitioners Act and the Nurses and Midwives Act. Currently, complaints are made directly to the preliminary proceedings committee for investigation and progress in investigations is dependent on when and how often the committee meets. To expedite investigations, the Bill provides that complaints will be made to the CEO and investigated prior to being referred to the preliminary proceedings committee. Transferring responsibility to investigate complaints to the CEO who will then refer them to the preliminary proceedings committee for decision will shorten the time it takes to process complaints and mean the preliminary proceedings committee's time can be used more efficiently in making decisions on complaints. The Bill also amends the Acts to provide that an undertaking or consent to a sanction can be given by a registrant at the earlier preliminary proceedings stage rather than having to wait until the fitness to practise stage to do so.

One of the grounds for complaint in relation to fitness to practise is a conviction for an indictable offence. The process to obtain evidence on convictions can be difficult and sometimes requires the garda involved in a case to appear before the fitness to practise inquiry to give oral evidence about a conviction. That is not always a good use of Garda time. I am, therefore, amending each of the five Acts to allow the CEO or registrar of each regulatory body to request information on convictions from An Garda Síochána when dealing with a complaint. The CEO can also seek information from the relevant court which convicted the person. I trust this amendment will result in better use of Garda time and more efficient processes in fitness to practise inquiries.

I am providing for the separation of qualification recognition from registration in the Acts where it is not currently provided, namely, the Dentists and Medical Practitioners Acts. The Acts currently provide that a professional whose qualification has been recognised must be registered. Separating qualification recognition from registration will allow the regulators to introduce language and fit and proper person checks prior to registration. Currently, the Medical Practitioners Act requires doctors whose qualifications are from non-EEA countries to hold the equivalence of the certificate of experience to access specialist training in Ireland. The certificate of experience is evidence of satisfactory completion of internship. This is limiting the career pathway of some doctors who wish to advance their training in this country, notwithstanding the fact that they are registered as medical practitioners in Ireland. I have, therefore, decided to remove the equivalence of the certificate of experience as one of the requirements for entry to the trainee specialist division of the register of medical practitioners. I am also removing the equivalence of the certificate of experience as a route to registration in the general division of the register of medical practitioners, given the possible patient safety concerns raised by the Medical Council in relation to this route to registration. Henceforth, such a person will need to either sit an examination or have his or her qualification recognised under another part of the Act.

Currently, the Medical Practitioners Act provides for only one register, it being the register of medical practitioners. The Bill is providing for the creation of two new registers, namely, the register of interns and the register of adapters. The registers are for those who are in training to be medical practitioners or whose qualifications are not yet recognised. All interns will be

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registered on the register of interns. An intern is a person who holds a medical degree and is undertaking a period of clinical training and practice before he or she is a fully qualified medical practitioner. Currently, interns are registered in the trainee specialist division of the register of medical practitioners. The amendment will not affect an intern's ability to perform any function associated with being an intern such as prescribing.

Under the professional qualifications directive, a person who has been assessed under the general system of the directive may, before their qualification can be recognised, be required to undertake a period of adaptation. It is, therefore, proposed to establish a new register of adapters. Persons will be registered on this register while they undergo such period of adaptation as may be prescribed by the Medical Council under the directive. It is not expected that a high volume of applicants will use this qualification recognition route because of the existence of the directive's automatic recognition route and other routes for registration in the legislation, but it is necessary to provide for it in order to give full effect to the directive.

I will briefly outline some of the other key amendments. The Pharmacy Act is being amended to allow the council to make rules under which it can recognise professional qualifications in pharmacy from other countries which it cannot recognise at present. Currently, under the Pharmacy Act, a pharmacist who is an undischarged bankrupt is precluded from registering and, therefore, working as a pharmacist during the period of his or her bankruptcy. I am removing this provision from the Act, as it unfairly prevents such pharmacists from earning a living.

The Bill amends the Health Act 1953 to remove specific requirements regarding the composition of interview boards for medical consultant posts. The amendment should speed up the recruitment process.

The Children and Family Relationships Act 2015 requires an amendment to include a definition of registered midwife and provide that registered midwives are persons who can perform donor assisted human reproduction procedures. A minor technical amendment is also being made to the Health Identifiers Act 2014 consequent on an amendment being made in the Bill to the Dentists Act.

That is an overview of some of the key provisions included in the Bill. I look forward to discussing the Bill in more detail on Committee Stage. I commend it to the House.

**Deputy Stephen Donnelly:** I was talking to someone earlier today who had read many more books than I had and gave me the following quote: "The truth starts with the truth and ends with the truth." It is from the Nepalese poet Santosh Kalwar. I once meditated with Buddhist monks in the monkey temple in Kathmandu, but I am afraid that my knowledge of Nepalese poetry is somewhat limited. The poet was obviously not referring to the Irish health service when he said it, but it cuts to the nub of the Bill and speaks to some of the serious changes we need to make in healthcare. Patients and their families need to know the truth, while it is critical that medics be free to provide that truth without fear of sanction or penalty for doing so. I put it to the Minister of State that in the healthcare system neither of these conditions is met in a broad range of areas. As the Bill will go some way towards addressing the issues on both sides, Fianna Fáil will support it.

At its most basic, the Bill will ensure clinicians will inform patients of previous professional issues, which is to be welcomed. It will ensure doctors, nurses, midwives, pharmacists and other health professionals will, by law, have to supply details of sanctions imposed on them.

It means that when registering with a professional body, these health care professionals must declare in their application whether they have had any conviction imposed by a regulator and that information will have to be updated every year, which is to be welcomed. It also means that any allegation of wrongdoing in another country can be used as evidence in fitness to practise proceedings in Ireland. Crucially, patients will have more access to information on the people treating them as all of the details will be made public. Patients will be able to look up the history of their treating clinician.

There has always been an imbalance of power in Ireland and, I imagine, everywhere else between doctors and patients. Economists call such an imbalance “power asymmetry”. Patients are sick, vulnerable and worried and sit down with someone who they hope has all of the information and knowledge. It is a completely unequal relationship. A good friend of mine, Sinead Gleeson, recently published a book of short stories entitled, *Constellations*. In some of the stories she recounts her experience of the healthcare system as a young woman who needed help with her hip. She has written in articles in various newspapers about some of the awful encounters she had, including having to go to clinics to talk about very sensitive issues, only to be met by some overbearing, obnoxious, satisfied older men. I do not apply that description to every consultant, or the vast majority of consultants, as I believe we have extraordinary consultants in this country. However, I have been in that position. When I broke my back many years ago, I remember sitting in a consultant’s office, utterly exhausted, frustrated and in constant pain. The eminent consultant told me that at some point my spine would rupture, that I would know what that meant when it happened and to come back to him when it did. He then asked me for €200 and ushered me out of his office. Many of us have been in that position or know someone who has or we have been in a room where people have done this. I imagine the Minister of State has had the same experience in his brief. As health spokesperson for my party, I have met families who have had horrific experiences in our healthcare system, where people, including children, have died or where very serious lifelong conditions have occurred. In some of these cases the doctors involved have been struck off in other jurisdictions and should never have been practising in this country. In other cases, the doctors involved had a plethora of complaints against them going back over years. This tiny number of people were going about their business destroying people’s lives. I am sure the Minister of State meets them and I meet them. It is so frustrating. These people found out afterwards that there had been complaints against these doctors for decades but nobody ever knew and they had no way of finding out. We can be damn sure that if people knew, no one would go near these doctors and they would be removed. Obviously this is about a tiny number of people, but a tiny number of people can cause extraordinary pain.

The Bill is welcome because it will address that issue head on. Knowledge is power and the Bill gives some more knowledge to patients and their families, which is powerful and will help address some of the imbalance. In essence, the Bill puts into practice an idea in which Fianna Fáil strongly believes, which is the need for transparency. In fairness to the Government, its recent credentials are to be acknowledged.

Quite a large number of doctors are working as consultants in Ireland but are not on the specialist register, and that number is increasing. We are being told openly by people in the HSE that if it needs a consultant post in the hospital and it cannot fill it, the service goes away. Therefore, it puts in someone who is pretty well qualified but has not completed their specialist training, which is not acceptable. We should watch this space. It is highly possible that the State will be taken to court in years to come. If these doctors make mistakes and patients and

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their families find out that the consultant they were sent to had not completed his or her specialist training and nobody told the patients or their families, it sounds like a court case to me. People need to be told and it needs to happen soon. I have raised the issue with the Minister and in fairness he has said he is awaiting a report. However, this kind of thing needs to happen now.

We support the changes to the Health Service Executive (Governance) Bill. I am not convinced that the culture of openness, *perestroika*, has arrived throughout our healthcare system. I think there is some resistance to this within parts of the Department and the HSE, and among some clinicians. I do not think all of the resistance is illogical. Clinicians believe they are getting sued left, right and centre. If they are faced with a hostile environment, people want to hold the information. It has to be safe for officials, HSE managers and our doctors.

At the Joint Committee on Health today we discussed CervicalCheck with the Minister, Deputy Harris, at length. I put it forward as an example of what not to do. What happened? Dr. Flannelly set up CervicalCheck, built it up from the ground, implemented and ran what is recognised as one of the best cervical cancer screening programmes that has ever existed anywhere in the world with what is acknowledged to have the greatest level of transparency, which is ironic because that is what it fell on. It was trying to achieve a level of transparency and look-back that no other screening programme in the world was trying to achieve. What happened? Details of Vicky Phelan's case broke on a Wednesday. On the Friday morning, Dr. Flannelly went into RTÉ and gave a bad interview. She could not say for certain that the 221 women had been contacted, but she was honest about it. She gave a bad interview partly because she was honest in saying that the people in CervicalCheck were working really hard on the issue and they would get to an answer. She ran and built a screening programme that identified 65,000 high-grade anomalies in its first ten years. She was thrown under a bus publicly by the Minister for Health. He never met her. He never asked to meet her. He never asked to meet the head of the national screening service. A few hours after Dr. Flannelly gave a bad interview but was honest about what she did and did not know, the Minister for Health said he had no confidence in her and she resigned the next day.

Today in the committee, the Minister was again attacking her reputation, using very strong language and even stating things that I have since looked up and found to be untrue. He claimed that in cases where the woman had died tragically, she had directed consultants not to tell the husband. It turns out she had not said that. She said that consultants needed to exercise judgment and get the balance right between telling people the results of the audit and potentially causing more harm. I accept we have had the discussion as to whether that was appropriate. If the sitting Minister for Health is willing publicly to throw senior clinicians, who spend their entire lives saving lives, under the bus for telling the truth, it sends out a very bad message right from the top of Government. It is not to say the audit loop should not have been closed. It should have been closed. We have all agreed the women should have been told. In passing this Bill, which is a good Bill, we need to change the tone and culture. Public executions of senior clinicians for telling the truth by a Minister for Health set exactly the wrong tone.

I am glad the Bill provides for clinicians to appeal against minor sanctions. However, the bar for them doing so should be lowered. My understanding is they have to go to the High Court, which is a pretty high bar for anyone, incurring God knows what expense for lawyers. Could we find a way for such appeals to happen with a lower bar, still obviously at the highest level of scrutiny but with a lower bar than the High Court?

We should all work together to address the issue of healthcare litigation in Ireland which

seems to be completely out of control. The costs for the State Claims Agency on healthcare are spiralling. There are legitimate cases, which obviously need to be respected with payments made. However, the costs have reached such a level that it must be affecting the provision of services which need that money. Again on CervicalCheck, I am told that GPs are over-referring to colposcopy because they are scared of being sued. The labs are over-referring to colposcopy because they are scared of being sued. HSE officials have confirmed to the committee that one of the great challenges in getting labs to clear the backlog of 80,000 women waiting up to eight months is that the labs are scared of coming to Ireland because of the legal environment. Better safe than sued seems to be where people are at. I think these are rational decisions the clinicians have to make.

I would like us to go further. We need to figure out how to create an appropriate legal environment whereby when there is negligence, the person affected and their family can be treated with compassion and decisions can be reached quickly and cost-effectively both for the patient and for the State. Of course, a patient who loses can end up with a bill for €500,000. They could decide to take a negligence case legitimately, lose it and end up having to sell their house over it. That is not acceptable. It is not really recourse to the courts. In the spirit of creating more transparency and more knowledge, and balancing the power between clinicians and patients, ensuring clinicians are working in an environment where it is safe for them to tell and to disclose, we should make it less onerous on them to appeal against sanctions. I believe the High Court is too onerous. Let us do that and let us find a way to ensure the money that should be spent on healthcare is not filtered away to the legal profession. Let us make sure it is spent on the patients.

We wish the Minister of State the very best with this Bill. It needs to be looked at in the context of Brexit. I am not sure it is fully Brexit-proofed. That is something we might tease out on Committee Stage. The UK will no longer be part of the automatic procedures in which EU member states inform one another of clinicians who have been struck off so we need to make sure that our State agencies are watching and that agreements are put in place with the UK to ensure that information continues to be flow. Obviously, that is something we need to have in place as well.

**Deputy Margaret Murphy O'Mahony:** The gravity of the provisions as set out in this Bill are all the more real when one considers that after Friday the UK could, although unlikely, be considered one of the so-called third countries referred to in the Bill. Tonight will tell a lot in that regard. The movement of health professionals between the UK and Ireland is significant and if the reporting or monitoring of medical professionals is no longer regulated, steps must be taken immediately to ensure best practice in this country.

It is imperative that patients have every confidence in their healthcare professionals and access to information pertaining to fitness to practice ensures that. However if healthcare workers feel aggrieved by a decision it is only fair that there is an appeals process in place. Fianna Fáil agrees that an appeal to the High Court provision should form part of this Bill.

In terms of the disciplinary investigative process, it is important that a solid, transparent structure is in place. We therefore welcome the fact that the chief executive officer, CEO, of both the Medical Council and the Nursing and Midwifery Board will assume responsibility from the proceedings committee and an authorised officer will process and investigate complaints against members. The additional controls bestowed upon this authorised officer will compel information, as required, to enable completion of his or her report for the relevant CEO.

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It is also expected that this process will hasten the disciplinary procedure, given that the authorised officer will no longer need to refer to the proceedings committee for direction.

It is welcome that section 39 would be deleted under this Bill. With 479 consultant vacancies, it could be argued that the need to provide a certificate of experience was hampering the recruitment process. The introduction of a new register of interns is also welcome as it provides a clear account of a medical practitioner's credentials.

Clarity is needed at this time and this Bill goes some way in providing that.

**Deputy Donnchadh Ó Laoghaire:** I welcome the opportunity to speak on this large and complex item of legislation. The Regulated Professions (Health and Social Care) (Amendment) Bill 2019 relates to transposition of Directive 2005/36/EC, as amended by Directive 2013/55/EU, on the recognition of professional qualifications, which it must be pointed out was agreed under the Irish Presidency of the European Union in 2013. It is quite important that we transpose these directives, especially with the looming prospect of Brexit, and that we provide the mechanisms for the recognition of professional qualifications.

This legislation affects a number of professions and, indeed, some more than others. I will structure my observations and questions by profession first and foremost. On the section pertaining to pharmacists, there are some welcome changes to outdated aspects of standing legislation. Part 4, which seeks to amend the Pharmacy Act 2007, is very important. The Irish Pharmacy Union has consistently called for the 2007 Act to be updated. In particular, it has vocally called for the removal of the prohibition of a pharmacist to be declared bankrupt from registering as a pharmacist, for a complete overhaul of the fitness to practice regime to a less formal and adversarial model, as recommended by the Pharmaceutical Society of Ireland's review in 2015, and for the implementation of the Supreme Court recommendations following the Corbally case. We can and will agree or disagree with various calls the representative bodies have made regarding this Bill and I have no doubt it will be an interesting debate on Committee Stage. It is important, however, that we are aware of what the representative bodies are seeking and saying.

When Deputy Jan O'Sullivan was Minister for Education and Skills, her officials had meetings with representatives of unions on the issue of the Corbally case and concerns around public hearings, and what matters should be brought to a public hearing. In the Seanad in 2015, my former colleague, the then Senator Kathryn Reilly brought forward amendments to the Teaching Council (Amendment) Bill which invoked the Corbally judgment. We know these issues have been debated at the highest level, so it is important and interesting that changes are forthcoming. However, there are a few observations, and perhaps criticisms, that I will articulate. There are still many outstanding issues with which the legislation has not sought to deal. This is an all-encompassing item of legislation and the opportunity should be seized to use it to amend primary legislation as such an opportunity does not come about often.

The Minister of State should give clarification as regards the decision of the council of the Pharmaceutical Society of Ireland, PSI, to approve rules on the temporary absence of a pharmacist from a pharmacy which have been sent or are being sent to the Minister to be signed. First, those rules are unnecessarily restrictive in that they undermine and restrict the professionalism and the employment prospects of almost 300 pharmaceutical assistants, most of whom are women over 50 years of age. Perhaps more equitable rules could have been included here in primary legislation where we could have debated them and they could be fed into by stakehold-

ers to ensure they delivered for all involved. The Pharmacy Act 2007 could have been amended to develop a core competency framework for pharmaceutical assistants. It could have had a requirement that all pharmaceutical assistants on the PSI register undergo a practice review with the Irish Institute of Pharmacy. There are many things which could have been done, and still can be done, so I would urge the Minister to not sign those PSI rules and instead use Committee Stage of this Bill to bring forward amendments to the 2007 Act which protect pharmaceutical assistants and the public and let us debate it fully here so that no adverse outcomes materialise.

I spoke with members of the pharmacy profession and they raised questions around the amendment to section 52 of the Act, which allows the High Court to direct how the costs of an application for confirmation of a sanction are borne. They stated that this opens the possibility that a pharmacist who has been through a fitness to practice inquiry would then be required to pay for the High Court to confirm any sanction handed down, even in circumstances where the sanction is not being appealed, thus adding an additional financial penalty to the professional sanctions laid down in the Pharmacy Act. They are querying who should bear these costs, and I would appreciate if that could be clarified.

In the section pertaining to dentists there is also much welcome movement. Regarding section 17 where it proposes that the Minister is no longer notified of sanctions and that the HSE and other appropriate persons, including an employer, will now be notified, what are the reasons for this change, particularly given that a large number of dentists are not employed by the HSE and do not hold contracts with it to provide dental care? Are there difficulties arising with the existing reporting arrangements or is this to centralise these matters across the board? Clarification on that would be welcome.

Finally, on this Part, in section 18 it suggests that the Dental Council would, if it is in the public interest, publish part of all of the fitness to practice proceedings. This differs considerably from the existing provisions whereby only proven charges are published. I would also like to hear the reasons for that change. Has there been an issue with current arrangements or is this again an effort to centralise and streamline all reporting in the interest of the health service?

Regarding the section which pertains to interns, I have a question on it as this section is of particular interest. The Bill seeks to amend the Medical Practitioners Act to remove the requirement for interns to hold the equivalence of the certificate of experience for entry to the trainee specialist division of the register. I would be grateful if the Minister of State could reassure the House that checks and balances are not being removed. Will there be a similar measurement of experience, so we can be sure that our high standards in the medical field are upheld? I understand the requirement of internship equivalence is preventing some non-EU doctors from accessing training posts, even where they may hold memberships of Irish postgraduate medical colleges. However, this is a complex issue and there needs to be the appropriate evaluation of medical proficiency to ensure that the doctor in question has the requisite skill set.

The current recruitment and retention crisis has meant that the health service has not been able to attract and retain enough highly educated and trained doctors and sometimes to fill these gaps, under-qualified doctors have been appointed to roles in the health service, which is wholly inappropriate. We saw that last November during High Court proceedings where Mr. Justice Peter Kelly stated that defective procedures for recruiting doctors represented a danger to patients and laid bare the implications of the Government's failure to address the doctor recruitment and retention crisis and the failures of the HSE in that regard. To refresh people's memories, this was where a non-consultant hospital doctor in a hospital maternity unit was sus-

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pended from practising by the High Court after other doctors had raised serious concerns within days of his starting employment on the basis that he lacked basic medical competency and was a danger to patients. The doctor had graduated from a medical school outside Ireland and his basic medical training was found to be seriously flawed and not comparable to that of the doctors who had trained here. I know that the Medical Council and the Irish Medical Organisation welcome this move and I bow to their knowledge and expertise. However, I would like the Minister of State to explain to me how any new system will operate for interns in order that we can ensure we will have the best medical professionals working in hospitals.

As with all parts of the Bill, there are a number of amendments to the fitness to practise provisions of the Medical Practitioners Act which should result in a speeding up of the fitness to practise process, which is to be welcomed. The Bill encompasses all professions - nurses, midwives, dentists and doctors - and it is welcome that declarations of convictions and criminal sanctions will be necessary before being registered to practise here. Also welcome is the allowance of disciplinary inquiries in other jurisdictions to be used as admissible evidence in Irish fitness to practise proceedings under the new proposals. It is welcome that there are extra protections for medical and healthcare professionals in that fitness to practise committees will be given the power to order that some or all of the information given at a hearing not be published. The allowance of a right of appeal to the High Court against sanctions of advice, admonishment or a censure is also an interesting inclusion, given that currently there is no right of appeal against these sanctions.

