



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Message from Select Committee.	119
Ceisteanna - Questions	119
Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions	119
Property Tax Review	119
Insurance Industry	121
Central Bank of Ireland Reports	124
Insurance Costs	126
Insurance Industry	128
Ceisteanna Eile - Other Questions	130
Insurance Industry	130
NAMA Transactions	133
Tax Code.	135
Mortgage Arrears Proposals	137
Pension Provisions	139
Insurance Industry	141
Ceisteanna ó Cheannairí - Leaders' Questions.	142
Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation	153
Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters	164
Ceisteanna (Atógáil) - Questions (Resumed).	165
Brexit Preparations	165
Brexit Negotiations.	169
Visit of Portuguese Delegation	172
Ceisteanna - Questions (Resumed).	172
Taoiseach's Communications	174
Post-European Council Meetings: Statements	178
Saincheisteanna Tráthúla - Topical Issue Debate	196
Archaeological Sites	196
DEIS Status	199
Commercial Rates.	202
Child and Adolescent Mental Health Services.	205
Public Transport: Motion [Private Members].	208
National Children's Hospital Costs: Statements	236
Message from Select Committee.	258

DÁIL ÉIREANN

Dé Céadaoin, 17 Aibreán 2019

Wednesday, 17 April 2019

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

Paidir.
Prayer.

Message from Select Committee

An Leas-Cheann Comhairle: The Select Committee on Health has concluded its consideration of the Health and Social Care Professionals (Amendment) Bill 2018 and has made no amendments thereto.

Ceisteanna - Questions

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Property Tax Review

38. **Deputy Michael McGrath** asked the Minister for Finance if he will introduce legislative changes in 2019 for the local property tax, LPT; the reforms he will introduce for the income thresholds for the LPT deferral; the reforms he will introduce in terms of exemptions; and if he will make a statement on the matter. [17998/19]

Deputy Michael McGrath: This question relates to LPT. The Minister has signalled his intention to defer the revaluation of properties which was due to take place in November 2019. However, questions need to be answered regarding other recommendations in the LPT review such as changes to the income thresholds for deferrals, as well as other exemptions which are time limited and will fall in the absence of new legislation. Will the Minister clarify if he intends to bring in local property tax legislation this year?

Minister for Finance (Deputy Paschal Donohoe): The review I initiated of the LPT has been completed by the Department of Finance in conjunction with the Departments of the Taoiseach, Public Expenditure and Reform and Housing, Planning and Local Government, as well as the Revenue Commissioners. In accordance with its terms of reference, the review focused on the impact of house prices on LPT liabilities under a series of scenarios involving different rate and tax band structures. However, against a background of significant but geographically uneven increases in price levels, I believe it is necessary to engage in further consultation to identify a scenario which would deliver on the condition I set, namely, that there should be relative stability for all taxpayers in their liabilities and that any increases should be modest, affordable and fair.

I decided to defer the valuation date from 1 November 2019 to 1 November 2020. This will give sufficient time for the Oireachtas budgetary oversight committee to consider the review report in the context of the committee's recommendations in its report of 21 March 2018. Importantly, as a result of my decision, the LPT bills of those liable for the tax will not be increasing in 2020.

On deferrals and exemptions, I do not wish to pre-empt the work of the budgetary oversight committee. However, I expect the committee can complete its consideration of the review's findings and recommendations in a timeframe to allow me to put in place the necessary legislative proposals in advance of any change from 1 November 2020.

There are several exemptions in place which are generally open-ended. However, there are two which have a fixed statutory end date of 31 December 2019. These particular exemptions will be applied in respect of 2020 liabilities by Revenue on an administrative basis pending necessary legislation. One of these exemptions relates to properties purchased by first-time buyers between 1 January 2013 and 31 December 2013. These exemptions will be continued.