I welcome the provisions which will allow the chief executive of the Medical Council to investigate complaints made to the council in order to ensure frivolous or vexatious complaints will not proceed to the preliminary proceedings committee.

With regard to section 103 as it relates to fitness to practise hearings, I have spoken to doctors and their representative bodies. They hope, given that fitness to practise hearings can be extremely stressful for individual doctors and have severe consequences for their health, reputation and livelihood, that the idea of proceedings being held *in camera* will be looked at and that no information, including on the identity of the doctor, will be made public until poor professional performance has been proved.

As we seek to implement these European directives, it is important to look at areas where our medical professionals may have scope to learn from their European colleagues. There are many opportunities to impart wisdom to their European colleagues and *vice versa*. In particular, there is scope for our medical professionals to learn more about social prescribing, different physical activity regimes as part of a broader chronic disease management policy and the use of medicinal cannabis, to name but a few. Such improvements would benefit medical and healthcare professionals, as well as patients.

While we will be supporting this legislation, we hope to work further with the Minister of State and others to amend it on Committee Stage.

**An Ceann Comhairle:** Deputy Mattie McGrath is sharing time with Deputies Michael Healy-Rae and Michael Collins.

**Deputy Mattie McGrath:** I am happy to speak to the Bill. To be fair to the Minister of State, Deputy Jim Daly, he met a delegation from County Tipperary today to discuss mental health issues. He is doing his best and I acknowledge his bona fides. It is a pity that he is not

the senior Minister.

The Bill amends the five health professional regulatory Acts, in particular, in the areas of fitness to practise and registration. It is disappointing and sad that we see people who do not have the proper qualifications, make mistakes and carry out different procedures when they are not qualified to do so and do not have the experience needed. The key amendments include the following. First, applicants for registration must declare in their application and annually thereafter any conviction or sanction imposed by a regulatory body inside or outside the State. That is important. In a world where people move from state to state and there is ease of access and so on, it is vital that we look outside the State also.

Second, disciplinary inquiries in other jurisdictions can be used as admissible evidence in fitness to practise proceedings in Ireland. All sanctions will be published to ensure the public will have access to information on disciplinary sanctions imposed on doctors, nurses, midwives, pharmacists and other regulated health professionals.

Third, practitioners will have the right of appeal to the High Court when minor sanctions of advice, admonishment or a censure in writing are imposed on a practitioner. There is currently no right of appeal against these three sanctions. In fairness, any justice system must provide for a right of appeal. We cannot have cursory justice and must provide for a right of appeal. It is, therefore, a good amendment.

All of the amendments strike me as being perfectly reasonable. We must have strong and robust protections for the public. While they are generally excellently served by the quality of our doctors and healthcare professionals, sometimes they do experience an horrendous level of care. We cannot lose sight of this, although the vast majority are well served by health professionals, nurses and front-line staff. For whatever reason, the few bad apples in a barrel can cause rot which can have bad consequences, including, for example, the eagerness of the legal eagles to become involved in many cases in an over-zealous fashion. In some cases there is malpractice, for example, in the case of the cervical smear tests, although it did not involve clinicians in the main but a systems failure. The Tánaiste was trying to explain to the House about a systems failure in the case of the national children's hospital, but there are systems failures every minute of every hour of every day of every week of every month of every year due to the monstrosity that is the HSE which is too big to function properly. I have said the Minister of State is doing his best to grapple with the problems and as we saw today at the meeting, there are many excellent people involved. However, there are too many design teams and people running and managing that it is nearly impossible to move forward because everything is too slow. While we have discussed the approval of a €2.2 million unit, because of the rate of inflation since 2015, the cost is now €2.6 million and the matter has to be referred back for approval. I know that the Minister of State will push the project and do his best, but, surely to God, when they are processing approvals, they should be able to index link the cost and not have to go back to the drawing board all of the time.

We must, as I said, have strong and robust protections. We must also, above all else, have accountability. Only recently we read that the President of the High Court had struck off a radiographer when he was satisfied that "she is a danger to the public" owing to her substandard knowledge of the basics of radiography. We are all sent for X-rays, including our parents, children and siblings, and expect to be seen by a competent person. I say, "Well done," to the High Court and Mr. Justice Peter Kelly for saying it and putting the matter into the public domain. As he said, she was a danger to the public owing to her substandard knowledge of the basics of

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radiography. I would love to know who interviewed her and how she got through the process to get into the X-ray room where she was unable to read X-rays. It is appalling. We now have managers where at one time we had a matron running a hospital and, by God, no one fooled her. The place was clean and tidy; patients were looked after and everything was done right. No one crossed her either. In her place we now have area managers, ward managers, floor managers, bed managers, linen managers, hygiene managers - the place is not even clean - and food managers. I have only mentioned half of them and they are going around with flip charts, while patients can be sent for an X-ray. I remember going to Cashel hospital with Mary T. who is now deceased. We knocked on the door and were given directions to where the doctor was. Patients now have to go to different reception areas and so on. It is a bureaucratic nightmare, instead of making sure the people who are doing the work are competent to do it. Mr. Justice Peter Kelly said the case involved a person who worked for a short period in 2017 at University Hospital Waterford in my area before she was let go. He underlined his concerns about the procedures used in recruiting professionals to work in hospitals. They are not my words, although I have the same concerns, but those of the eminent High Court judge Mr. Justice Peter Kelly. It is vital that we do all we can to create a healthcare environment where people can trust those who are treating them and have certainty in their expertise. That is a basic prerequisite.

It is also clear that it is not only healthcare professionals who can be a threat to the public. This is also true of the health system itself. Last year the Irish Association for Emergency Medicine, IAEM, issued the dire warning that up to 350 people would die needlessly in hospital emergency departments in the next year unless the Minister for Health, Deputy Harris, definitively addressed the trolley crisis. This crisis has got worse. The Taoiseach told us yesterday that it is not as bad as last year or the year before. Conditions in my county are appalling. Cork University Hospital was nearly closed last week. A man lay in the street for two and a half hours after a fall because eight ambulances were tied up at Cork University Hospital.

What sanctions should we pursue against the Minister when his lack of action allows a scenario to continue where hundreds of unnecessary deaths may be occurring? That is a shocking statistic. We are not in a war, but when one looks at accident and emergency departments it seems like a war. If we seek to hold the doctors to account, the same should obviously apply to the Minister who has overall responsibility for the health service. He can squirm. He went on "Six One News" on his own yesterday to try to account for something that is inexcusable. Our colleagues in Fianna Fáil give him a pass. Deputy Micheál Martin and others come in here and criticise him every day, but when it came to a vote of no confidence they sat on their hands. They have been sitting on them so much we will need to get therapists to fix their hands before this Government is finished. It is a good job the seats are soft and they are not getting hurt, but they will definitely be badly damaged and may be unable to press the buttons when the time comes. This carry-on is unbelievable. Responsibility to the people does not matter. No Minister is held accountable.

**Deputy Michael Collins:** I am grateful to have the opportunity to speak to this Bill, the primary focus of which is patient care and safety. I welcome the amendment to this Bill which will ensure that doctors and other healthcare professionals will have to declare any convictions or criminal sanctions before being allowed to register in the State. This will allow us in Ireland to use findings from disciplinary inquiries carried out in other jurisdictions and countries as evidence in the Irish fitness to practise proceedings.

The important aspect of this Bill is that patient safety is to the fore. For example, all disciplinary sanctions imposed on doctors, nurses, midwives, pharmacists and other regulated health

professionals will be published to ensure the public has access to this information. There is no doubt that the people of this country are looking for transparency right across the board. Sadly, many woman and their families have had to suffer unnecessarily in the recent CervicalCheck scandal. Dr. Gabriel Scally's latest progress report on the CervicalCheck affair has stated that the current open disclosure policy is deeply contradictory and unsatisfactory because it does not compel clinicians to disclose any failings in the care of patients. The HSE's open disclosure policy provides that "patients who experience harm as a result of their health care are communicated with in an open, honest, empathic and timely manner and that an apology which is sincere and meaningful is provided". We can all see that the open disclosure policy was not applied to the hundreds of women with cervical cancer who for years were not told of an audit that showed they had received incorrect smear test results.

We all know that this was completely unacceptable. I want to know what this Government is going to do to ensure that we never see a scandal like this again. Moreover, what is the Government doing for the women throughout this country who have been affected by the CervicalCheck scandal? One measure that should come from this terrible scandal is the automatic provision of medical cards to all cancer patients as soon as they are diagnosed. The number of people getting diagnosed with cancer is frightening. Very sadly, the rate of cancer diagnosis is increasing. Someone gets a cancer diagnosis every three minutes in Ireland, and by 2020 half of us will get a cancer diagnosis in our lifetime. The Government cannot ignore these statistics anymore. It must start supporting people who have been diagnosed with cancer. Issuing a non-means-tested medical card as soon as a person is diagnosed with cancer would be a start in supporting cancer patients through their battle.

It is also important to mention the impact of Brexit on our health service and our health service professionals. There is a possibility that issues relating to the qualifications of our health professionals could arise after Brexit. When Brexit happens, the directives providing for the mutual recognition of qualifications will apply to the UK as a third country rather than as a full member state. This will mean that the UK will no longer report restrictions on the practise of health professionals, as happens under the current alert system. This is a concern and needs to be addressed in this Bill.

This Bill promises reduced delays in establishing interview panels for consultant posts, which should have a knock-on effect on recruitment. The situation with waiting lists is out of control here in the South. Members will excuse me if I do not hold my breath for this Bill to do much to reduce these waiting lists. Deputy Danny Healy-Rae and I have sent 30 buses to Belfast for cataract procedures, with another four ready to go. Does the Government realise that hundreds of people are forced to go to Belfast for a procedure that takes just 15 minutes? This Government should be ashamed of how badly it has let the people down, especially the elderly. How many more people will we have to carry across to the Border? Will this Government listen and take real and adequate steps to reduce waiting lists here in Ireland?

In the past year the health service has hit the headlines repeatedly for all the wrong reasons. We had two major scandals, the national children's hospital overrun and the CervicalCheck scandal. We have seen some of the longest waiting lists in the history of the State, which include very young children and elderly people. We have seen hundreds of people travelling across the Border because they are on waiting lists of up to five years. Our nursing staff and ambulance staff have been reduced to strike action. Our health professionals abroad, who want to come home, are hitting obstacle after obstacle. Last week an 82 year old man had to lie on the street in Skibbereen for two hours and 15 minutes because ambulances were tied up at Cork

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University Hospital. That meant that an ambulance had to come all the way from Cahersiveen to Skibbereen. I invite the Minister of State to imagine this happening to a person of 82 years in his own constituency. It is not good enough. These are the things that people see day to day. This Government needs to wake up and give the people the health service they deserve.

**Deputy Michael Healy-Rae:** I, too, want to speak to this very important topic. It is important to have good governance and to have systems and checks to make sure the people operating in the healthcare service are up to standard. A person driving a digger has to have proper tickets, a Safe Pass card etc. before he or she is allowed onto a building site. That applies to any job of work now, rightly so. We must have standards. If there are standards in every other walk of life, surely to God, we must have the proper checks and mechanisms to prevent situations of the kind that have arisen. This is not confined to any particular place. Throughout the country there have been instances of people operating in hospitals who were not up to scratch and fell far short of the mark. When people enter the health service, they expect to get the very best. They expect radiographers, people reading scans etc. to be excellently trained people with no blemishes on their records. I will be only too glad to put my shoulder to the wheel in any way possible to support the Government in ensuring this happens.

7 o'clock

As has been highlighted by others, we have to talk about the health service in that regard. I take the opportunity to talk about GPs, the excellent service they give and the way they are being treated so badly by the Minister of State and the Government. Rural GPs are struggling. When many of us were younger, the local GP was seen as a person of means because it was such a good job. It should be classified that way, but unfortunately that is not the case now. I know of many struggling GPs in rural areas. Keeping their businesses open is not paying. With all the overheads, the constraints placed upon them by the Department and the fact that they are getting so little support from the Government, it is simply not profitable to run a rural GP service. I want to say how important the rural GP service is in all our localities, including south Kerry, where I am from, east Kerry, west Kerry, north Kerry and every village and community that has a doctor or GP running a service. It is awfully important.

Recently, cases were brought to my attention of certain towns and villages that have no visiting service, although there was one previously. Will the Minister of State explain the reason for that? Why is the Government not supporting GPs who want to deliver a healthcare service in areas that are closest to those who want to avail of it? We were always told that a stitch in time saves nine, and that is the case. If a person, be he or she elderly, young or middle aged, goes to a GP with a minor complaint, even if there is a more serious issue underlying it, if it is caught in time by a good local GP, it will save a person needing significant medical intervention at enormous cost subsequently. It is important to keep every local service.

Deputy Michael Collins referred to the issue I will now raise. Last Saturday, I welcomed back to County Kerry a busload of patients from Kerry. I send patients on a bi-weekly basis to the North. It is a shame that I must do so on the Minister of State's watch. There are five Ministers for Health and the Minister of State, Deputy Jim Daly, is one of them. It is a shame that people have to leave their home and go to the North to get cataracts removed. One would think at this stage the Minister of State would be so embarrassed and ashamed hearing about it and that politicians have to provide such a service. The service has expanded as I am now sending younger people for other procedures such as tonsil removal, hip operations and knee operations. Every week in my clinics I advertise the fact that people must contact the office, ring Martina or Jackie – the telephone number is provided – and give them their details. We

arrange the appointments, hotels and buses and we take people up to the North to have this vital service provided. In many cases we stop people going blind.

**Deputy Mattie McGrath:** The Deputy needs a travel agency now.

**Deputy Michael Healy-Rae:** Yes. Is it not disgraceful on the watch of the Government that we must do that? It is my job as a public representative to help people and I am not complaining about having to do it. However, one would think the Government would be embarrassed at the fact. I do not know what is wrong with other Deputies in the rest of the country that they are not doing it.

**Deputy Mattie McGrath:** One could not embarrass them.

**Deputy Michael Healy-Rae:** Everybody should be doing it at this stage, a Cheann Comhairle, because people are going blind in other parts of the country.

**An Ceann Comhairle:** I was beginning to wonder if there was something in the water in Kerry.

**Deputy Michael Healy-Rae:** I would not blame you, a Cheann Comhairle. You are dead right to make that observation. You are correct. On a serious note, what I am worried about is that there are people going blind in other parts of the country while waiting on the list.

**Deputy Mattie McGrath:** Yes.

**Deputy Michael Healy-Rae:** Are they just silently waiting because they cannot avail of the bus from Kerry or Cork? That is wrong. God gave us only two eyes. I know of people who, unfortunately, did not come forward in time and the ripeness in their eyes had come and gone and the opportunity was lost and they lost an eye. Close one of your eyes this minute, a Cheann Comhairle, and think about going around for the rest of your life with only one eye because of the incompetence of a Government.

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

**Deputy Michael Healy-Rae:** I would never forgive the Government if it was the cause of me going blind in one eye. Not everybody is able to know-----

**Deputy Mattie McGrath:** They wish we were dumb.

**Deputy Michael Healy-Rae:** -----that this service is available and they do not realise that even if they do not have the money, they can afford it because they can get the money from the credit union. Many people think they must have the money and that, because they do not have a couple of thousand euro to put upfront, they cannot avail of the service.

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

**Deputy Michael Healy-Rae:** It is a shame what the Government is doing. The Minister of State should be fighting about this himself and making a noise about it. I say that in a very fair and ordinary way.

**An Ceann Comhairle:** After what has been a small few contributors to this debate, perhaps the Minister of State might respond.

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**Deputy Mattie McGrath:** It is the quality, not the quantity, that counts.

**An Ceann Comhairle:** That is true.

**Minister of State at the Department of Health (Deputy Jim Daly):** I am happy to take on board the contributions of the Members opposite. A number of questions were raised that we will deal with on Committee Stage. Some of the detail requires teasing out and I will be happy to come back to Members with specific answers relating to the Bill. Some of the other issues will be dealt with in debates outside this forum. I thank all Deputies for their contributions and commend the Bill to the House.

**Deputy Michael Healy-Rae:** On a point of order, I am sorry but things moved quickly. Is the Minister of State saying that, after all our contributions, that is all he is going to say?

**An Ceann Comhairle:** He says he will deal with the other matters on Committee Stage.

**Deputy Jim Daly:** The Deputy's contribution was not about the Bill. The issues he raised are not addressed in the Bill. His contribution relates to cataracts.

**Deputy Mattie McGrath:** Mine were related to the Bill.

**Deputy Michael Healy-Rae:** If the Minister of State was listening, I made a contribution on more than that.

**Deputy Jim Daly:** I was listening. I heard everything the Deputy said. He was not looking for a response to any question.

**Deputy Michael Healy-Rae:** I was of course.

**Deputy Jim Daly:** Clarification that was sought on the specifics of the Bill will be dealt with on Committee Stage.

**An Ceann Comhairle:** The Minister of State has made his point. We will proceed. Is it agreed that the Bill be now read a Second Time?

**Deputy Michael Healy-Rae:** It is not agreed. The Minister of State did not deal with our contributions.

Question put.

**An Ceann Comhairle:** In accordance with Standing Order 70(2), the vote is postponed until the voting slot tomorrow.

### **Courts (Establishment and Constitution) (Amendment) Bill 2019: Order for Second Stage**

Bill entitled an Act to amend the Courts (Establishment and Constitution) Act 1961 to increase the number of ordinary judges of the Court of Appeal to fifteen; and to provide for related matters.

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):**  
I move: “That Second Stage be taken now.”

Question put and agreed to.

### **Courts (Establishment and Constitution) (Amendment) Bill 2019: Second Stage**

**Minister of State at the Department of Justice and Equality (Deputy David Stanton):**  
I move: “That the Bill be now read a Second Time.”

I am pleased to have this opportunity to introduce the Courts (Establishment and Constitution) (Amendment) Bill 2019 to the House for Second Stage on behalf of the Minister for Justice and Equality, Deputy Flanagan. We look forward to engaging in a constructive debate as the Bill proceeds through the various Stages. It is the intention of the Government, for the reasons that I will set out and subject to the conduct of business as agreed by the Houses, that the Bill be completed for enactment by the end of June this year.

Following the Government approval of the general scheme of the Bill in December 2018, the Minister for Justice and Equality referred the general scheme for pre-legislative scrutiny. In February 2019, the Joint Committee on Justice and Equality decided that it was not necessary to conduct such scrutiny and this pragmatic approach has helped to progress this compact but nonetheless important Bill.

The purpose of the Bill is to provide for an increase in the maximum number of ordinary judges of the Court of Appeal from nine to 15 and it provides for the amendment of the relevant primary legislation to achieve that objective. As such, it is a short but highly purposeful Bill consisting of just two sections. Section 1 is the substantive provision of the Bill. It provides for the amendment of the Courts (Establishment and Constitution) Act 1961 to increase the statutory number of ordinary judges of the Court of Appeal from nine to 15. Section 2 provides for the Short Title of the Bill and allows for the commencement of the Act by order of the Minister for Justice and Equality. These are standard provisions.

As the House will recall, the Court of Appeal was established on 28 October 2014 under the Court of Appeal Act of that year. That followed a referendum of the people in 2013, which was passed by more than 65% of voters. A key policy objective of the establishment of the Court of Appeal on foot of the referendum was to improve the higher appellate capacity of the Irish courts and to alleviate the relevant backlog in cases which had accumulated at that time. Appeal cases from the Supreme Court and the Court of Criminal Appeal were transferred to the new Court of Appeal and it commenced hearing cases in November 2014. The court comprises a President and not more than nine ordinary judges as set down in statute. There has been no change in this configuration since the court’s establishment. A vacancy is in anticipation on foot of the Government’s decision of 2 April 2019 to nominate Ms Justice Mary Irvine, whose working contribution as a judge of the Court of Appeal is held in the highest regard, to the Supreme Court.

The Court of Appeal hears an array of appeals in civil proceedings as well as in criminal proceedings and covers a vast array of litigation where parties choose to exercise the right to appeal, such a right being a fundamental safeguard under our legal system. Prior to the establishment of the Court of Appeal, average waiting times for cases to be heard by the Supreme

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Court had increased to more than four years. For cases on the priority list, the average waiting time was more than nine months. It was anticipated that the introduction of the new Court of Appeal would streamline the administration of justice by having a significant impact on waiting lists while also making a significant improvement to the overall efficiency of the courts system. However, we are now at a point where it is clear from the current waiting times that without additional judges, the Court of Appeal, before too long, will face similar levels of undesirable delay to those which prevailed in the past. At the same time, I emphasise that the Court of Appeal and the Courts Service have been taking the necessary steps to maximise existing capacities in responding to the ongoing challenges. Case hearing lists in the Court of Appeal are actively managed to ensure appeals are dealt with as efficiently as possible and that waiting times are kept to a minimum within the resources available to the court. Hearing dates are now allocated at the first listing of a new appeal, which reduces the administrative work and time for the court and is, by the same token, more cost efficient for the parties.

The need for the Bill is not to be underestimated. Information received from the Courts Service confirms that, as things stand, hearing dates for civil cases before the Court of Appeal have already been fixed up to, and including, May 2021. While some allocation has also been made within that schedule to ensure any urgent appeal can also be dealt with, the time available for civil appeals is essentially fully allocated up to May of 2021. The current waiting time for criminal appeals is six months. This compares with the 15-month waiting time which previously arose at the Court of Criminal Appeal and is now generally considered to be at an acceptable level. However, with the exception of certain fast-tracked or very urgent cases, the general waiting time for civil appeals is 20 months. This is considered a significant problem in terms of access to justice.

In terms of existing caseloads at the Court of Appeal, civil cases in hand have risen from 677 at the start of quarter 1 of 2018 to 685 at the start of quarter 1 of this year. In addition, there is what are described as article 64 appeals, that is to say, the legacy cases inherited by the Court of Appeal from the Supreme Court. At the start of quarter 1 of 2018 there were 706 such cases which had reduced to 242 at the start of quarter 1 of this year. In terms of criminal offences and appeals, there were 531 cases in hand at the start of quarter 1 of 2018 with 480 in play at the start of quarter 1 of this year. Of course, these are not static figures and will fluctuate as cases are referred in the course of normal courts business to the Court of Appeal on an ongoing basis.

Both the current and previous President of the Court of Appeal, the Honorable Mr. Justice George Birmingham and the Honorable Mr. Justice Sean Ryan, respectively, have highlighted the problems being faced by the Court of Appeal as being most acute and in terms of the court being overwhelmed by its caseload of both inherited and new cases. The Chief Justice also fully supports the specific and reasoned case for an increase in the number of judges of the Court of Appeal and has sought the early introduction of the necessary legislation to deal with this as a most pressing problem.

Against this background, increasing the number of ordinary judges in the Court of Appeal by six, as proposed under today's Bill, will have a beneficial effect of increasing efficiency in processing appeals in the superior courts and providing a more accessible appellate system with more timely and efficient resolution of disputes for citizens and enterprise. The President of the Court of Appeal has indicated that having six extra judges would allow for three divisions of the Court of Appeal - one dealing with criminal, the second with the inherited article 64 cases and the third dealing with incoming mainstream civil cases. In the view of the Judiciary this would allow for the most efficient disposal of cases, allowing sufficient time for hearing cases in court,

reading papers in preparation for court and drafting judgments. The mainstream civil division would frequently sit in two courts simultaneously.

This would also mean that the President of the Court of Appeal could, as may be considered appropriate, assign a division of judges to deal exclusively with the remaining inherited article 64 legacy cases. Under such an approach it may well be possible to clear the remaining backlog of those cases within 12 to 16 months. Clearly, there would be a positive benefit to litigants as a substantial decrease would be anticipated in the average waiting time for relevant cases to be heard.

The appointment of six additional judges to the Court of Appeal is estimated to cost in the region of €1.22 million by way of salaries and allowances. Their appointment will also require the provision of some additional supports by the Courts Service. Funding for such non-pay or capital costs, including any required additional chambers, will be managed within the existing resources of the Courts Service.

As part of the approach being taken under the Bill, it is also intended that the Minister will review the situation regarding judicial numbers in the Court of Appeal in consultation with the President of that court in two years as, in due course, the court clears down its inherited caseload of Supreme Court appeals. Similarly, the long-term requirement for maintaining the existing statutory ceiling of judges in the Supreme Court will also be kept under review.

As recognised by the Minister, Deputy Flanagan, when he secured Government approval for the publication of the Bill in March, there is a strong and compelling case for the provision under the Bill of additional judicial resources to the Court of Appeal. The Government is satisfied that the additional judicial positions are warranted to address the current demands being faced by the Court of Appeal and to improve efficiency in the appeals process, which is a bulwark of the judicial system and access to justice.

In the light of its obvious merits as I have set out and the fundamental importance of the Court of Appeal to the effective administration of justice, I commend the Bill to the House.

**Deputy Jim O’Callaghan:** I welcome the opportunity to speak to this important legislation. I can assure the Minister of State and the Government that Fianna Fáil will be supporting it.

It is important to point out that prior to the Court of Appeal being established in October 2014, litigants had to wait approximately four years for their appeals to be heard in the Supreme Court. That was an unconscionable delay for people who were entitled to have an appeal heard promptly and yet they had to wait four years. The purpose of establishing a court of appeal was to ensure the process of appeals could be determined much more quickly.

The Court of Appeal has been effective in seeking to achieve that object. In fact, on the criminal side of the Court of Appeal, an appeal will be heard within this year if the appeal is put in now. However, where there is a significant backlog is in respect of civil appeals before the Court of Appeal. At present, the earliest date for hearing an appeal of a civil action to the Court of Appeal is May 2021, which is in effect a wait of just over two years.

It makes sense that we try to add more resources to the Court of Appeal. At present, there are ten judges on the court. Under the legislation we will have six more, which will bring up the number to 16 judges. As has been stated by the Minister of State, the effect of that is that

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we will be able to have two divisions of the Civil Court of Appeal hearing cases and we will be able to have three judges in the Criminal Court of Appeal hearing criminal appeals.

The legislation also underlines another very important point that we and the Government will have to deal with in due course, that is, the resourcing of the Judiciary. We have 40 High Court judges at present. It is not enough. We need more High Court judges involved. If one talks to any litigant waiting to get their case on in the High Court, it is the case in civil actions, unfortunately, that many of them will not get on the first time their case is listed for hearing. They will not get on the second time their case is listed for hearing and, if they are lucky, they may get on on the third occasion. The reason there is such a delay is because of the lack of judges being available.

I sometimes compare the resources Members of this House have with Members of the Judiciary. Deputies have the entitlement, appropriately, to hire two people, and they need that. A Minister can hire up to seven people. A person will probably need that as a Minister although Ministers have the Department behind them with all the hundreds of people who work within it. A High Court judge is lucky if they can get one judicial researcher, and he or she has to do everything for the judge.

When we think about the responsibilities that fall on High Court judges, they have to listen to all the evidence in the cases and then go off after the case is ended and produce a considered and correct High Court judgment, and they have to get it right. The reason they have to get it right is because Ireland is a common law system and the system of law in this country depends to a large extent on judge-made law. Huge amounts of law go through this House but every item of legislation we put through this House inevitably ends up before the courts where a judge is required to interpret it and give written decisions in respect of it.

We need to look at the level of resources we will allocate to the Judiciary. It is an important limb of Government. There are three limbs of government in this country, the Executive, the Legislature and the Judiciary, and it is very much the case that the one that is resourced the least is the Judiciary. That is something the Minister needs to examine.

In looking at the very good work the Court of Appeal has done, we have to go to the Courts Service annual report. The report for 2017 was published last year. The Minister has referred to some of the statistics within it, but reading the report shows that a considerable amount of work and appeals have been completed by the Court of Appeal. It may be the case that because of the Court of Appeal and its efficiency, more appeals are being taken than would have been the case had there been only the Supreme Court. It is certainly the case that in respect of interlocutory matters, appeals are being taken more frequently than would have been the case prior to the establishment of the Court of Appeal.

I have said repeatedly that we need to recognise that the resourcing of the Court of Appeal is not about the convenience of judges or the convenience of lawyers. It is to enable citizens who come before our courts to get justice before the courts. If there is not a facility or a capacity within the court system to deal with actions which people bring before the courts, justice is not being properly served.

This legislation is only about the Court of Appeal. We are increasing the number of judges from ten to 16. As I have said previously, we need to look at other courts, particularly the High Court. At present, we have 40 High Court judges, but when we look at the number of judges *per*

*capita* in Ireland, we can see that we are in a very low position. I am aware that research was done in respect of 2015 and it showed that Ireland was 77th out of 94 countries in terms of the number of judges we had *per capita*. At that stage the average in Council of Europe countries was 21 judges per 100,000 people, but in Ireland there were only three per 100,000 people. In Norway the number was 11 per 100,000 people, while in Portugal it was 19 per 100,000 people.

The Government must consider the further resourcing of not just the High Court but also the Circuit Court and the District Court. As I said, this is not about the convenience of lawyers but about individuals being able to access the courts. If more judges and resources are put into the system, going to court will not be so stressful. People could go to court, have their case heard and disposed of quickly and then have an appeal dealt with. It should not be the case that it takes years for a person to gain access to justice.

I also believe the inevitable delay and the prolonging of a court case have the effect of increasing the cost. If a person can have a case dealt with quickly, there will be more competition and the cost will decline.

I welcome the legislation which Fianna Fáil will support, but greater resources are needed in the Court of Appeal. However, the Government must also consider providing more resources for other aspects of the Judiciary. Today the justice committee discussed the Estimate for the justice Vote with the Minister, Deputy Flanagan. It was outlined that the Estimate for the judicial council was €250,000 next year. That will not be sufficient for a statutory body that is proposing to deal with the training of judges and disciplinary matters. In addition, judges will be asked to produce guidelines not only in respect of personal injuries but also criminal matters. The Judiciary must no longer be treated as the Cinderella in the three limbs of government. It requires further resources. For the sake of citizens, we should all seek further resources for it.

**Deputy Martin Kenny:** I am speaking on behalf of Deputy Ó Laoghaire who, unfortunately, cannot be present.

I thank the Minister of State for bringing the Bill before the House. As it is quite straightforward, I will keep my comments brief.

The Bill has the support of Sinn Féin. We wish to see it proceed as quickly as possible to address the volume of cases before the Court of Appeal. The purpose of the Bill is to provide for an increase in the maximum number of ordinary judges of the Court of Appeal from nine to 15. The Court of Appeal has a very significant volume of work because of the caseload it inherited from the Supreme Court and the volume of new cases it is taking on. While there is a six-month average waiting time for criminal cases to be heard, it takes, on average, almost two years for civil cases to be heard. There are some examples where it takes up to four years. This has been a problem for some time.

In 2017 the President of the Court of Appeal warned that the court was close to being overwhelmed by its caseload. Mr. Justice Sean Ryan said delays of over one year in hearing most appeals would get worse unless action was taken as the court was “coming to the point of being overwhelmed.” The Court of Appeal was established in October 2014 and inherited approximately 1,650 appeals from the Supreme Court. However, with 600 new appeals from the High Court each year, the delay before an appeal can be heard has grown. Mr. Justice Ryan believes the Court of Appeal can deal with approximately 320 appeals each year. The Chief Justice has supported the need for this measure. The Bar Council and the Law Society of Ireland have also

been anxious to see this issue resolved.

Criminal matters were, rightly, prioritised, but the uncertainty involved for all concerned is unjustifiable and deeply worrying. An access to justice issue arises. As the adage goes, justice delayed is justice denied. When somebody must put his or her life on hold for two years or more, perhaps after a year, two years or more in the system, it becomes intolerable. According to the 2017 annual report of the Courts Service, when the Court of Appeal was established in 2014, a backlog of 1,355 civil cases were transferred to it. At the end of 2017, only 649 of the 1,355 cases had been resolved.

We must ensure the process of making judicial appointments is dealt with. Some are seeking to delay it and maintain a system based on patronage and connections. That might suit some people, rather than making it more transparent and independent, with a lay majority. The Seanad has been prevented from dealing with that important issue owing to filibustering, which is a shame. We also must have the Judicial Council Bill 2017 enacted, including the sentencing guidelines Sinn Féin negotiated to have included in the legislation. It is key to judicial reform and respects the independence of the Judiciary.

In any state the provision of justice and access to the courts are fundamental to the functioning of a democracy. Any delay in accessing justice is unacceptable. I am happy that the Minister of State has been proactive in bringing forward this legislation before the backlog becomes unmanageable to the point of paralysis. Will he clarify how the number of 15 was arrived at and whether it will be enough to address the backlog of current cases in a reasonable timeframe? Does he believe the issue has been addressed by the prospective appointments should current case trends continue?

Again, Sinn Féin supports the Bill and wishes to see it enacted as a matter of urgency.

**Deputy Michael Collins:** The purpose of the Bill is to provide for an increase in the maximum number of ordinary judges of the Court of Appeal from nine to 15. I welcome this as the Court of Appeal has a large volume of work. It inherited some of its cases from the Supreme Court and also deals with a large volume of new cases. Before the Court of Appeal was established, the average waiting time for cases to be heard by the Supreme Court had increased to over four years. While it was anticipated that the new Court of Appeal would have a significant impact on waiting times, unfortunately, this did not turn out to be the case. Without additional judges, the Court of Appeal is under severe pressure in dealing with its workload. The current waiting time is 20 months for civil appeals, which is problematic in seeking access to justice.

A man in my constituency in west Cork has been waiting 14 years for justice. In 2005 he attended the Circuit Court after he had been evicted from his family business by the State body Coillte. There was no registrar present in the court. That might appear to be a small matter to the untrained eye, but for the man in question, it cost him justice. He was not allowed to appeal the case to the High Court as it was alleged that he was out of time to lodge an appeal. There was great confusion between solicitors and the Circuit Court office in Cork as to when the Circuit Court orders had been made, but the Circuit Court office agreed with the man's solicitor on when the orders had been made and ordered the State body's solicitors to hand them back for amendment. Lo and behold, they would not hand them back for amendment as ordered by the Circuit Court office. As a result, my constituent lost his right of appeal and his family business because of the wrong dates on the orders. Why did they not consult the alleged registrar who they say was present in the court to inquire about the dates? The Courts Service states there was

a registrar present at all hearings, but it cannot prove it. My constituent has written proof that there was no registrar present at any of his hearings, but he will not be given the opportunity to demonstrate this, as no solicitor will take his case for fear of repercussions from the Courts Service. He has proof of this and suffered greatly. There are judgments on all of his property for legal costs as a result of the wrongful administrative duties of the Circuit Court office in Cork, despite the attempts to get at the truth. How can the Minister of State stand by and let a man suffer like this for 14 years? The man in question is simply requesting that the Courts Service produce its proof and the name of the registrar whom it states attended his hearings. He also wants to have the opportunity to produce his evidence. There has been a major miscarriage of justice by the Courts Service. Will the Minister of State give the man in question this right? The Bill seeks to enhance the Courts Service, but how can we enhance it, on the one hand, and, on the other, leave a man on his knees suffering for 14 years with no justice?

**An Ceann Comhairle:** We cannot become involved in discussing an individual case that is either before or has been before the courts. It is not appropriate to do so.

**Deputy Michael Collins:** It has been continuing for 14 years and destroyed his life.

**Deputy Michael Healy-Rae:** I appreciate the opportunity to discuss this important amendment. The Ceann Comhairle will be glad to hear that I will not mention any specific case, but I wish to discuss how family law cases are mixed up with other cases. Given their constituency work, Members will appreciate from where I am coming. A family law case that comes before a court to be heard can sometimes be postponed. It might be the first case due to be heard the next day the court is due to sit. It might be perceived that the case might take two or three hours for half a day. The people involved will be there with their legal representatives, their accountants possibly and others they have to have with them. Such individuals do not come cheap and they have to be paid for their time. Instead of being first on the list, which it should be, those involved will be informed that the case is going to take too long and that it is being postponed to a later date. That can happen on a number of occasions. The poor people to whom I refer have to be there. I do not know anybody who looks forward to going to court, except somebody who is working in the service. Whatever one's involvement, one would rather be anywhere else than inside in court.

People have the worry, anxiety and upset of getting ready to go to court. They must meet the expense of having their representatives - accountants, solicitors and maybe barristers - with them. Then, having brought everything they need with them on the day, they are informed that the case must be delayed. I am not blaming the judges but somebody is to blame. Surely a system can be put in place whereby a person can be told that his or her case will be taken first on a particular day and that will happen.

In the case of family separations, there should be some special way of these cases being heard on the day on which they are supposed to be heard. The District Court or Circuit Court could be specifically designated in this regard. I am not referring to the High Court yet. A particular time could be set aside and those involved would know when their cases would be heard. When people go to the expense of having their representatives with them, they should not have to pay them for doing nothing. There is nothing worse than being geared up, ready and inside in court and then the case not being called. That is probably the worst thing that could happen to anybody. People are so disappointed when it happens. Their stomachs are in knots days beforehand as they prepare and then the rug is suddenly pulled out from under them.

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We move on then to the High Court, God protect us. The issue relating to the High Court is different and extremely serious. The delays that can occur in the High Court. Cases can be delayed and be very slow in terms of being worked through the process. I even have an issue with the times at which the High Court begins and finishes its work each day. A particular court may only sit for a couple of hours. I appreciate that there is much hidden work involved in cases but the poor people attending have to get ready and be there on a particular day and are then left standing around waiting, looking out the window, at their shoes or up at the sky and praying to God. They are an absolute pity as they wait and wait. Eventually, the case may or may not be called.

We, as politicians, should do anything we can do in order to try to alleviate the situation in this regard. Again, I am not blaming the judges. However, we should assist them by ensuring that there is a better system in place and giving them the wherewithal they need to prepare for cases by, as Deputy O'Callaghan stated, providing the resources they require and the staff they need. I appreciate that a court case is not all about hearing the evidence. There is much other work that judges must do to prepare, including being aware of the evidence that is going to be presented and reading the different letters and the doctors', legal and accountants' reports which may have been supplied in advance. There is an awful lot involved. If they need more assistance, we should give it to them.

If anything can be done by us, as legislators, to improve the lot of the various people who are obliged to go to court, namely, the users of the court system, I will stand with the Minister of State, shoulder to shoulder, any day of the week in order to ensure that it is done. We must do all we can to ensure that we take a more kindly approach to people who, for whatever reason, have to go to court. I refer, in particular, to those involved in family law cases who have to go through judicial reviews, separations and all that is involved in a marital breakup, including the division of assets, children's issues etc. Judges shoulder a great deal of responsibility and the Legislature should do anything it can to assist them. We should not just be seen to be doing this, we must actually do it.

I would appreciate it if what I have said could be taken on board and if mechanisms could be put in place to improve the system. I do not want to say that it is broken but it certainly could be improved. Any person who has had the misfortune of going through it will know what I am talking about.

**Deputy Mattie McGrath:** I too am delighted to speak on this important legislation. I have to declare that when the matter to which it relates was put to referendum, I opposed it for very genuine reasons. It is like getting a flat tyre when driving one's car and one takes off the other three wheels as well. At the time of the referendum, we were informed by the Government that it was introducing this great and wonderful model that would solve all the problems. In fact, it was not going to solve anything. That was because the Government did not propose to address the reason the tyres were punctured in the first place. No one was looking at the engine or anything else and the car was not fit for purpose. That was the problem. I was going to say that this was a typical Irish solution to an Irish problem but it was more a Fine Gael solution to a particular problem. The taxpayer had to foot the cost of a referendum campaign and everything else but what was proposed was useless in the absence of the real changes necessary to remedy the situation relating to the courts.

I take this opportunity to mention Mr. Johnny Walsh, a barrister in Tipperary who is a good friend to myself and Deputy O'Callaghan. He was due to visit the House today but he is in

hospital. I wish him well. I also wish the former Attorney General, who is member of the Court of Appeal - the court to which the Bill relates - well in her new role.

I am not anti-judge. The purpose of the Bill is to provide for an increase in the maximum number of ordinary judges of the Court of Appeal from nine to 15. That is another waste of time. We are scratching at the surface. In a moment, I will use figures to explain why that is the case and why we are going backwards. The explanatory memorandum to the Bill states:

It is clear that the Court of Appeal has a very significant volume of work ... without additional judges, the Court of Appeal could, before too long, be facing a similar level of delay to that which prevailed previously. As it is, the current waiting time of 20 months for civil appeals would be considered problematic in terms of access to justice.

One of the old sayings in the legal sphere, “Justice delayed is justice denied”, is very true. Deputy Michael Healy-Rae referred to unacceptable delays and the confusion of people attending on particular dates only for their cases to be postponed. I attended the High Court in Waterford ten years ago in the context of a claim someone brought against me and my business. It was like a Munster final. Walsh Park, which can accommodate 12,000 people, could not have held the crowd that showed up on the day. Everybody was obliged to attend but only handful of cases were heard on the day. I am not sure whether the courts sat for four or five days that week. Surely to God those involved would know that they would be lucky if 20 cases were heard, although it could be as few as three or four. This looks like a racket and that is what it is.

I hope the Acting Chairman is not getting cross with me. I know she is a barrister and I wish her well in the context of the duties she performed before she became a Member of this House. I am not blaming anybody but it is the system that is broken. All of the people to whom I refer should not be brought to court on a particular day if a case is not going to be heard, particularly in view of the cost involved.

**Acting Chairman (Deputy Catherine Connolly):** I gently remind the Deputy to keep to the topic.

**Deputy Mattie McGrath:** I am doing so. I am talking about what we should be reforming rather than just appointing more judges. If Galway were doing badly in an All Ireland final, the management could not just add four extra players to bring the team on the field up to 19 in order to beat Kilkenny or Tipperary.

**Deputy Bobby Aylward:** The Deputy should go easy on the poor Chairperson.

**Deputy Mattie McGrath:** Not at all, I have great respect for her. Adding five people here is like buying extra hens if those that one already has are not laying eggs.

This is exactly what I said would happen and what legal commentators such as Seth Barrett Tillman of Maynooth University have made clear. Anyone who wanted to do so or who cared enough could see what was about to happen at the time of the referendum. In 2017 and 2018, I asked the Minister for Justice and Equality, on the floor of the House and by means of parliamentary questions, to address ongoing concerns regarding the inability of the Court of Appeal to address its persistently large backlog of civil and criminal cases. At the time, an analysis of the Courts Service was undertaken by the same Seth Barrett Tillman, a lecturer in law at Maynooth University. He found that without significant reform the Court of Appeal would be incapable of reducing its judicial backlog. He put that out during the referendum. He

argued the point on radio, television and anywhere he was asked to argue the point. He argued cogently and coherently and the Government was unable to give him answers. Yet, the Government fooled the people into voting for it. As Deputy Michael Healy-Rae and others said, many people were so tormented waiting that they thought this would be a panacea to everything, but it was a panacea to nothing. This analysis was a forensic deconstruction of the spin that was being peddled regarding the impact that the Court of Appeal would have on addressing the backlog of cases. Spin is all it was. The Government did not have a spin machine worth €5 million at that time, but it was going to spend money at the same time. It was spin and nothing short of it. At the time, the idea of a new court was being sold to the people. It was touted as a kind of perfect remedy for the extraordinary delays affecting our judicial system. It had no hope of ever achieving that. Some of us tried to highlight the fact that all this would do, in the absence of more fundamental reform, was create the illusion of progress. Anyone who took a cursory look at what was going on could have predicted it. That position has now been vindicated.

Seth Barrett Tillman has shown that in the course of the Court of Appeal's second complete calendar year, with millions of euro spent, the number of pending cases started at 1,814 but by the end of the year the number had increased to 1,821. That is an increase of seven after all the money, spin and talk. I am not blaming the judges but I am saying there is something seriously wrong with the system. I had students here today from the Central Technical Institute in Clonmel. If I had brought up first year students, they would have known there was something radically wrong. The backlog is going up in spite of it. The Government is going to add six new judges without addressing the fundamental problems of the backlog. They are basic enough to deal with, but the Government does not appear to want to deal with them. The number of pending cases went up from 1,814 at the start of the year to 1,821. Some people are laughing all the way to the bank, but people are not getting the justice they deserve and are entitled to as citizens in a modern democracy. There was no net reduction in the number of cases in the backlog in that year. Tillman carried out his research in a full calendar year. It has got worse. In point of fact, Seth Barrett Tillman highlighted that there was a 98% decrease in the number of case disposed of between 2015 and 2016 in the two-year calendar period. This was predicted by him, by me and by a small number of others during the referendum but the Government would not listen.

All these issues raise profound challenges for the operation of the court and for public value for money. The question of value for money never seems to come up. We have become reckless and we do not care. We could get another firm of accountants to examine it and give it another €500,000, and off we go. We all carry on. This question must be addressed and scrutinised without the kind of delays that may arise from an undue sense of deference towards judges. I am not saying it is a question of deference towards judges. I am simply saying they cannot do it all. The system is archaic, choked and not fit for purpose. Now we can see what is going on. If they are not getting through the backlog, then questions need to be asked about why that is happening year after year even with additional court facilities at their disposal. We saw the bill for them as well. It was enormous but the efficiency is not there. The reasonable conclusion is that more fundamental reform is needed instead of creating another court with the same procedures. Even children can see that more judges will not solve the backlog. It is the procedures that are at fault and they need to be changed. That is why I am opposing this Bill but the Government is throwing money at it.

The Minister for Transport, Tourism and Sport, Deputy Ross, has a Bill stuck in the Seanad. The Rural Independent Deputies debated another Bill from the Minister, Deputy Ross, last year.

We were described as everything, including filibusterers. Yet, there is no word of filibustering now even though that Bill has been held up in the Seanad for months. What is wrong with the media and commentators? They demonised us for representing our people on legislation that was wrecking rural Ireland. Now a Bill that is so badly needed - it is being championed by the Minister, Deputy Ross - is held up in the Seanad for days, weeks and months but there is not a word of filibustering. It is fine if a person comes from Dublin, has a posh accent and is a barrister, a Senator or whatever. I am not criticising anyone. There may be good reason for the delay. It is bad legislation. However, I am criticising the media and the commentators who ridiculed us as backward. They were fanned by the Minister for Justice and Equality at the time. I know they are not here but I hope they are listening - tá siad ag éisteacht sa seomra. I hope it is not the seomra codlata and that they are still there. Fair play, it is fine playing with me. The people of Tipperary, Kerry and west Cork are entitled to representation. They are entitled to send us here for the time being to scrutinise legislation and fight off dastardly legislation. This is where the energy should be focused. We will not apologise for what we did because the benefits are being seen now. Pubs, institutions and everything else are closing down. There is rural isolation and God knows what but there is no impact analysis of the effect. Yet, when a Bill is delayed for weeks and months there is no criticism. What kind of critics have we? Can we not have others? The people know what is going on. They are not that stupid in the country. They can see what is going on. This legislation is useless, toothless and fruitless. If we do not reform the system, we can appoint all the judges we like but it is no good.

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

I thank the Deputies for their Second Stage interventions in response to the Bill. In the main, Deputies have been supportive of it. As I set out during my opening statement on behalf of the Minister for Justice and Equality, Deputy Flanagan, my view is that while this is a small two-section Bill it will have a disproportionately positive effect in terms of the access to justice. If enacted, it will bolster the working capacity of the Court of Appeal so that it can keep up with the caseload demand while also working down any existing delays.

Hearing dates continue to be allocated weekly. Taking the optimal approach in case management terms, the appointment of six additional ordinary judges, as proposed under the Bill, would allow the current list to be reviewed by the President of the Court of Appeal. This could be done with a view to bringing appeals forward for earlier hearing dates than those that have been allocated under limited existing resources. The appointment of additional judges is not an indulgence but a necessity. Right now, as things stand, hearing dates for civil cases before the Court of Appeal have already been filled up to and including May 2021, with some space allowed for cases of urgency that can also be expected to arise during that period.

The Bill represents a further development of the appellate capacity of the courts following the creation of the Court of Appeal in 2014 in that we are now making provision to increase the maximum number of ordinary judges of that court from nine to 15.

Since 1995 there has been an incremental increase in the number of judges across the various court jurisdictions to meet working needs. The number of judges in the Supreme Court has increased by 29% with the appointment of two judges. It currently comprises the Chief Justice and nine ordinary judges. The number of judges of the High Court has increased by 95% with the appointment of 18 judges. The court now comprises the President of the court and 39 ordinary judges, two of whom are specially assigned. The Circuit Court has seen an increase of 54% with the addition of 13 judges. It now comprises the President of the court, 37 ordinary judges and six specialist judges. Similarly, at District Court level, there has been an increase of

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26% in this period with the appointment of 13 judges. The District Court now comprises the President of the and 63 ordinary judges.

Deputy Kenny asked how the number of judges was arrived at. It was reached in consultation with the President of the Court of Appeal, the Chief Justice and the Courts Service. The process included analysis of current and projected caseload.

As set out, it is proposed to utilise the additional judges in dealing with civil, criminal and inherited appeals from the Supreme Court with these additional resources. The growth in figures since 1995 clearly illustrates the ever increasing workload that has been part of the Judiciary across the courts system with the support of the Courts Service and in the context of a growing national population. This, in turn, places consequent demands at the level of the Court of Appeal. Indeed, discussions are under way in support of the assessment of the ongoing needs of the respective court jurisdictions in terms of the number of judges.

This Bill, in enhancing the Court of Appeal to meet current demands, can also contribute to Ireland's competitive advantage as an English-speaking common law jurisdiction of international repute in the provision of international legal services as an EU member state in a post-Brexit setting. Indeed, the Government is supporting the joint initiative of the Bar Council of Ireland and the Law Library in this regard. An ongoing review of the administration of civil justice at all court levels, approved by the Government in 2017, is being chaired by the Honourable Mr. Justice Peter Kelly, President of the High Court, and a report is expected at the end of this year.

Deputy Michael Healy-Rae would have been interested in this point but he has left the Chamber. It is intended to publish proposals in 2019 for a new approach to handling family law cases at District, Circuit and High Court levels, supported by legislation, to create a dedicated family court within the existing court structures, and the building of a new family law centre and children's court in Dublin 7. In recent years, we have seen the new Criminal Courts of Justice on Parkgate Street come on stream, and the wider public private partnership project, which has seen the development of new courthouse buildings in Drogheda, Letterkenny, Limerick and Wexford, along with the refurbishment and extension works to existing courthouses in Cork, Mullingar and Waterford.

We have two key Bills relating to judicial reform before the Houses. The Judicial Appointments Commission Bill 2017 is before the Seanad, where it continues on Committee Stage. We must not lose sight of the fact that, notwithstanding that differing views have emerged in the debate in that House, the objective of this Bill is to reform and develop the statutory framework for the appointment of judges to ensure that it is transparent and fair. To that end, the Bill sets out to replace the existing Judicial Appointments Advisory Board with a new judicial appointments commission. As such, it is a Bill to which some further reflection can be given following Committee Stage in the Seanad, including possible amendments on Report Stage. The Judicial Council Bill 2019 is also before the Seanad, where it completed Committee Stage on 2 April 2019. It is now awaiting Report Stage, with a number of amendments under consideration. As Members will recall, this Bill provides for the establishment of a judicial council, a judicial conduct committee, a judicial studies committee and other judicial supports.

Against the background of these and other ongoing measures being taken by the Government to enhance and modernise our courts and judicial system, there is a strong case for the provision under today's Bill of additional judicial resources for the Court of Appeal. As I said

earlier, the Government is satisfied that the additional judicial positions are warranted to address the current demands being faced by the Court of Appeal and to improve efficiency in the appeals process, which both permeates and underpins the administration of justice under our Constitution. I note that Deputy O'Callaghan made the point that perhaps the creation of the Court of Appeal led to more appeals and more opportunities for people to avail of justice. By increasing the number of judges there, we are addressing the backlog, which is a major problem.

I thank Deputies for their engagement and, in the main, for their support in today's consideration of Second Stage of the Courts (Establishment and Constitution) (Amendment) Bill 2019. I commend the Bill to the House.

Question put.

**Acting Chairman (Deputy Catherine Connolly):** In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 11 April 2019.

### **Rural and Community Development: Statements**

**Minister for Rural and Community Development (Deputy Michael Ring):** I thank the House for the opportunity this evening to speak about the excellent work being done by my Department and some of our plans to further our mission to promote rural and community development and support vibrant, inclusive and sustainable communities throughout Ireland. I also look forward to hearing the views and observations of colleagues this evening, which may further inform our work.

This July marks two years since the establishment of the Department of Rural and Community Development and I acknowledge the commitment shown by many officials who have worked through many challenges associated with setting up a new Department. My Department has delivered for communities and rural areas through a wide range of programmes and projects. I am determined that we will continue this progress in 2019 and that the increased budget allocation of €291 million, an increase of 26% for the Department for this year, is put to the best use and continues to support communities across the country. In addition to the direct support delivered by my Department, it plays a vital role with regard to overall supports for rural Ireland. The progress report on the Action Plan for Rural Development demonstrated clearly what has been achieved to assist rural Ireland to continue to play a significant part in the economic and social fabric of this country. Our sense of community across the country is what makes this country what it is. The establishment of my Department was an important step in strengthening Government support for this area. Since then, Project Ireland 2040 has built further on that support. It recognises the economic and social importance of rural Ireland and the critical role of our communities in ensuring a good quality of life for all.

I share the views on Deputies on all sides of this House that our rural towns and villages are facing challenges brought about by economic and social change, and by potential shocks from issues such as Brexit. I also share the desire to help to address those challenges. It is vital that we continue to build resilient rural communities and that we make our towns and villages vibrant places to live and work.

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Strengthening rural economies and our communities is a core objective of Project Ireland 2040, with the provision of €1 billion to the rural regeneration and development fund ensuring that the funding is there to deliver on that objective in the coming years. The fund aims to support ambitious projects that can drive the economic and social development of rural towns and villages and their surrounding areas. The first call for applications was in July 2018 and 280 applications were received. Following the assessment process, some 84 successful projects have been allocated €86 million in funding. This will be leveraged with a further €31 million in matched funding, representing a total of €117 million in capital investment across rural Ireland.

The types of projects funded are targeted at sectors where they can have the greatest economic and social impact. For example, €13.6 million will be invested in a national mountain bike project that will develop recreational facilities in four locations across seven counties. In addition, €5.5 million will be invested in Athenry in County Galway to assist in developing the town into a major food and tourism centre. Investments such as these will transform many rural towns, villages and outlying areas by delivering projects in sectors such as tourism, agriculture, food and recreation. I expect a second call for applications under the rural regeneration scheme fund to be launched shortly.

While the rural regeneration and development fund is very important for the further development of rural Ireland, I also remain focused on ensuring the continued success of our existing rural schemes and programmes. It is important that funding schemes and programmes provide a coherent approach to supporting rural Ireland and our communities. As well as focusing on large-scale projects through the rural regeneration scheme, we will continue to support smaller projects and groups throughout Ireland. Such projects can have a significant impact for local areas and communities. The funding provided through the rural regeneration and development fund supplements the existing schemes funded through the Department.

The town and village scheme is an important part of the Government's work to rejuvenate rural Ireland and is having a significant impact on towns and villages across the country. The benefit of previous funding under the town and village renewal scheme is now being felt countrywide. Since it was introduced in the second half of 2016, almost €53 million has been approved for more than 670 projects across the country. I expect the allocation of €15 million in 2019 to support more than 200 new town and village renewal projects.

My Department has introduced a pilot scheme, the town centre living initiative, in six towns across the country. This scheme will see engagement with communities and local businesses to identify practical solutions to increase the number of people living in rural towns. I expect to receive reports on the pilot in the first half of the year. It is hoped that the learning from these pilot schemes may provide an indication as to what might work well for similar towns on a wider scale.

*8 o'clock*

Other schemes include the local improvement scheme, LIS, which supports investment in non-public roads to enable people to access their homes and farms. The €10 million allocation for 2019 will bring the amount invested in LIS to more than €47 million since I reintroduced the scheme in September 2017.

**Deputy Mattie McGrath:** Maith an fear.

**Deputy Michael Ring:** The CLÁR programme has provided funding of more than €25 million to more than 1,200 small-scale infrastructure projects in rural areas that have experienced

significant levels of depopulation since I reintroduced the scheme in 2016. Under the outdoor recreation infrastructure scheme, a total of €41 million has been approved for almost 600 blueways, greenways, trails and other projects that will benefit visitors and locals alike in rural areas. The LEADER programme has approved almost 1,800 local development projects for funding in excess of €61 million towards economic development and job creation, social inclusion and the protection of the rural environment. A further 355 projects are at various stages of the approval process, seeking funding of approximately €22 million. This marks a substantial increase in activity under the programme. I am also delighted that the Department has been able to provide supports to Tidy Towns committees and agricultural shows around the country. These organisations and events make a significant contribution to their communities.

The Department also provides a range of community development programmes which support individuals and the community and voluntary sector. The community services programme, CSP, provides financial support to community organisations to deliver local services through a social enterprise model. The €46 million allocation will ensure that the CSP will continue to benefit more than 400 organisations and 1,900 positions nationwide in 2019. The social inclusion and community activation programme, SICAP, provides funding to help individuals and communities who are experiencing disadvantage. The programme works with people from groups such as disadvantaged women, disadvantaged children and families, lone parents, people with disabilities, those who have difficulties finding employment, Roma and Travellers.

A new five-year SICAP was launched in 2018 and ensures a greater focus on more intensive individual support and flexibility to respond to the needs of targeted groups at local level. In year one, the programme supported 31,967 disadvantaged individuals on a one-to-one basis and 2,558 community groups. A total of €43 million was allocated in 2019 to assist more than 2,200 organisations and 27,000 individuals. In addition, more than €12 million in funding will be provided in 2019 for national organisations in the community and voluntary sector and in supports for volunteering to support these organisations in the vital work they do in our communities. A sum of €4.5 million will be provided for the community enhancement programme and €7.2 million for library development. Libraries are fantastic resources in communities and the strategy document, *Our Public Libraries 2022*, which was published by the Department last year, outlines the increased role that I hope libraries can play as civic spaces and places where everybody can access technology and other services.

In 2019, the Department is providing €6.5 million towards the regeneration of the Dublin north-east inner city. The investment will benefit not only the local community but the city as a whole. Isolation in our communities is of increasing concern and through these and other measures the Department aims to aid social inclusion in our communities. Funding supported more than 300 men's sheds around the country in 2018. The very successful seniors alert scheme has sustained a large increase in demand to improve the inclusion of more than 20,000 vulnerable older people for personal monitored alarms. This enables them to continue to live securely in their homes with confidence, independence and peace of mind. The Big Hello, the national community weekend, will take place on the May bank holiday weekend and is a celebration of the great spirit of community and neighbourliness that exists in our cities, towns and villages. It has been undertaken in the context of many people not knowing their neighbours and some being isolated as a result. We want to see neighbours do what they do best in many places by getting together locally for a celebration that is open and inclusive for all.

There are major opportunities to support rural Ireland and communities. The Department is running a series of rural opportunity events, which seek to highlight the opportunities available

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to those in rural communities. I attended an event this morning in County Clare. It was inspiring to see some of the best examples of how Government supports have been used to foster enterprise, tourism, quality of life and culture and promote the Irish language. The response to these events has been overwhelmingly positive to date. My hope is that individuals and communities will be encouraged to take their own ideas and projects forward. I am proud of the progress made by the Department in 2018 in the rural and community development areas and I am confident that 2019 will see a continuation of this work.

**Deputy Michael Moynihan:** I acknowledge the Minister's passion for his work. The Department of Community, Rural and Gaeltacht Affairs, which had a full Cabinet Minister, was abolished in 2011 and reinstated in 2017. My party established the Department a long time ago.

The Minister spoke about rural development, the challenges facing rural Ireland and what we need to do. Many of the traditions in rural Ireland have been chipped away at and challenged for a long time. If we are to be realistic about a debate on rural Ireland, we need to make sure young people stay in rural communities. Since the introduction of free education 50 years ago, we have had a fantastic education system in urban and rural communities. In rural areas in particular there are some fantastic schools. There are small schools and schools where kids who have challenges fit in better, develop better and lead a fulfilled life.

We start with young people. One of the first challenges they face is securing planning permission. Deputies often speak about this issue. We have to be realistic and accept there are challenges with planning permission and try to ensure that young people in rural areas can get planning permission. We have to challenge the system on this because we have seen the overload caused by the drive towards urbanisation. Planners tell us this is way to do it but we have followed that for many decades to our detriment. It has not been the right way to do it. We should ensure that our towns and villages are places where young people can live.

I know broadband is not in the remit of this Department but if we are to be realistic about ensuring that young people set up home and start families in rural areas and these communities remain viable, we must tackle broadband head on. I raised this as a Topical Issue Matter last night and the answer I got did not encourage me to believe there will be a broadband plan in the near future. We have to accept that this presents a serious challenge. Many of the small companies employing between 50 and 100 people are at the top of their game in respect of their products. To take three small companies around Kanturk, Avonmore Electric, which we visited last year, Ashgrove and O'Flynn Medical have been acknowledged by their peers as being way out there. They are exporting across the Continent and beyond. These companies point out that broadband, or its equivalent, costs them €800 a month, whereas in Dublin and other places it costs only €50. That is a competitive challenge that has to be faced. Right across rural Ireland, companies are competing in world markets and they are as good as companies in other places but broadband and planning issues make the challenge of keeping them in rural communities even bigger. These companies are dotted across the country. The Minister knows as well as I do that if they were to apply for planning permission today, the planners would require them to move into the centre of the town or to a settlement. This is the type of nonsense that is going on. These companies must be encouraged. I know Enterprise Ireland is working with many of them but it must work better with them and ensure they are not just located in Dublin or on the east coast. Rural communities can provide employees that are as good, if not better, than anywhere else in the world.

The Minister spoke briefly about LEADER funding. Measured by any yardstick, the de-

cisions taken five years ago on LEADER funding have slowed down the amount of money provided for community projects. Everyone associated with LEADER companies, including board members and chief executives, have come up with brilliant ideas to encourage initiative in rural communities. No money should be kept back from meeting their needs, whether in business, social life or leisure.

Kanturk, Millstreet, Charleville and Newmarket have been market towns for generations. They have served their rural hinterlands and should continue to do so. In some of the town centres there is much dereliction and many buildings that are not being used. From a layman's point of view, there are a whole pile of buildings that are not being used in towns and villages. The shortage of housing is a challenge for all of us. It does not only affect major urban centres. Something must be done in this regard and not only a pilot project. The Minister may not admit it but the town renewal scheme introduced some 20 years ago gave people an incentive to develop properties in town centres. Something needs to be done to try to encourage people. Dereliction is not just a feature of the four towns I mentioned but also affects villages where anyone driving through will see boarded up properties. We should introduce measures to encourage temporary letting and help people to get on the property ladder. There are challenges that have to be addressed.

While agriculture does not fall within the remit of the Minister, it is an issue for rural Ireland and presents major challenges. Thankfully, the dairy industry is doing well and people who made the decision to expand in recent years are able to sustain the debt they accrued. However, many farmers in the beef sector and with more marginal land are giving up and walking away from agriculture. This will lead to land abandonment, which is as much an issue on less marginal land as it is on marginal land.

Trees are taking over from people in some areas. In Rockchapel, 60% of the land in the parish has been planted. That is not acceptable. We want people and vibrant communities, rather than having trees everywhere. Young people will live in these communities. The greater Duhallow region, which I know well, mirrors many rural communities across the country. If we give young people jobs and provide broadband services that enable them to work at home two or three days per week and avoid commuting, they will live in rural communities. I challenge environmentalists on all of the nonsense we hear about once-off houses. The people who were granted planning permission in rural areas in the past ten, 15 or 20 years are adding to their communities. They are involved in many voluntary and community activities, including GAA clubs, which are the backbone of communities. We have to address that issue as well. I stress again the need to address broadband, LEADER funding, agriculture and dereliction in town centres to encourage people to live in rural Ireland. We must accept that rural areas can deliver services and quality of life that are as good as elsewhere.

If all the young people in rural communities leave, we will have an issue with care of the elderly in generations to come. The intergenerational issue is fiercely important. This will lead to estates in cities and towns being of one particular generation. I thank the Minister for the opportunity. I am only really opening up and I could talk for hours.

**Deputy Martin Kenny:** I also acknowledge the Minister's clear commitment to rural Ireland and the enthusiasm he has shown in running his Department. The small, rural parish I live in has a church and a pub. There was a post office but it closed a couple of months ago. There is a football field and a three-teacher school which, unfortunately, will soon become a two-teacher school. This is emblematic of many of the parishes around me. The next parish, Gortletteragh,

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is pretty much the same, as is the parish of Drumreilly down the road. Where there is no town, there is no focal point.

I concur with Deputy Michael Moynihan. People in high office somewhere are telling people in rural Ireland that we should not build houses and we should all move into towns. It is as if they come from outer space because they do not understand that Ireland is made up of dispersed rural communities. That is what we have had for generations and we intend to keep it, regardless of what these people may think.

The biggest issue is jobs and people in rural areas being able to find employment and stay in their own area. To be able to build a house in their own area is also vital and rural planning is a big issue in many parts of the country. It is a major issue in County Leitrim. Jobs and enabling people to work in their local area are key. The advantage of rural areas is that people do not expect the kinds of salaries they would need if they lived in one of the cities, certainly Dublin. The place that is least developed has the most potential. That underlies all of this.

Broadband is a serious problem in many areas. Eir has produced a map showing purple areas that signify towns where it will deliver broadband. The lines between the various towns on the Eir map run along roads. I can see them running along the telegraph poles and a person who looks out a window at the broadband cable and applies to Eir to have broadband provided in his or her home will be refused and told they do not live in one of the areas marked in purple. Something needs to be done about that. Many people can see the broadband fibre optic cable from their homes, yet they are being refused a connection.

The issue of rural housing is also a serious problem. Many of our small towns and villages have major dereliction and many houses that could be developed. As I told the Minister previously, a new scheme is needed, not a Mickey Mouse one like the previous scheme under which applicants received funding to rent out a property. Those schemes do not work. We need a scheme that has the potential to release capital. The Government must show it has confidence in communities by giving them a scheme under which they would be able to leverage additional funding to build and complete a house. That would make a major difference for many people in rural areas.

Tourism offers major potential in many rural areas. In fairness to the Minister, he mentioned cycle ways, greenways and other initiatives, all of which are vital. However, it is about having tourist attractions that are big enough to attract visitors. People need to have a trail from one point to another to be able to spend one week or two weeks in a region and not visit for only one day, have a look around and go home again. Facilities are needed, particularly for activity based tourism. Some work is being done on that but much more could be done, including through social enterprise and communities coming together.

The problem with LEADER funding has been caused by the changes made to the programme. I am certainly not blaming the Minister but those changes were negative. They had a negative impact on rural Ireland and that needs to be said. The more that can be done to push that back, give communities more say and give the people on the ground who are making decisions about their own lives more say in what and how they can spend that money, the better. The Minister mentioned the local improvement, LIS, schemes. That fund was very welcome. There is also a whole lot of small rural culs-de-sac with numbers on them that are not private lanes and they also have a problem in getting funding. There was a community involvement scheme in the past and we need to see more money being put into the likes of that so that it can

be done again.

An awful lot of the stuff that happens in small rural areas is done through community employment, CE, schemes, Tús schemes and all of those. While it is not the direct responsibility of the Minister, there needs to be more places on those schemes and less stringent rules around them. If someone is over a certain age he or she can only stay for one or two years. I have people coming to me who are in their early sixties and are not going to get a job anywhere else. They have been brought into JobPath to fill out forms and do CVs to look for jobs that do not exist. Somebody somewhere needs to cop on that the place for those people, the place they want to work and want to be, is back on a CE or Tús scheme. There are also issues about having them properly funded, as well as the issue of ensuring that supervisors get their full entitlements and their proper pension entitlements in the future, which have been denied to them up to now. That is a very sore issue for a lot of rural communities because they know that these people are the engines of their rural community and they are being badly treated. That needs to be acknowledged and sorted out.

There is a need to make rural areas places where people do not just want to come and live but where they can have opportunity again. Opportunity is what is missing. We must put the capital and the investment in so that people can see the State believes in them. All of us as we go on in life want our children to do a little bit better than we did. Most people in the part of the country I come from want that as well, but they do not see their children doing better than they did where they live now. They see them going away somewhere else to do better. We need to create a society that allows them to succeed where they live themselves.

The issue of education is very important. Most of our children, particularly those of us from rural Ireland, go to college, do well and succeed, but there are no jobs for graduates back in the rural areas. Jobs for graduates is the key thing. There is no point in bringing in jobs that are on the lower end of the scale when our young people are attaining such high degrees and doing so well and have such ambition. We need to have ambition not just for our children but for the place where we live. To do that will require not just the Minister's Department but all Departments to work together. That is the missing bit.

I acknowledge again that the Minister is a man who wants to get the job done. I was talking recently to a person who told me he had worked with a company that wanted to come to Ireland and the man introduced the company to the IDA. The IDA wanted them to go to Dublin only this particular man got them out of Dublin and out to the region. If he had not had the stubbornness to make that happen, it is Dublin they would be in. That is a problem. Part of it is that as good as this city is, housing is too expensive, rents are too expensive and it is chock-a-block with traffic. There are so many things that need to change in this city. The opportunity is outside of it, yet we continue to put more and more pressure on it.

We believe that the regions can work. I think the Minister believes that as well. He needs to talk to all his colleagues because there is somewhere a vacancy which needs to be filled. People do not understand the opportunity that exists in rural Ireland. More and more people would work remotely, would work from home, would work in hubs, and would love to see small businesses grow, develop and evolve. If we have proper fibre-optic broadband in rural Ireland, people could be at the centre of commerce no matter where they were. That is understood yet it is denied to us. One of the big problems we have, which goes way back, is that Eircom was sold off and we do not have control over that any more. We need a Government that takes charge again, that does not continue to put it out there and say the market will look after it. Unfortu-

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nately, when it comes to places that are underdeveloped, the markets let them go further downhill. We need an emphasis that ensures that we develop rural Ireland and that we develop all of it. Rural Ireland is not just the place at the back of the hill. It is also the towns and villages, and some of them are quite big towns. People who live in them might think they are urban but the truth is that most of the economy that is generated around even our larger towns is generated by people who live in the rural areas because agriculture is such a big part of our rural economy.

I commend the Minister on the work he is doing. So much more needs to be done by Government. In the most successful things we have had in this country down the years, if we look at ESB, Bord na Móna, Coillte, any of those things, the State went in and took charge and actually delivered. Later on when they were successful, the State sold them off. We do not need to see that happening again.

**Deputy Willie Penrose:** I acknowledge at the outset that the Minister certainly has his heart in the right place in respect of rural regeneration and revitalisation. He is intimately familiar with the rural issues and problems that arise for rural and local people. The local elections will soon be upon us and as we know, all politics are local. We are talking about rural and community development, but Ireland remains one of the most centralised states in Europe with the lowest number of local municipalities per population in Europe. Our local authorities have fewer powers and almost no real financial autonomy. We rank last in the EU on local government autonomy. We only spend 8% through local authorities, compared to the EU average of 23% and compared to much greater levels of local control over public spending in the Nordic countries. Simply put, too much power is centralised in the capital and not enough power resides with local councils to be the engine of development in rural Ireland. We can talk about rural development schemes all we like but if we do not give local government in rural Ireland more power, it will never develop to its full potential.

Rural towns and villages are at the heart of rural Ireland. They provide jobs, places to socialise and a range of public and private services. We need strong towns and villages to drive economic development in rural Ireland. The Labour Party's Bill on the restoration of town councils would give real power and autonomy back to towns around the country. By strengthening local democracy in at least 80 towns, it would ensure councils have a singular focus on the development and well-being of their area, including the wider rural catchment area. Under the Bill town councils would also serve as rating authorities.

Small businesses in rural towns have been crippled by the higher cost of county level commercial rates, with businesses closing and employment being ripped from those communities. Two or three jobs in a rural village are equivalent to 100 jobs in a large town. I know something about this. Rates for a small shop we have in our own village in Baile na Carraige quadrupled. It was already a shop that is subsidised and its rates quadrupled. Town councils should be given the power to set and reduce the rates bills for SMEs as they did in the past, which would help promote the return of busy and vibrant streets in rural Ireland. There has to be a significant reduction in the rates bill for small shops in small rural areas where population levels are not greater than 600. That is the only way. A few jobs in those areas are absolutely critical for the maintenance of the local teams, be they football, soccer, cricket or rugby, for the maintenance of the shops, churches and schools. Those jobs are critical. It is also critical to ensure that rural people can get planning permission in rural areas. I have always been an advocate of that. An Taisce even wrote a letter to the paper condemning me one time but I still stand with rural people.

There is also a need for extra money for the community services programme, which supports 400 businesses, with half of these jobs in rural areas. Much could be done with just €5 million added to that scheme. Another constraint of growth for SMEs in rural Ireland is poor Internet access, as my colleagues have mentioned. I am told the Internet turned 30 recently, but few would know it in rural Ireland because their Internet, like the Government's broadband, is moving at a snail's pace. We would ensure connectivity in both broadband and mobile phone coverage by creating new digital hubs in regional centres - the one down in Cork is a great example - and prioritising the roll-out of the national broadband plan, especially for small and medium businesses, which are the drivers of employment in the economy. There are areas of north and central Westmeath such as Ballymore and Streamstown which are hugely deficient in terms of broadband provision. It is impacting on their ability to create jobs there.

Pubs up and down the country are also closing their doors, which is ripping the heart out of rural Ireland. I am a Pioneer but nevertheless I see their importance, for example for people meeting to play cards. There are no community facilities in many rural areas. People of all ages meet up to play cards, or visit the local pub and chat. The opportunity for that type of activity is fast receding. People cannot just pop down to the pub for a few pints and take the bus home, as they can in the cities. Publicans and patrons struggle to get taxis to serve rural areas, which is understandable from a purely commercial point of view. With petrol costs, the fares may simply not be viable for the drivers.

In 2013, the Labour Party introduced the rural hackney scheme to serve isolated rural villages. Since then no concrete action has been taken. I am aware that a pilot scheme is in place, promoted by the Minister of State at the Department of Transport, Tourism and Sport, Deputy Griffin. Resources will be required to expand that scheme. A simplified and reinforced version of the rural hackney scheme would provide subsidies for operators in isolated rural areas and ensure tenders and start-up grants where no service currently exists. Insurance premiums are another price pressure for drivers, so a revised scheme should promote pooled group insurance to reduce the costs. The State should step in and ensure that vehicles are properly taxed so that people can be taken to and from those areas.

The closure of 159 post offices is another example of rural Ireland being left behind. Every single one of those closures represents not only job losses but the loss of an aspect of community life. However, it is true that many people close those facilities themselves when they are not being used. People are also helping to close rural shops by not using them. It is okay using Lidl and Aldi and other shops, but then protesting when rural shops close when using those big shops contributes to the closures. People better wake up and contribute to the vitality and sustainability of those shops. By closing post offices, attached shops become unviable, and when the shops close, the community is diminished as people lose places to meet and socialise.

There is a need for a review of the long-term and holistic impacts of policies on rural life, not the current short-term focus on cost savings. We need a cost-benefit analysis and evaluation of those policies. On the particular case of post offices, the Labour Party previously proposed a mobile postal service for rural villages. By covering the areas that four or five post offices used to serve, it could be an economically viable service while ensuring that rural villages are not cut off. A properly resourced mobile service could serve places that have not had a post office for years.

Old age dependency is rising at a faster rate in rural Ireland than in urban areas. This has increased the demand for healthcare services and the workload for our rural GPs, who themselves

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are getting older. At the same time it has become more and more difficult to attract younger doctors to country practices. As older practitioners continue to retire, large areas of the country are at risk of being left without an adequate GP service. Supports for GPs have been cut, and that has to stop. This vicious cycle cannot continue. We would introduce a regional quota and scholarship scheme to help recruit and successfully retain young doctors in rural Ireland. We would also promote the continued development of primary care centres in rural towns. These centres have additional medical staff and can provide enhanced services, but they also take the pressure off individual GPs as multiple doctors can operate in the same larger centre and share the workload of evening and weekend work. With our ageing population, there is a need for more old age specialised care, including nurse-led services to help people manage their medication or monitor their conditions, and we propose emphasising old age care in primary care centres to meet this growing need.

Our farmers are also getting older. More than half of them are aged over 55. Working alone can lead to serious risks for farmers, with 14 farmers aged over 65 killed in farm accidents in 2017. At the same time, the number of people farming under the age of 35 has fallen, from 8,200 to 7,100. Without generational renewal, this places the long-term viability of many small Irish farms at risk. We would maintain funding for farm safety measures under the targeted agricultural modernisation scheme, TAMS, beyond the 2020 deadline, with earmarked funding for young farmers. The early retirement scheme, which operated up until 2008-09, should also be reintroduced. This would not only provide older farmers with a more secure pension in their old age but would also promote increased pathways for younger farmers. Older farmers have also been the target of thugs who target isolated homes before speeding away. In 2015, we piloted a closed-circuit television, CCTV, scheme in Dunmore, County Laois, to begin combatting rural crime and to increase road safety. No progress has been made since, despite a continuous surge in rural crime. The roll-out of CCTV in rural areas has been continuously delayed due to the Minister's failure to clarify the issue relating to data management. This Government needs to cop on and take some responsibility and stop blaming local authorities. Labour would legislate to roll-out a national, streamlined programme of CCTV installations on motorways and other blackspots to deter rural crime and promote road safety.

Illegal dumping is another crime at epidemic levels in rural Ireland, with farmers often suffering from fly-tipping on their land. The Labour Party would create a new community warden role, with the power to issue fines, whose responsibilities would include monitoring illegal dumping and identifying those responsible.

No debate can be complete these days without a mention of Brexit. A no-deal Brexit would be a disaster for the agrifood sector, which is the largest indigenous sector and one of the most significant employers in rural communities. The Labour Party argues that the EU state aid limits should be relaxed, and that the EU's European globalisation adjustment fund should be made available to support the agrifood sector in the case of a no-deal or soft Brexit. In the immediate term, farmers are still suffering from the sterling exchange rate and the fall in commodity prices. We need clear mechanisms to support farmers through this period of crisis. Labour is committed to a new round of the agriculture cash flow support loan scheme to provide low-cost finance to farmers. We must also establish a farm income diversification task force to help farmers develop alternative ways of generating incomes from their land, with supports to achieve this, including from the CAP. A number of my colleagues in the Labour Party are from rural constituencies, like myself.

Transport is important in rural areas to combat rural isolation. There is a railway station at

Killucan which is on the Dublin-Sligo line. It has been closed since 1963 after operating for 115 years. Reopening it would cost €3.5 million, mostly due to the need to install the modern dual platforms required. Trains have to stop there every day as it stands. Its reopening would be of major assistance to many local communities, the citizens of which face one and a half hour journeys each way to get to work. It would make a major contribution to carbon reduction and help the environment. Some 10,000 people live within 5 km of the station. The population has quadrupled in this area in the past number of years. Up to 50% of funding could be available from the rural regeneration fund and the Border, midland and western, BMW, funding. We should be able to access that funding. Rural transport is important, and rural people are treated like Cinderella in that regard. I ask the Minister to pay particular attention to the need to provide grant aid for transport in rural areas.

**Deputy Catherine Connolly:** I regret that we are only making statements on rural development. I would prefer it if we were considering the schemes the Government has rolled out, deciding on the action plans for every six months and considering how we are going to comply with them. I acknowledge, as other speakers have, the passion and honesty of the Minister. However, there is a lack of an overall integrated plan and a sense of urgency. As the Minister said, our towns and villages are at the heart of our rural communities and should be places in which people can live and raise their families in high-quality environments. I could not disagree with him. I represent Galway west and south Mayo, encompassing both a city and rural areas. Inisbofin and the Aran Islands, Connemara with all its variation from Clifden to the Irish speaking area, right over to Kilmaine and Shrule are all in my constituency, and I have witnessed decimation of those rural areas. I acknowledge the positive schemes the Minister has put in place.

Tomorrow I will attend the Committee on Public Accounts. I read the agenda, and a sentence jumped out at me, which said that from a governance and planning perspective, good policies start with good data. Good data are the lifeblood of decision-making and the basis for accountability. That is what is missing here. We either have the data and do not act on it or we do not have the data. We have the data for islands.

A review was carried out in April 2017, illustrating my point that there is no sense of urgency. It was a very good review, involving full consultation with islanders all over the country, but it was not published until pressure was put on the Department by my colleague, Deputy Ó Cuív, and myself. It was finally published at the end of last year. Within that report there are 11 major findings and 71 specific recommendations. One of the recommendations is that any actions taken by the Government should be island-proofed and rural-proofed. That was included in the programme for Government but it has never been acted on. We had a very good review but there was no sense of urgency to implement it, and it had to be extracted from the Department. I acknowledge, as Deputy Martin Kenny said, that this is not just a problem with the Minister's Department but rather applies across the Departments. The islanders came forward and said to the Department of Health that action was needed. This Government has no policy for islands whatsoever. It did not act on this report. More than 2,846 people are residing on the islands. We have a number of islands but not all of them are inhabited. Eighteen are singled out because they have no bridge or land connection.

The report found that we had failed in the existing healthcare services. It expressed concern over the lack of contingency and forward planning. Among the recommendations, it suggested that Government policy should be island-proofed, and that a national forum be convened and tasked with implementing the recommendations of the report. It makes practical suggestions

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that the Health Service Executive should review its primary care facilities on the islands and prioritise its capital plans to include purpose-built premises. All Health Service Executive premises should be fit for purpose. In my area, Inishbofin has been crying out for a health centre for a long time. We have asked repeated parliamentary questions about that and at this stage I almost despair. It has a health centre that is not fit for purpose and yet we want the islanders to live there. A primary care centre is the most basic necessity. The same applies on the Aran Islands.

That is just one example. If the Government were serious about rural development it would proof all its actions to ensure they did not have a detrimental effect. The closure of post offices is a case in point and Galway was particularly affected. I do not hold with the argument that has been made that people have caused the post offices to close; it was a Government decision. In Indreabhán, tá siad le ceangal ansin. Tá na daoine feargach go bhfuil an oifig an phoist dúnta. They are very cross. They supported the retention of the post office in Indreabhán; they appealed the decision and were not successful. That is just one example. In Galway alone, 18 post offices - the highest number in the country - were closed under that scheme. There was no proper independent appeal system and we could identify no criteria to indicate it was done properly. I know the Minister agrees with what I have said about post offices which are at the heart of the community, but one after another they have closed.

I talked to the Minister earlier in the week about the pilot scheme to encourage residential occupancy in town and village centres, which is a very good scheme. I praised it. The Minister and his officials picked out six towns, which I welcome. However, we are missing the criteria the Minister used to pick those six towns as opposed to six other towns. I accept that he cannot pick every town, but we need an open and accountable system.

What jumped out at me were the Gaeltacht areas. We know that they are in serious difficulty with laghdú leanúnach ó thaobh daonra de. An tseachtain seo, san *Irish Times*, luadh léacht a thug an tOllamh Ó Giollagáin i mBéal Feirste ag cur síos arís ar chomh leochaileach is atá an teanga. *The Irish Times* quotes a speech Professor Ó Giollagáin gave in Belfast. He appeared before the Comhchoiste na Gaeilge, na Gaeltachta agus na nOileán. He pointed out the significant population decline in Gaeltacht areas and how we have reached a tipping point. We are at seven on a UN scale and if we reach ten, the Irish language will be gone other than for decorative purposes.

I have a particular interest and passion in the Irish language which is a lifelong learning. While the pilot scheme to encourage residential occupancy in town and village centres is very good, there is no recognition of the urgency of doing something like that in Gaeltacht areas. I would like to go into it in more detail but I cannot because of time limits. I appeal to the Department to be ag obair as lámh a chéile leis an Roinn Cultúir, Oidhreacht agus Gaeltachta to look at the Gaeltacht areas. When the analysis from the pilot scheme is published the Minister should provide the criteria on a factual and scientific basis so that we can see that he is committed.

On Friday a conference will take place on Inis Meáin with participants from all the islands. Every year we go there and we hear the same questions and problems coming up. Without their voluntary work and without the work for which they are not paid very well, there would be no life for rural Ireland and islanders. I think the Minister would appreciate that. That is not a sustainable way to proceed. We need a Government policy that realises the value of keeping rural areas vibrant. Carrowroe in the heart of the Gaeltacht has no hotel. Carna could do with being

developed. The same is true on the other side of the county in Kilmaine and Shrule. When we stood for election in 2016 we promised that we would highlight what was happening in rural areas. I am from Galway and I welcome the development of Galway but it must be done in a sustainable way and certainly not at the expense of Kilmaine, Shrule and Carna.

I had the privilege to work in a different capacity in Ballinasloe years ago. That town, which is outside my constituency, has a harbour and a railway station. Why is the Government not picking that town to develop? Why would it allow that town to go under when it is on the railway line to Galway and people could sustainably travel into the city?

There are issues with broadband and rural transport. With the absence of connection, we are forcing people into towns and forcing them into cars. Everybody has admitted that Galway city is at breaking point with traffic. We need to stop encouraging people coming into larger towns and make it sustainable for them to live in smaller towns and villages.

**Deputy Mattie McGrath:** I am happy to speak on this important issue. Like others I compliment and congratulate the Minister. I know where his heart is on this issue. I know he was robust when he was in opposition and I know he was glad to get the portfolio he has. He is doing his best with it. I want him to be honest with us.

I have one ceist before I start. I hope he got some treatment from his local vet for the dog at home that is always scratching. The dog probably has mange. The Minister could use DDT and other things on him if he is not in a healthy state. I would not like to keep him scratching all the time like the Minister said one day in the Dáil. The Minister should bring him to the vet or else bring him to Knock to get him blessed.

I start by acknowledging some of the positive outcomes for rural development that have happened recently. I warmly welcome the announcement that ten community-based enterprises in County Tipperary are set to receive grants totalling €682,000 under the community services programme, CSP, which has been a wonderful programme for many a decade. I salute the manager of CDA in Cahir, Helen, who retired recently. She did a great job. I was absolutely delighted that the magnificent work being done by these Tipperary enterprises has been acknowledged and that further support is now being given. They did not get that support by accident and had to make great efforts with an application process and have everything put forward on paper and a good plan and indeed a vision to keep their communities going. They then went through all the hoops and got through. I wish Nellie Williams, the acting chair who is sitting in for Helen, well.

Among those receiving grant support is Cahir Developments Association Company which is set to receive €43,232. Money could not be better spent. It does great work in those communities. It provides employment opportunities with training facilities to upskill for other work.

John Delaney visited Cahir Park AFC recently. Members of that club asked me to compliment him on the support he gave it and other clubs in Tipperary. It is easy to kick a man when he is down; I will not get involved in it but we must praise the bridges we go over. Cahir Park AFC will receive €92,399, while the Millennium Family Resource Centre in east Tipperary has been granted €72,266. Sr. Patricia and her team there are splendid. They work on a wide range of services that are expanding all the time to the benefit of the more vulnerable and people who have been left behind by the State, the HSE and other development agencies that are not doing it.

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Other recipients include the Slieveardagh Rural Development Limited which received €40,000. Tipperary Midwest Radio Co-Operative Society Limited received €92,000 and Tipperary Technology Park Company received €72,000. I have fought with the Minister week in, week out to look after Tipperary town and that goes some way because that community radio station does tremendous work.

This kind of support is very welcome, especially given that the CSP is designed to support community companies and co-operatives to deliver local social, economic and environmental services that tackle disadvantage. We must tackle disadvantage any time we get the opportunity.

We need far more of this kind of grant distribution for projects in rural Ireland to address the historical legacy of severe under-investment by this and previous Governments. The funding that is now being delivered is only a catch-up with respect to the massive cuts to rural Ireland in recent years. The Minister might not have been present at the talks on the formation of a Government but Deputies Michael Collins, Michael Healy-Rae and I and our Rural Independents Group fought very hard to have all legislation rural-proofed. The Government committed to doing that but, sadly, it is not doing so. We can see that with Thurles post office, which is a viable post office in a town that has been hammered since the beet factory and Erin Foods closed. There was no bypass for the town and there are many other problems but it had a good post office. The people have an affinity to it and there are good staff working in it as well. We have the 2020 programme and €8 million is being spent on a square, which is famed in song and story. Bunaíodh an Cumann Lúthchleas Gael ansin. The post office is being taken out of the town and being moved to a shopping centre to suit big business. It is the interests of big business again against the daoine beaga and the siopaí beaga. The ratepayers and taxpayers who need to be supported should be supported. Ní neart go cur le chéile. It is daft. We have a Minister, Deputy Bruton, who, unlike the Minister present, will not meet anybody. He is like the high priest. It is not his problem. He is a 99% shareholder on behalf of the taxpayers of the country but he does not want to meet anyone. He says it is a commercial decision of An Post. That is bunkum and baloney. The Government is in charge, the Minister, Deputy Bruton, is in charge and a wrong decision is wrong regardless of where it happens. He must wake up to that fact and stand with the people in Thurles who want their post office to remain in the town.

As I said, the funding being delivered is only a catch-up. For instance, in terms of cuts to LEADER funding, the total Local Government Fund allocation for all councils in Tipperary suffered a reduction of €6.8 million across all councils in the county as recently as four years ago. That was when we had councils before they were attacked by Big Phil the destroyer and abolished, which unfortunately was supported by the Minister. The LEADER funding for rural communities throughout the country has been dramatically cut for the period 2014 to 2020. The Minister's spin machine might say otherwise but he will know that is right. The funding in question has been cut by 43%, which means that towns and villages in rural areas will lose services relating to childcare, rural transport and supports for start-up businesses. The Minister and his colleagues backed the Minister, Deputy Ross, and his punitive legislation to destroy rural Ireland and the lifestyles of rural people. The rest of our colleagues sat on their hands and let them pass it. The Minister, Deputy Ross, could not do the damage himself, so the Minister and his colleagues helped him. Bhí siad ag cabhrú leis gach lá. The Members on my right agreed with him. Now they are all giving out that people cannot go out anywhere. They are locked in their homes. The funding for the rural link service has been increasingly cut. An amount of €376 million was allocated under the programme for the period 2007-2013 but under the 2014

programme it was shown that for the period 2014-2020, the allocation is only €220 million. That is a cut of more than €150 million.

On a separate issue, and I respect this does not come directly under his Department, but indirectly it affects rural Ireland, I refer to the Brexit loan scheme. As of Friday, 22 February, a total of 462 eligibility applications have been received for this €300 million scheme, according to Minister for Agriculture, Food and the Marine. Of the 462 eligibility applications received, some 413 have been approved, with ten ineligible. The total number of loans progressed to sanction at bank level is 81, with a total value of €17.3 million, 13 of which relate to food businesses with a value of €4.2 million. Everything is strangled in bureaucracy, red tape and officialdom. We cannot breathe with it. Small businesses cannot survive with the burden of it. What is frightening is the way in which it speaks to the operation and delivery of these kinds of schemes. There is great fanfare and big budgets but the payment rates do not match approval levels. Perhaps the Minister might comment on any blockages he has identified in terms of what it is that delays access to funds or grants in his Department.

I also want to raise rural crime. As the Minister will be aware, this is a pressing issue. The Rural Independent Group's motion on rural crime was passed by this House. All of us who live and work in rural communities are only too aware of the concern that continues to exist about what in many respects is an becoming an increasing problem. While we accept that some very productive efforts have been made such as the introduction of Operation Thor, we remain deeply troubled at the lack of co-ordination in tackling the issue.

Last year, when the ICOSA was before the Joint Committee on Rural and Community Development, it referenced a number of reports it had published on agricultural crime in conjunction with Waterford Institute of Technology, WIT. The reports were authored by Dr. Kathleen Moore Walsh and Louise Walsh of WIT. The reports were based on sample surveys of 861 farmers across Ireland as well as householders and they make for stark reading. The first report outlined the following figures: of 861 respondents, 66% had experienced some form of crime which impacted them on their farms and 41% of respondents had been the victim of a crime more than once. The second report quantified that the average value of the theft on farms and rural households was €1,815 and that incidents of vandalism and criminal damage cost farmers and other householders an average of €360. That is not right or fair. Those people are entitled to live their lives with some degree of security and safety. Crime does not get reported to insurance companies. A total of 94 incidents of theft and 348 incidents of vandalism, criminal damage or trespass were not reported to the insurance companies. The third report, however, showed that farmers were also reluctant to report crime to the Garda. That is very worrying because we do not have enough gardaí. We do not have enough in Tipperary, which is one of the worst counties in the country. A total of 45% of respondents did not report incidents of agricultural crime to the Garda. The reasons, according to the ICOSA and the authors of the study, can be summarised as a sense of hopelessness that anything could be done. Imagine people living in rural Ireland believing that. The Minister should know they are out in west Mayo as well where I visit the odd time. In fact, I am going to Castlebar this weekend to support my daughter in a novelty act in Scór and the Newcastle rinceoirí dancers as well. We might see him there in the Travellers Friend. He might drop in to say hello but the Minister knows what is happening before our eyes. Rural Ireland is being stifled-----

**Deputy Michael Ring:** The Deputy need not come near my-----

**Deputy Mattie McGrath:** I will inquire about the Minister. He need not worry. I will be

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checking all those six towns he was talking about, na sé bailte. Cá bhfuil na bailte sin? Are they all in Mayo? I hope not. I know the one in Doon will be. That is why I have called for the creation of an interdepartmental rural crime task force to deal with the crime that is going on which is causing people to live in fear. People's health is affected if they are living in fear and it is not acceptable. Mar a dúirt an tAire, is tosach maith é sin. There is a lot of work to do. Rural proofing of all legislation must happen. It is not happening and the Minister has to ensure it happens.

**Deputy Declan Breathnach:** The Irish proverb - ar scáth a chéile a mhaireann na daoine - people live in each other's shadows, was certainly true of rural communities in the past. We saw the importance of meitheal, neighbours looking out for each other, with a deep sense of who they were, where they wanted to be and with a vision to better one another's quality of life. However, despite all the modern technological advances, whether they be in transport or communications, in our busy modern world the shadow that is growing darker is rural remoteness from central services. If I had one ask, it would be to address the issue of no-speed broadband. Some 500,000 households are waiting on services. Broadband was planned to be rolled out ten years ago. The national broadband plan, NBP, was amended in 2012 but still half a million homes are waiting for the service. In addition, there is poor mobile phone coverage in my community, particularly in remote areas such as Cooley Peninsula, which causes major problems and impacts on people's daily business with such intermittent coverage. Along the Border region, there is the issue of call dropout, especially if one lives in a coastal region or a business that involves crossing the Border.

Curtailment and the axing of post office services, bank facilities, health services, GP services and Garda presence have been the order of the day. We in this House need to commit to no further stripping or depletion of our rural communities.

Rural isolation, with the decline in pubs and other facilities, has created a remoteness and additional mental health problems and loneliness. The massive imbalance in investment in economic growth and the growth concentration in the greater Dublin area and urban centres has meant that many rural areas in Ireland are on a much lower rung of that economic development ladder. While my region has benefitted greatly from job announcements, the fact that 50% of IDA Ireland site visits are still in the greater Dublin area is worrying. I want to see, particularly in my region, more support for the promotion of the M1 corridor, highlighting this region's attractiveness in its proximity to three airports, rail services and seas ports and the fact that we are equidistant from Belfast and Dublin city.

As others have mentioned, it is essential that no curtailment occurs in community employment schemes, Tús and the rural social scheme. In fact, they should be enhanced to ensure that where little work opportunity exists, the skills and opportunities in our rural communities are enhanced and the people get the opportunity to avail of these schemes which are often the largest employer in rural communities. The contributions that are given to the Tidy Towns, clubs and organisations have been recognised but they need to be further recognised. In fact, with regard to the issue of disability in all our communities, particularly rural communities, people need to be located close to where they can get gainful employment and recognition. Furthermore, there is the whole issue of people in their late 50s who, having probably given themselves a hard time, need to go into pre-retirement mode and to give their skills at a slower pace to their communities. One instance of this are the men's sheds, which are a prime example of self-help and which need to be further expanded.

We have many excellent schemes. While I laud the Minister for those he has produced, the process is often far too cumbersome for small businesses, self-help groups and others, who find it too difficult to negotiate the schemes. We have already highlighted the underspend in the LEADER programme. In my own community only 19% of the money available has been spent, which equates to approximately €1 million of the €6 million available. That is testimony to the fact people find it difficult, so we need to map out a simpler way for people to access this funding.

While I do not want to refer to the whole issue of reducing rates in small towns and villages to encourage re-enhancement of those places, I could go on about vacant dwelling houses, which I have often spoken of, and equally the need to be more proactive in regard to rural one-off housing. We could look at the issue of providing planning permission for eco-friendly buildings. We know of the decline in farm incomes and the issue of rural crime, which has been mentioned. The Government action plan for rural development is the fourth rural plan in 33 months. While these reports are all well and good, we need real action on the ground, with proper long-term vision and planning to halt depopulation.

**Deputy Bobby Aylward:** The communities of rural Ireland continue to struggle with the disparity of the two-tier recovery which has been presided over by successive Fine Gael-led Governments during the past eight years. Rural Ireland delivered a very clear message to Fine Gael following the 2016 general election as the people stated in no uncertain terms that the so-called recovery was not being felt in the regions. The people of rural Ireland face a litany of problems in their daily lives, with stripped-down services, bank closures, post office closures, Garda station closures and the ever-present threat of rural crime. We are simply not in the same ballpark as the cities when it comes to service provision, infrastructure and basic supports.

At a recent event in Carlow, in which Vodafone and SIRO were launching their latest gigabit hub as part of an initiative to roll out remote working hubs in the south east, data was revealed which showed that 22,000 commuters leave Carlow, Kilkenny and Wexford a day to travel to work in Dublin in their cars, on buses and on trains. This is an important statistic. We can be certain this is a common trend in many other counties that are within an hour or two of Dublin. I have two points to make. The first is the need for additional capacity on our rail and bus services which accommodate commuters in their daily trip to and from the capital. We also need to ensure there are adequate broadband services on these methods of travel to allow our commuters the opportunity make their commute more productive, be it getting ahead of the day's emails or researching a presentation they may have to make later that day, and so on. Second, I took a drive through Edenderry, County Offaly, recently for the first time in years and I was very encouraged to see something of a rejuvenated town centre. Previously boarded-up shop fronts and abandoned buildings were now bustling new businesses, such as food outlets and small niche shops and businesses. This is due to the fact people are working in Dublin and bringing something back to the area. We are in the midst of a rental and housing crisis and I believe people who find themselves priced out of the Dublin house market are flocking to our so-called commuter towns and villages. Again, this reinforces the need for additional capacity on our rail and bus services to be addressed, but it also represents an opportunity for commuter towns in rural Ireland to attract more people, increase population and boost their local economies. It is something the Government should seek to capitalise upon.

Of course, it would be better if we had fewer people commuting to Dublin from rural areas for work but that is not the current reality. We do not have equal employment opportunities in our regional towns and villages for young working parents and families who, in turn, are forced

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to spend two, three or four additional hours a day away from their young children, travelling to and from work. Infrastructure is the key factor. We will never revitalise our rural towns and villages unless they have an equal platform of broadband and connectivity services which they can rely upon. We cannot encourage a person to set up or expand a business in his or her locality and create jobs when competitors in Dublin or Cork are streets ahead simply because they can avail of decent broadband and phone signal. I hear this on a regular basis from people who want to live in my parish. Some of them came to me lately and asked me what is the speed of broadband there. They are working in Dublin but could do their work from my parish, but because the broadband speed is not good enough, they cannot build. It is very important to rural Ireland that we get broadband rolled out as soon as possible.

A recent parliamentary question response from the Minister, Deputy Ring, revealed that in Carlow alone, which is not a huge county in terms of surface area, there are 36 mobile phone blackspots. We have to facilitate enterprise and entrepreneurship in our rural towns and villages because this is what creates jobs and stimulates local economies. People employing, working and spending in their locality is what develops a region. Broadband is the key. No matter what way we spin it, the national broadband plan has been an unmitigated disaster. Over 500,000 rural households and businesses will still have to wait until 2023 at the earliest for State intervention to receive moderate speed broadband, over ten years on from when the national broadband plan was first launched in 2012.

Rural SMEs are also being crippled by excessive commercial rates and unpayable premiums for business insurance. The Government has taken a snail's pace approach to these issues, in particular by commissioning report after report and setting up various working groups which are nothing more than toothless tigers. It is time for rates to be looked at again as many people are being crippled by them. Rates should be based not alone on the square meterage but on turnover and ability to pay. The rates system is outdated and the Government should look at it. If our party comes into government in the next couple of years, we will look at rates again and have a better and fairer system for SMEs to keep them going.

**Deputy Martin Heydon:** I sat here and listened to some of the debate on rural Ireland, and I am not surprised by the comments of some Members of the Opposition. When we look at our Independent colleagues in the House, their stock in trade is to come out with lines that are not technically true around rural Ireland and to continue to talk rural Ireland down. They say rural Ireland is dying and the people are leaving in their droves, which is inherently untrue. However, they do not let the truth get in the way of a good story. To my mind, I do not see too many Independent Deputies who genuinely want to see an improvement. They thrive on trying to talk down rural Ireland, and there are not too many exceptions to that.

I was struck by the comments of Deputy Micheál Martin at his Ard-Fheis, where he talked about a community services guarantee. We have not heard anything about it since and I am not sure what it involved. I think the general principle is that if Fianna Fáil was in power, it would guarantee services, irrespective of whether anyone uses them or not. That is not much of a way for us to go. If we had that process back at the time of the milk churn, we would have never moved on to the milk lorry or the pasteurisation machine. If we had it at the time of the fax machine, we would never have moved on to email, and so on. What we need to do is change the narrative. We need to discuss what it is that people feel they are lacking in rural Ireland.

**Deputy Eugene Murphy:** Start with jobs.

**Deputy Martin Heydon:** Let us talk about the facts. We have more people living in the rural Ireland than we have ever had since the time of the Famine. What is it that they want in regard to services? I will give some examples. Two of my nearest post offices in the villages of Moone and Narraghmore closed in recent times, as the Ceann Comhairle will be well aware. Many people contacted me and expressed their concern about this. They told me the post offices were the focal point of the community, the spot where they meet their neighbours and where they find out what is happening in their community. Nobody asked me where they would buy a stamp because these people are not sending letters in the same way anymore and they are not buying stamps. Let us talk about the fact people are feeling a sense of loss but let us not guarantee a post office service if nobody is using the post office in the area. There is a reason the next generation of postmasters did not take over those post offices. They did not offer an income because people were not using the post office service in the same way. Community development associations have come together in Narramore and Moone. A remarkably positive cafe has been developed in Moone. Local people volunteer in the cafe and a not-for-profit community shop. It is thriving and has had to extend its hours. The people who volunteer there, predominantly retired people, get such a kick out of it and are looking to open for more days because they enjoy it so much. I was delighted to have the Minister of State, Deputy Brendan Griffin, there recently. I would love the Minister to come down to see it as well, because it is an example of communities taking on these challenges. That community has not even had the opportunity to apply for the town and village renewal scheme yet. Those projects have been accomplished through some local fundraising and the local property tax. This is where links with local councillors and local authorities and the proper use of local property tax, which is local people's money spent locally, can be beneficial.

Up the road in Narramore, an €80,000 town and village renewal grant will be used to develop the old hardware shop into a market, community shop and cafe area. This is again a local community that is not sitting back and feeling sorry for itself but proactively going about its business with the assistance of the State and the local authority through the area's local taxes. That is the direction we need to go. We need to empower local authorities to bring themselves on, and that is how we do it.

Rural planning is an area about which the Ceann Comhairle is particularly passionate. We have challenges in Kildare regarding one-off housing. We share the frustration with how Kildare County Council addressed it. At the same time, I deal with many constituents who do not necessarily need to live on the family holding but are looking for a one-off rural house because they want to live close to their family network and community. These people come to me around the time they are starting families. They want their kids to go to the same local primary school they went to and to have the same opportunities to play for the local GAA or soccer club. They want the support of local family members. As I have learned myself in recent years, when kids come along being close to granny and grandad and aunts and uncles is important. Objective 18b of the national planning framework, the development of serviced sites, is a key component of that. Some people will need to live on the family holding. Our national policy and county development plan supports that, as it should. Serviced sites are important for those who do not need to do so but want to live in and sustain those rural communities. We need local authorities to take a proactive approach to this, and services like Irish Water play an important role. That is a key component to maintaining the numbers in our schools and the fabric of those rural communities. Not everybody needs to live in those areas, but a lot of people will be looking to build there because of the free sites. If we can locate affordable serviced sites within the towns, rural nodes or villages it will address a lot of those challenges. It will give people another op-

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tion beyond living on the family holding.

I have been a passionate advocate of Local Link and what can be offered through rural transport. As party chairman, I proposed the extension of evening and weekend routes on behalf of Fine Gael. While that has been very successful and I hope that the Minister for Transport, Tourism and Sport, Deputy Shane Ross, will extend it in the coming weeks, I was trying to show the potential of our rural transport network. Rural buses offer massive flexibility, whether they operate in a linear route like we have in south Kildare or through appointed collection routes. Moreover, the flexibility offered by rural taxis, hackneys, Uber and the Minister of State's lift scheme should come under the umbrella of Local Link. We should link our Local Link services to our local authorities much more closely. In Athy, our local councillors have allocated some of the local property tax money towards bus stops for those areas.

I will also address rural crime. We will hit the target Garda strength of 15,000 by the end of next year, which is important. We are currently at 14,000. As we increase Garda strength we will have better support in securing our rural communities. In Kildare, there are a lot of issues regarding the ease with which criminals who are not from our area can access the area or get away easily, particularly with the motorway network of the M7 and M9. CCTV systems have massive potential. Having worked through the bureaucracy and red tape of the earlier stages, we have now moved to a new phase. Community CCTV on our motorway network junctions is a key component of that and an obvious way to help secure our communities in conjunction with local policing committees and local authorities. Everything I propose is linked to our local authorities and empowering them to support local communities even more.

As a mixed-enterprise farmer and a member, along with Deputy Neville, of the Joint Committee on Climate Action, I was delighted that we were able to rectify some of the aspersions cast on the Citizens' Assembly report on climate action, particularly in the area of agriculture. Agriculture has significant potential and a positive role to play in developing carbon sinks and the sequestration of carbon. During the recession, Deputy Michael Noonan's budget speeches in 2011, 2012, 2013 and 2014 had such a focus on the agriculture sector. The Government recognised the potential of the agriculture sector to lift our country out of recession. The agricultural sector and community were not found wanting in meeting that challenge, and I have no doubt that they will not be found wanting as we address climate change in a significant way. In turn, this will help to sustain and develop our communities, as can be seen in the roll-out of the community energy schemes through the Sustainable Energy Authority of Ireland, SEAI.

Tourism is another area that has experienced benefits and contributed to the increase in employment. It was another area that was examined during the recession. The Minister played a key role in his previous portfolio. Through Government initiatives like the Wild Atlantic Way and Ireland's Ancient East, tourism has helped to drive employment in those key areas. That is why we have seen such an increase in employment in all regions.

Regarding health, so much investment has gone into primary care centres. The latest one to be delivered in south Kildare is in Athy. It was great to have the Minister for Health, Deputy Simon Harris, there recently to lay a block on an €11 million investment that will not just benefit the town of Athy but all of south Kildare. I hope to see KDOC offer a clinic there so that people all across south Kildare do not have to travel to Naas for the services and supports that will be available. This will help to take the pressure off our acute hospital system and locate our health services in the community, where they should be.

That summarises a couple of areas that have come to my mind in the short time I have had to speak. Rural Ireland is alive and well. Rural Ireland has more people living in it now than it has had since the Famine, but they are living their lives differently. We need to have a fair, honest and reasonable debate in this House about how best to support individuals and communities in rural Ireland in living the life they want. We should try not to deal in lazy narratives or simply try to protect everything. People are inherently not fond of change. When it comes, it brings challenges because people change their behaviour. We will serve those last houses that have not got rural broadband. We will do it with an ambitious and significant investment in rural Ireland. Let there be a warning however, and let us be honest with people. If residents get high-speed broadband to their houses, that will give them the capacity to have Tesco deliver to their doorsteps. It will give them access to post office services, banking services and all the online shops. They are the services that will be lost from town centres if we do not use and support them. People need to be aware that they should use their local services. If they do not, they will lose them and it will be hard to get them back. We need to have a conversation about supporting our local small businesses and communities and encouraging people to use those services, but to do so in the way that they want.

**Deputy Martin Ferris:** I live in rural Ireland. I love rural Ireland. It is a way of life that I was born into and grew up in. I have witnessed a significant decline in opportunities in rural Ireland, a total change in the environment compared to 20, 30 or 40 years ago. An awful lot of it is down to the organisation of our people. If someone needs a job they have to go to where the jobs are. The biggest problem in rural Ireland is a lack of meaningful jobs. Government policies have always been driven by the need for everything to be bigger and better. I refer to the dairy co-operatives and how the service they offered to rural Ireland changed with public limited company, PLC, structure. Profit, profit, profit is preferred to sustainable communities.

I was involved in the fishing sector for a good part of my life. Two dozen boats practically own a national quota. That is wrong. That is driven by Government policies. The farming community is continuously in decline. The family farm, which was a large, sustainable part of our communities, has been reduced by well over 60% in the past 15 or 20 years. If someone wants to survive and prosper in rural Ireland, he or she must have more land, more cattle, a bigger dairy quota and a bigger quota for everything. Deputy Heydon stated the population in rural areas is increasing. If that is the case I must be from outside rural Ireland. I have visited coastal communities from west Cork right up to Donegal. Probably the best example I can give to illustrate my point is from south Kerry. I refer to Valentia Island, Waterville, Cahirsiveen and all along that part of the coastline. They were once traditionally strong areas for the GAA but they are no longer capable of fielding a football team. The Valentia Young Islanders team has a great tradition. The great Mick O'Connell came from there and provided a great example. The team has players aged 46 and 48 in order to field 15 players. Along with other clubs it made a request to the county board to play 17 year olds in order to field a team but they are not allowed. Now, teams are being amalgamated. That is an indication of the pressure on rural communities.

The consequence of not having sustainable jobs and incomes is that young people leave. They go to Australia, England and America to seek out employment. They also go to Dublin. Many tradespeople are working in Dublin and Cork but they are not working in the areas they come from. Again, that is because there are no sustainable jobs that allow them to live and work in their communities. When that is the case, communities do not have spending power and the consequence of that is that small shops and businesses close. The latest phenomenon is the total decline in public houses. Much blame has been laid and much capital was made here

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about breathalysers and suchlike, but it is about much more than that. It is about being able to afford to go out and socialise in one's community and people do not have sustainable jobs and incomes.

Transport is another significant issue. There is no public transport in most rural areas. The recent Road Traffic (Amendment) Bill has had an effect on learner drivers. Young people from the age of 17 who have a learner licence cannot get to work. They might have borrowed money for a car and paid colossal insurance of €3,000 or €4,000 and they might work for €350 a week and try to pay it back from that. In order to get to work they have to get their mother or father to accompany them. That is an absolute disaster. They might only have to drive 15 or 20 miles and there is no public transport. Their father or mother might be otherwise engaged and not in a position to get them to work. That is a major problem. Rural areas are turning into holiday areas for people who have holiday homes there for a couple of months of the year, for example in June, July and August. That brings some money into the economy. Until such time as we can provide real jobs in rural areas then that will continue to be the case.

I was rapporteur for a committee in a previous Dáil and we produced a paper on how to sustain rural Ireland. The Commission for the Economic Development of Rural Areas, CEDRA, report followed that. The commission was chaired by Pat Spillane. It is a good report with many good recommendations but it is just sitting there and nothing has been done from it nor from the committee's report in which I was involved.

The question is how we turn things around. I appreciate the money being invested by the Minister, Deputy Ring. I read his speech which I was not present to hear. I appreciate that efforts are being made to put money into rural areas but it is only patching the situation. There is no point in saying otherwise. Unless we get real jobs for young people so that they are prepared to stay and to live in, work in and be part of their communities then all we are doing is patching over things. I accept there is goodwill involved but that is not sustainable in the long term.

Another major issue, which I expect the Minister's community has come across as well, is difficulty getting planning for people on their own farms. People on small family farms try to get planning for their son or daughter so they can live there but they are coming under considerable pressure. In some cases, one can do it as there is a provision in some county development plans that all things being equal they will look favourably on applications from someone who has a tie to the community and is from the community who wants to build on his or her father's or mother's land. However, it is difficult to get the applications over the line.

Every single Department should rural proof its policies no matter what legislation is enacted. Consideration should be given to rural proofing any measures coming through this House from any Department in order to sustain rural areas. Rural Ireland as I knew it and probably as the Minister and other Members knew it has changed. It is not for the better.

Areas are becoming more barren due to the ageing and declining population in rural communities and the fact that no sustainable jobs are locating there. The Government and the Dáil as a whole, including the Opposition parties, must come up with policies that will reverse that. We must work together to bring that about. My party is very committed to that aim. Deputy Pearse Doherty, the spokesperson on finance, is from a coastal community, as am I, Senator Mac Lochlainn and others. We are very well acquainted with the situation. We tried to get the Island Fisheries (Heritage Licence) Bill enacted to help offshore islands but it is just sitting there. The Bill was passed through this House but it is not going anywhere. It is being blocked

by Government policies. It would have provided some sustainability in the fishing sector for people who live on offshore islands. If we allow the situation to continue it will get worse. We must try to change things.

I welcome the efforts the Minister is making in providing funding for sustainable rural development and jobs, giving grant assistance to people who create employment in rural areas, and the roll-out of broadband and fibre optic that is becoming more prevalent. I am in the House for 17 years and in that time I have seen the situation deteriorate. There has been much bluster and commentary about rural Ireland but very little, if anything, is being done about it.

**Deputy Tom Neville:** I wish to share time with Deputy McLoughlin.

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

**Deputy Tom Neville:** I was struck by what Deputy Ferris said about rural Ireland. I emigrated during the recession and back then in 2010 and 2011 there was no hope anywhere in rural Ireland. When I see how it is today I think the situation has improved compared to where it was seven or eight years ago. We have come out of the recession.

I have listened to many political statements in the past hour and I would like to take the politics out of the debate for a moment. Rural Ireland was haemorrhaging at times during the boom. Post offices and small shops were closing during the boom. The reason they were closing was due to the development of technology, which has started to centralise all goods and services. The paper trail has become an electronic trail. Email has replaced the letter and websites have replaced the local shop. We must do what we can to protect local shops but we must also face the fact that technology has centralised everything and is continuing to do so in terms of urbanisation.

The development of the motor car has had an effect on rural Ireland. One can travel for longer and more comfortably than one could 30 years ago. The roads are also in better condition than they were. We must face facts. We must grapple with the changes and challenges in rural Ireland.

Moving on from what Deputy Ferris said, the next phase for us is to analyse rural Ireland. Instead of talking about it as a single entity the question is whether we should talk about areas that are close to cities. Do we talk about counties that do not have a specific urban centre but have a number of market towns? Do we talk about coastal areas? Do we specify rural Ireland and break it down into categories? I do not think we are doing rural Ireland a service by talking about it as a single entity. That is the next phase.

I recognise the achievements that have been brought about as a result of the Government's policy on rural Ireland. That is what brings us to these next steps. Some years ago we faced many more challenges in that regard. However, I refer to the €2 billion that is being invested, the town and village renewal scheme, the LEADER funding, the outdoor recreation scheme, CLÁR, the local improvement scheme, the social improvement and community activation programme, SICAP, the community enhancement programme and the senior alert scheme. Other initiatives include a new library strategy, the Tidy Towns competition, agricultural shows, walk schemes and the Men's Shed initiative. There has been a plethora of grant-aided funding across different sectors in rural Ireland.

I will give the example of the place I come from, Kilfinny. It had a small school - there

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were five in my class when I was going to school - a small church and a hall. During the recession, that place, like every other place, faced huge challenges but the people in Kilfinny came together. I refer to the development of a community childcare crèche which has now become a feeder to the school. The school is increasing in numbers. The people got together in respect of a local GAA club and soccer club. Six or seven years ago the soccer club did not have an underage team. There are now 137 children signed up to the team. This is a place where there is no town as such. It is just a rural area but the people were empowered to come together to create that. We need to continue to foster that and empower people to take the chance.

Another person came in and bought the local pub, which was on its knees, with only five or ten people going in at the time. That is no disrespect to the owners. They were in the latter years of their career. They came in and took the chance. That is now a booming restaurant and pub. They have moved with the times. That is what happens when we empower people and help them to do that.

We need to start thinking differently about rural Ireland. We can be as political as we want. I could throw stones at Sinn Féin and talk about Northern Ireland. I could throw stones at Fianna Fáil regarding the recession and what happened beforehand. I know that stones could be thrown back at the Government in respect of two-tier economies but let us remove the politics out of the debate for a moment and think about it critically in terms of coming up with solutions.

The solutions I want to offer tonight would be to analyse rural Ireland in terms of those different areas, given the achievements we have made already. Sports capital funding is going into rural Ireland. To be colloquial, we opened the West Limerick Drama Festival about two months ago. That hall was developed and it is now like a theatre. It is like the old days where we had the cinemas inside the different areas. There are seven or eight drama groups across County Limerick. That is how rural Ireland is coming back. That is how people are coming together. It is in a different format and the grants that are coming off what the Minister, Deputy Ring, has delivered are achieving that.

Granagh is a small rural community. Ten nights in a row the hall in Granagh was packed with people attending a community play. That is because the hall has been developed into a theatre in which we can get the sound, the vision and everything else. People want to come and pay to see that.

Those are just a few of my ideas. I thank the Minister for visiting the constituency recently to see the Sailors Haggard memorial in Clarina.

**Deputy Tony McLoughlin:** I too want to acknowledge and pay tribute to the Minister, Deputy Ring, for the hard work undertaken by him on the newly-formed Department of Rural and Community Development and its staff in supporting and enhancing rural Ireland since its establishment in 2017.

The task of creating a new Department and focusing it in a timely manner in order to have a real, tangible benefit in rural Ireland has been a difficult one but it is something which has been achieved all the same, thanks to the efforts of the Minister and his team. They took on the task of improving a community that had been heavily impacted by the economic recession and, as a Government Deputy from a rural constituency, I believe they have done a good job thus far. However, have we got to the bottom of every issue affecting people who live in rural areas? We certainly have not, and there is much work yet to be done.

Those Members in the parties opposite rightly and consistently highlight the serious problems people living in rural Ireland face in our constituencies on a daily basis here in this Chamber and in their local media. It is clear for all to see that we still have a long way to go towards addressing all of the problems facing rural Ireland, be it broadband, beef prices, roads, Brexit, rural isolation and much more.

However, while those of us on this side of the House can acknowledge this reality, we never hear anything from the Members opposite about how the positive developments and schemes implemented by the Minister and his Department since 2017 are actually having a positive effect and helping people come back to live and work in rural Ireland. We never hear anything about any of the positives from the spokespersons of the parties opposite. Instead, we only hear negative comments from the Opposition and, unfortunately, sometimes that narrative sticks and spreads.

Fine Gael, and the Minister, Deputy Ring, in particular, have overseen the reintroduction of many rural schemes that had to be closed in previous years because of the political negligence of other parties. Despite the positive impacts those schemes are having, we never hear those who criticise the Minister's effort welcoming the reintroduction of schemes such as the local improvement scheme or the increased investment in the outdoor recreation scheme. We do not hear them mentioning the millions of euro that have been allocated nationwide for the new town and village renewal scheme. We do not hear them welcoming the increased funding for the CLÁR programme or the rural regeneration scheme.

All of that has all been achieved due to this Government's management of the economy. Nonetheless, it pleases me to see those who are always so critical of the Minister, Deputy Ring, and the Government turn up on the day that funding is being announced or a sod is being turned. When one goes to a photo shoot they would knock one down.

**Deputy Eamon Scanlon:** If we are invited.

**Deputy Tony McLoughlin:** These are the same Opposition Deputies from all parties, not just Deputies Scanlon and Murphy-----

**Deputy Eugene Murphy:** The invitations do not always go out.

**Deputy Tony McLoughlin:** -----although they never miss a trick, fair play to them.

In my constituency of Sligo-Leitrim, planning applications have increased, new house completions are up, unemployment is down and tourist numbers are up thanks to the Wild Atlantic Way. Some 1,450 new jobs in Sligo were announced last year. Regional and local road funding allocations are higher than they were previously. We have seen construction commence on the long awaited N4 and the western distributor road at a cost in the region of €100 million. Deputy Scanlon mentioned that many times in the past.

The Minister, Deputy Ring, has ensured the development of an international mountain bike facility in Coolaney, in County Sligo, on which millions of euro are being spent. We have more walking trails and hikes than ever before thanks to the Minister's outdoor recreation scheme and Sligo County Council staff. We have seen the creation of the Blue Way in Drumshanbo. Those are a few examples of the amount of money that has been spent in my constituency.

Rural Ireland is in a better place now than it was in 2011 when we picked up the mess left

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before us. Rural Ireland is growing. It has its problems but we are the only party with a plan in place to ensure its future development and with the Minister, Deputy Ring, at the helm, we are guaranteed that rural Ireland's place at the Cabinet table will not be forgotten.

It is only right and proper that we acknowledge the work that has been done. At many meetings on many occasions in the past the work the Minister is doing in looking after rural Ireland has been acknowledged by both the Fine Gael Party and various other Opposition parties. Long may he continue to do that. I know that is what he will do in the years to come.

**An Ceann Comhairle:** I call Deputy Eugene Murphy who is sharing with Deputy Scanlon.

**Deputy Eugene Murphy:** I am giving some of my time to Deputy Scanlon. We have had three passionate speeches from Deputies Heydon, Neville and McLoughlin.

**An Ceann Comhairle:** I am sure the Deputy will be equally passionate.

**Deputy Eugene Murphy:** There must have been a Fine Gael Parliamentary Party meeting. There is no doubt they are on an election footing.

**Deputy Tony McLoughlin:** The Deputy must not have much to say. There cannot be much more to be said.

**Deputy Eugene Murphy:** Some of the comments were shocking but I have enormous respect for the Minister, Deputy Ring, because when I approach him about issues in my constituency he responds, usually in a positive fashion. It has been said repeatedly this evening that he certainly has a passion for rural Ireland and wants to improve matters. My colleague, Deputy Scanlon, other Members and some of our local authority members always welcome positive announcements, as I did in my own county in terms of towns like Boyle and other places, in recent times. The Minister travels through the town of Strokestown on many occasions but we will be looking for a few more bob from him down the road.

In fairness, there are many issues against rural Ireland. I am sure the Minister has listened to so many of them at this stage he does not want to hear too much more of it this evening. I acknowledge that many factors have changed and I will not dismiss everything about the Government and what has not happened in rural Ireland. I take the good with the bad. There have been some positive developments and some disappointing ones. There is no doubt that rural Ireland is under enormous pressure. There is no point in any speaker here giving the impression that all is hunky dory and that we do not have a crisis. If one travels through my town or Strokestown this evening one will see the reality of so many vacant buildings. The Minister acknowledges this. We must repopulate those towns and villages. There must be footfall. If there is no footfall businesses cannot survive. Out of town shopping centres have done enormous damage to towns and villages. Online shopping is also a major issue. It will close down more businesses.

Another thing that has done a great deal of damage, and I have spoken previously about a financial solution to it, is bypassing many of our towns and villages. It has been an absolute disaster. We have to upgrade our roads and people in the west of Ireland must be able to get freight. We need to have the N5 and the M4 roads, and I am not objecting to that. However, this House has never addressed the situation by looking at a scheme to invest in the towns and villages that are left behind when they are bypassed. If one has a hardware shop, a pharmacy or a supermarket one will survive when the town is bypassed, but if one has a filling station, a restaurant or a newspaper shop one will not. We have seen that in Ballaghaderreen and other

towns. We need a scheme that enables investment with the local authority. There could be a tourism product in the town or village so let us invest in it so the town or village has a future.

According to recent statistics there are approximately 600,000 people living in towns that have between 1,500 and 10,000 residents. That is a large number of people for rural areas. As the Minister has often said, there is an imbalance in the population growth in this country. There is huge population growth in the east and poor population growth in the west. We have a solution, which is that we must increase our investment in the west of Ireland to get rid of that imbalance. I listened this morning to a report on research which found that 150,000 more people will reside in Dublin in the next three years, and it is already bursting at the seams. The reality is that we must draw more business to the west and the midlands. We must give incentives to business. The Minister knows this and is quite passionate about it. As has been said repeatedly in this debate, we must get jobs into the regions.

Our region was very lucky for many years. We had Bord na Móna, the ESB and we had the Burlington industry in Clondra, over the bridge in Termonbarry, which employed 1,000 people. Glanbia was in Rooskey and employed more than 600 people. We have lost all of them so the area must get investment. The Minister will agree that Ireland's Hidden Heartlands will be a very important feature in developing our part of the country. I am glad there is investment in that and that there are four or five workers employed in it. We must tap into that and develop tourism. We must take in the Center Parcs and the developments on Sliabh Bawn and other places. We must sell tourism because that is what the reality will be for many parts of rural Ireland. It will be a massive challenge but we must do it.

I acknowledge there is investment and a great deal of support. The Minister has thrown himself into this and he does a good job. I have quoted a figure on many occasions here in the past in respect of one of the problems in rural Ireland. It is that in my county up to 900 people per day get on a bus, into a car or onto the train to travel to Dublin. Many of them, including members of my family, leave at 4 a.m. and get home at 9 p.m. It is not a family life. We must give incentives to get jobs in rural areas.

**Deputy Eamon Scanlon:** The Minister is a rural person from the west of Ireland and there is no doubt he knows the exact problems facing rural Ireland. I can only describe him as a Deputy Ó Cuív, part two, because he has continued some of the good schemes that Deputy started, such as the CLÁR programme and so forth. There is no question that it is making a difference.

Deputy Heydon mentioned post offices and how things move on and change. That is true but a number of post offices should not have been closed. I refer to the post office in Gurteen, County Sligo. It fulfilled all the criteria that An Post used for the sustainability of post offices, yet it was shut. That is wrong. Six or seven other post offices around that area closed and nobody could complain or say a word because the business was not there. However, there was business in Gurteen. There is a population of 512 and there were 1,300 transactions a week. It fulfilled all the criteria so we must be careful in that regard.

There are many buildings in the towns and villages and there is much talk about the shops. Everybody wants Lidl, Aldi and Tesco but, unfortunately, there is a price to pay. The people paying the price are the small businesses in the towns and villages whose shops are closing. However, there are many properties available and I believe we should introduce some type of rural regeneration scheme, similar to the rural renewal scheme, whereby if people invest in a property, particularly if it is for rental, they will get a tax free allowance for that investment.

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It would not cost the Government a cent. The allowance would be in place over ten years. It worked previously and I am sure it can work again.

With regard to farming, the agriculture committee had a meeting with the Irish Natura & Hill Farmers Association, the ICMSA, the IFA and other groups yesterday. It started at 3.30 p.m. and continued until 9.30 p.m. I am not a member of the committee but I attended the meeting to listen to the concerns. There is no doubt there is a very serious problem in the beef sector. We must seriously examine supporting the suckler farmers. If we do not, they will be wiped out. It is that simple.

Another issue is rural planning. Anybody planning to build a house in Leitrim at present must invest approximately €50,000 to get a sewerage system that will work for the house. I believe there are other ways of dealing with that. If people were allowed to build big tanks there are plenty of people who can empty the tanks and have the content discharged into a proper facility owned by county councils. They are in place and can be used. It would allow people to live in the rural areas where people are needed to keep the local school or shop going.

On local roads, the Minister reintroduced the local improvement scheme, which is very important. The people living on a little boreen are as important as the people living on the N4 or the N17. I am glad the Minister reintroduced it and more funding should be put into it. People need the roads. There is a little more funding for the Class 2 and Class 3 roads but a great deal more is needed to bring those roads up to standard.

**An Ceann Comhairle:** Deputy Fitzmaurice is next. I suspect you are familiar with rural Ireland.

**Deputy Michael Fitzmaurice:** I welcome the opportunity to speak on this issue. Most Deputies cannot hit the Minister too hard. One thing I can say about him is that if he has money he will spend it. The problem is that he has the biggest part of the country to look after but, unfortunately, his Department does not have the biggest budget.

Under the programme for Government in the past couple of years the local improvement schemes have been a great help to rural Ireland. The town and village scheme has done good things. The Minister has also taken an interest in the Tidy Towns. There are many volunteers involved. There are issues that have arisen at present but we must all address that together. Rural regeneration and the CLÁR programme have been good. All those schemes are doing good in various parts of the country. There might be a fight for them because there is not a big enough budget for them, but anywhere they have been implemented it has helped rural Ireland.

Many towns in the country are looking better, in fairness. Some towns have fallen back and we must find the reason for that. The funding for the food hubs has been great. The Wild Atlantic Way and tourism ideas are welcome. If we are to solve the problems in rural Ireland, it will not be done solely by the Department of Rural and Community Development. The first thing for which the Minister should be given authority, and I would back it 100%, is for rural-proofing other Departments' decisions. The reason is that decisions made in other Departments can have catastrophic effects on rural Ireland and the Minister has no influence in respect of them.

We saw two weeks ago that small towns that are not connected to Irish Water do not have a community sewerage scheme. I ask that the Minister ensure funding is given, be it by his Department or some other Department, to those small towns, and we will back him 100% in that regard. The Department of Housing, Planning and Local Government will not provide funding

at the moment unless there is an Irish Water scheme in the town. Building will not be possible in those areas because of the restrictions imposed.

I have asked Minister before about a grant system for the towns with a population of 500 or less, and, in fairness, I know he is looking at it. Sometimes they feel left out if they do not receive anything when applications are made by the larger town. I ask the Minister to consider that.

LocalLink is a help in rural areas but another Minister brought in measures in the transport area which have brought pubs in rural Ireland to their knees. I have said time and again that communities need to be given the option of buses or Uber, about which everybody is talking. If it is a one-horse town with one pub, the pub should get a rebate if it drops people home because the pub needs to survive and it is needed in the locality. In some villages, there might one pub and one shop and they are the heart of the community and keep it going.

It is very important to keep the small rural schools up and running. The measures we want to implement do not just concern the Minister's Department, and I will not find fault with him. What I am saying is that other Ministers must step up to the mark. If not, the Minister must be able to veto what they are doing. We know the population in parts of the country is getting older. Some of those people will need a one-bedroom house in a small village and that needs to be put in place. We also need to replace them with people and provide incentives. We need to look at a tax incentive to get people to live in rural Ireland. We need to look at rates for businesses and provide incentives to businesses to ensure they remain, even though they may not have the throughput found in other areas.

We have seen that TEN-T projects have not been implemented yet even though it is in the programme of Government. That is the job of the Minister, Deputy Ross, but he does not seem to know how to write to Europe about it.

On infrastructure, the new road from Dublin to Galway, with the extension to it, is a great road, and let no one deny that. We need a road to Letterkenny and to join the N5. The links need to be joined. The Cork to Mallow road needs to be done. The better the infrastructure, the more accessible the country becomes.

We need to ensure the broadband issue, which is the responsibility of another Minister, is resolved quickly. If the proposed carbon tax is brought in, it will affect the people in rural Ireland who are driving to work because there is no CIE bus, Luas, tram or all the lovely things one has in the big cities.

I hope we, in rural Ireland, are not paying the price in terms of the cost of the children's hospital. I refer to mental health services, daycare centres, hostels and the Rosalie unit in Castlerea and what was said about it today. We need to ensure the facilities in towns are kept in towns to give people opportunities.

Another Minister who has a part to play in terms of rural Ireland is the Minister for Agriculture, Food and the Marine. The Minister, Deputy Ring, and I come from counties with many small farms. We see 80% of the money going to 20% of the farmers. A new Common Agricultural Policy is coming in and we need to ensure the family farm is protected. For those who have come out of the agri-environment options scheme, AEOS, there is no environmental scheme to go into for at least another year or two. This is the type of magic bullet that would help farm families to survive in rural Ireland instead of parents getting old and youngsters ask-

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ing why they would farm because it does not pay.

We need to concentrate on the suckler herd and the beef to ensure we keep people on farms and encourage young farmers. As Deputy Scanlon pointed out at yesterday's meeting, we need to ensure we encourage youngsters back to the land and not back to a country where some parts of it are heading towards landlordism.

If people live on a road over which Transport Infrastructure Ireland, TII, is in control, they might as well throw their hat at trying to get planning permission. If they do not propose to exit the property using their parent's driveway, they have no hope at all. It is getting stickier to get planning permission for one-off houses. Someone has to call a halt to this.

We need water schemes. A three-year plan for group water schemes is being examined. I was in Galway the other day and was told there is no funding available until that three-year magic bullet, or plan, is brought forward. There must be money there for somebody who faces an emergency. There is nothing wrong with the new subsidies - I am not criticising them - but we need to ensure we are not wasting water in respect of upgrades.

*10 o'clock* There are housing problems in certain parts of the country which need to be addressed. The Minister must rural-proof the proposals of other Ministers because he comes from rural Ireland. Unfortunately, some people - maybe senior civil servants - do not understand there is more beyond the M50. There is a lovely part of the country which we call rural Ireland. One could not live or rear children in a better place. It is the best part of the world in which to live. There are things we do not have that others have. However, we can make it better by working together but we must understand how to make it better. During the discussions on the programme for Government, I emphasised that we need all Departments to listen to the Department of Rural and Community Development and to address the problems in rural Ireland. We will not solve it by going down the road we have travelled for the last 50 or 60 years. If we look at the figures and at the flight from the land, it tells its own story. We had 300,000 farmers in the 1970s, when we joined the EU, but we have 130,000 farmers now. We need to ensure we make things attractive. In fairness to the Minister, he will do that if given the money, and I will back him 100%.

**Deputy Peter Burke:** I am happy to speak tonight. A number of Departments were mentioned over which the Minister does not have jurisdiction. The reason all those Departments were mentioned is that we could not have a stronger advocate for rural Ireland in Cabinet than the Minister, Deputy Ring. Much is expected of him and he is delivering. We can see the work he is doing rural-proofing the policies of every Department. In the current year, he secured a 25% increase in his budget from the previous year. That is the biggest increase in any Department. Given the pressures on housing and health, that is a serious achievement by a Minister in a new Department.

He had to deal with all the various different challenges of that new Department.

It is important to note in this debate that the Government has a significant plan. It is called Project Ireland 2040 and it aims to put in €1 billion of growth over the coming 20 years with half of that growth placed outside our five main cities.

It is also significant to note the extraordinary extra funding that has been allocated by Government. A total of €1 billion has been announced for the rural regeneration scheme over the coming ten years that will be channelled down into the most rural communities. A total of

€24 million has already been announced for 18 communities this year and a further €13 million is to be announced next year. There is €2 billion for urban regeneration over the next decade for towns with a population greater than 10,000. We have seen major announcements that are impacting on towns in need of an incentive. Such towns need to be lifted with funding to encourage people and communities to act.

One of the first acts of Deputy Leo Varadkar when he was appointed Taoiseach was to appoint a full Cabinet position for rural affairs. When we see the various funding streams that have been reopened by this Minister we can see the worthiness of having someone of the calibre of Deputy Michael Ring in Cabinet. When he gets an allocation, he spends it and he ensures it goes to the right areas. He will not leave any money unspent. We can see this from the sports capital programme, which he reopened after a challenging period. When Deputy Michael Ring was appointed Minister of State with responsibility for sport, the country was spending 50% more than it was taking in. Yet, he got the scheme reopened in challenging circumstances.

We have seen 670 rural communities benefit through the town and village renewal scheme. A total of €53 million has been invested so far. The CLÁR programme has been reopened. In my locality, a rural area, Emper national school in Ballynacargy, Westmeath got a new playground. The sub aqua club in Mullingar got a new vehicle. Those in the club are first responders in difficult circumstances in our community. They got the chance to apply for funding to get a new vehicle, which was very welcome. The Minister, Deputy Ring, was at the heart of delivering that. We have seen 500 greenways, blueways and cycleways actively breathing life into our communities through the outdoor recreation and infrastructure scheme. A total of €32 million has been invested. A total of 1,100 rural roads have got key funding through the local improvement scheme. I was in Lismacaffrey at a branch meeting of Fine Gael on Monday night. There is a road there stretching for 2 km that was in seriously poor condition. Councillor Frank McDermott has been almost a generation elected in politics. He said that the past five years have been the most rewarding for him because the funding has come down to give communities a lift up. The road in Lismacaffrey has been fully resurfaced. There are several families living on that road. Under the previous economic shortages they would have been unable to get the capital to inject. What is more, the Minister put a cap of €1,200 on the scheme. He does not ask for a major contribution from families. They are incredibly proud of the infrastructure they have now in their locality.

We have €50 million approved for 1,500 LEADER projects. Let us consider our basic volunteers for our agricultural shows. A total of 1,200 have been appointed to a number of agriculture shows. We have €2 million for 120 agricultural shows throughout the country. Some 900 tidy town groups have received €2.7 million. Those are the most incredible genuine volunteers in our society. They give so much to improve our towns. We have a Minister who has vision. He can see where communities need a hand and a lift up. When we go through those towns and villages now we can see that people are proud to have their villages looking their best.

The senior alert scheme operates in the most rural remote areas. The scheme has been allocated €7 million for 2018. The most vulnerable people in our society get a chance to have the comfort of such a scheme.

Recently we have seen challenges facing rural Ireland. We hear people saying that retail is under significant stress. We are all aware of the challenges facing us in that regard. We can see the changing behaviour of people. Some €6.5 billion was spent online last year while €7.8 billion is projected to be spent online this year. Over 2.2 million Irish people are shopping

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online. That is because moods and behaviour have changed. This Minister is trying to meet those significant challenges. When we talk about rural Ireland it is important to introduce balance into the debate. We need to look at all the equations and the choices people make. I live outside Mullingar in a housing estate with approximately 400 houses currently. I see delivery vans going in and out every day because of behavioural changes.

The Minister has been handed a portfolio whereby he has had to grapple with the legacy of towns that were gutted under the national spatial strategy, which was a strategy that failed. He had to deal with ghost housing estates. He sourced all those little funding streams to breathe life back into these areas. The Government has 60% of all jobs allocated outside Dublin. Again, this is important in terms of breathing life back into our rural counties. We went from a peak of 16% unemployment down to 5% currently.

We hear time after time that rural Ireland is in decline. Yet in the census in 2016 there were 1.75 million people living in rural areas. That is up from 1.5 million 20 years ago. The growth is incredible in rural areas. People need to acknowledge that and be fair about it.

We talk about our broadband coverage. In 2012 when the Government came to office some 30% of farms, premises, homes and schools had coverage. Now, coverage is up to over 74%. There has been significant improvement in that area and we have to acknowledge that.

One point I did not hear much on in the debate tonight was rural crime. It is incredible. When I was elected first in 2016 there was great concern in my locality and in the towns adjacent over rural crime. However, it has improved. I acknowledge that it is not perfect but it has improved because of the 2,200 new Garda recruits. The Garda force is up to 14,000. Operation Thor has had 9,000 arrests nationally and 240,000 crime prevention patrols have been undertaken.

This week the Government has signed a new general practitioner contract. Where is the mantra “No GP, no village” now? The contract is now signed and the IMO has welcomed it. We are now on an upward trajectory in terms of providing good healthcare in our community. GPs are now getting the reversal of FEMPI measures, which is important.

We have also reversed the cuts to farm assist. People are talking about agriculture tonight. Let us bring balance into the debate. The most vulnerable farmers in our society will benefit. We have reversed the cuts they faced under farm assist. While I acknowledge that not everything is perfect, the work currently being done by this Government is marvellous, on balance, when one considers the position that it has come from since 2011 and the road it has travelled. That road has included getting rid of the IMF and getting funding streams. Let us remember that many a Minister sitting on the opposite benches could not spend their budgets in times of unprecedented resources. Now we have a Minister who can spend his budget. He is in Cabinet and defends decisions. He is a voice for rural Ireland and helps to rural-proof decisions as they come through Cabinet. Anyone who is clued in on the ground can hear his voice because they see the decisions that come down and how they affect all strands of society. While one would acknowledge that not everything is perfect, the Government has to meet many challenges. We have come a long way in recent years and much of that is down to the Minister, Deputy Michael Ring.

**An Ceann Comhairle:** Deputy Michael Healy-Rae is sharing time with Deputy Michael Collins.

**Deputy Michael Healy-Rae:** First, as the Minister would expect, I will be clinical and fair about all things to do with this debate. The Minister knows the personal regard I have for him in his role. I need not go into it. My late father thought highly of the Minister and his work ethic and I am certainly not going to change from that tune.

However, we have problems in rural Ireland. I will be the first person to commend the Minister personally for certain actions that he has taken, but he got some guidance during the 74 days of negotiations for Government. The Minister, Deputy Ring, had myself and others, including Deputy Michael Collins, who is behind me, reminding him about the importance of the local improvement scheme. The Minister listened to what we said and he argued for the €10 million per year. I certainly appreciate it very much and on behalf of the people of Kerry, I thank the Minister. We have been punching above our weight because we have an excellent county council, county engineers and local area engineers who spend the money that he sends to us. We spend it so quickly that we are able to put our hand out again and look for more. We will be doing that very soon and I hope that we will get a positive response. We are grateful for the money we have got, we have nearly spent it, and we will look for more. I ask the Minister in advance for that. If other counties cannot spend it, send it on to us and we will not let him down.

**An Ceann Comhairle:** The Deputy could send a few of those officials around the country.

**Deputy Michael Healy-Rae:** Great work is being done by voluntary groups. I want to highlight people such as the men's shed movement which is great in places such as Killorglin and other towns throughout the county that I represent. They do very well and provide a great use of people's time for a valuable purpose. I know that the Minister is very supportive of that movement.

We have problems that I want addressed. The programme for Government commits to protecting our post office network. As the Minister knows, I am disappointed that that is not happening and at the number of post offices that have closed. I am worried about the future of the network. I believe that the network is in a perilous state. If the protection of the social welfare contract is not assured for our post offices, what remains of our post offices would fall like a deck of cards. I have been continuously saying that since the first day that I came in here.

As a good local representative himself, the Minister knows the problems that we have with regard to people securing planning permission on their own land. It is not a sin for a person to want to relocate to a rural location. If a farmer is selling a site, it is not that he is selling a part of his farm but might be securing the future of his farm with the bit of money that he would get for the site. He might be able to build a slatted shed or to engage in reclaiming land that he might not be able to otherwise. He could secure the future of that family farm by selling off a site. It would bring new people into an area. We have to be more imaginative about such things.

We have to deal with the issue of serial objectors. We have them in County Kerry. The Minister has them in his county. We have them everywhere. They are people who stick their noses into other people's business for the sole purpose of being abnormal and horrible. As I said in Kerry County Council on every day that I was there, the majority of normal people go through their lives without objecting to anybody doing anything with regard to planning. I have no problem whatsoever with a person whose property is being affected or impinged upon by something higher or unwelcome in his or her locality objecting. Why in the name of God should any person have the right to object to something that has nothing to do with him or her? It does not make sense to me. Multi-million euro projects have been held up. We have them

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in Kerry at present. We have had them in Athenry and around the country. Serial objectors hunt much valued business out of our areas. They have hurt many young couples in particular. There are people in Kerry who seem to have a thing about hurting young couples and it breaks my heart when a young person comes in to tell me that a certain person objects to them. I know that that person will then take them to An Bord Pleanála and will do everything in the world to hold them up from starting their family and other personal matters. It is horrible. There are individuals who do that. It is not normal behaviour for an individual to have 20 objections going at the same time. That is a misuse of the planning system. I would be very grateful if a Minister in any Government, whether from Sinn Féin, Fianna Fáil or Fine Gael, introduced legislation to tackle that type of behaviour. It would be great if we could get that going.

I was disappointed with the closure of Garda stations.

**An Ceann Comhairle:** I am sorry. The Deputy is in full flight and we are enjoying his contribution-----

**Deputy Michael Healy-Rae:** Are we out of time?

**An Ceann Comhairle:** We have reached-----

**Deputy Michael Healy-Rae:** And we cannot get an extension.

**An Ceann Comhairle:** We cannot get an extension.

**Deputy Michael Healy-Rae:** No last orders.

**An Ceann Comhairle:** The good news is that Deputy Healy-Rae will have four minutes when we resume. There are no last orders, I am afraid.

**Deputy Michael Healy-Rae:** I understand.

**An Ceann Comhairle:** Hopefully we can resume as soon as possible on this important matter.

The Dáil adjourned at 10.15 p.m. until 10.30 a.m. on Thursday, 11 April 2019.