Deputy Michael McGrath: I thank the Minister for his reply. Will he clarify if he received any advice that not proceeding with the revaluation of properties raised some constitutional questions? There are some constitutional concerns about the validity of the LPT as a result of not doing that. Will the Minister clarify if the exemptions, which are time limited and are due to lapse at the end of October 2019, will continue on an administrative basis, even in the absence of legislation that may or may not be introduced? The key point is the 11,800 properties bought between January 2013 and 2019. The actual number may be far higher because many of the property owners did not have an obligation to register for the LPT. That figure is probably between 50,000 and 60,000. Will the Minister clarify their status as a result of these changes?

Deputy Paschal Donohoe: On the Deputy's question about receiving legal advice on this course of action, yes, I had an extensive amount of engagement within the Government on this issue. I believe a deferral of one year, while showing that I intend to use that period in order to gain agreement for the future of this tax and its retention, is well inside the space of what can be deemed constitutional.

I will be doing this on the basis of an order. Accordingly, the two exemptions, to which the Deputy referred, will continue. The figures he has referred to, particularly the higher figure, are ahead of my understanding of what those figures are. In either event, by use of order in the way I have described, it will allow those exemptions to continue.

Deputy Michael McGrath: Will the Minister put on the record his understanding of the

17 April 2019

number of properties purchased since 2013 which are currently exempt and for which the exemption would normally fall later this year?

He did not really answer the question as to whether any concerns were raised. He has given us his view that he remained within the constitutional parameters in not going ahead with the revaluation.

Will he clarify his intention around the income thresholds for a deferral? The report recommended a 20% increase in the qualifying income threshold to allow those to defer. Almost 60,000 households already availed of that deferral option last year. Many more would like to do so but their current incomes are above the allowable threshold. That is an issue on which the Minister should move quickly. When does the Minister intend to bring in legislation to deal with these issues?

Deputy Paschal Donohoe: Three points were put to me. First, in terms of the number of properties that are covered by the exemption to which the Deputy referred, the figure he used is higher than figures that have been shared with me to date.

Deputy Michael McGrath: What has been shared with the Minister? He might share it with us.

Deputy Paschal Donohoe: I do not have the figure available to me now, but I will share it with the Deputy and I will come back to him on it. In relation to his second question on whether concerns were raised with me, the advice that I have received on this matter showed that it is within the power that is available to me to continue with the deferral for one year on the basis of an order.

In response to when I plan to introduce legislation to deal with all these matters, I will do that when I believe I have a basis of support for it, which I hope to gain in the Committee on Budgetary Oversight. That would then allow agreement on this matter within the Dáil. It will require primary legislation to change the income thresholds to which the Deputy referred. If an individual or couple go beyond the income thresholds for deferral, they are still entitled to a deferral of 50%. I have asked the Revenue Commissioners to give me an indication of the number of people that might be affected by it.

Insurance Industry

39. **Deputy Pearse Doherty** asked the Minister for Finance the extent to which transparency has been introduced into insurance, pricing motor and business; when the price of business insurance will be readily measurable; and if he will make a statement on the matter. [18015/19]

Deputy Pearse Doherty: The original report of the Joint Committee on Finance, Public Expenditure and Reform focused relentlessly on transparency as a key issue to address in the crisis that we face with many businesses and individuals facing high insurance premiums, yet two and a half years on we hear from individuals, consumers and advocate groups that there is now less transparency in the system not more. A good example of that is that there is no measurement to calculate the cost of insurance for small businesses yet we hear week in, week out of the crisis many sectors face as a result of insurance premiums. When will the situation change?

Minister of State at the Department of Finance (Deputy Michael D'Arcy): A key rec-

ommendation of the cost of insurance working group, CIWG, was to establish a national claims information database. The Deputy will be aware that the Central Bank (National Claims Information Database) Act 2018 was commenced on Monday, 28 January 2019. The required consultation by the Central Bank with regard to the publication of the relevant regulations to outline the scope of the database took place in mid-March and I understand that the bank is finalising arrangements to publish these regulations. The Central Bank plans to collect claims data from insurance undertakings in the first half of 2019, with a view to publishing its first annual report under the legislation in the second half of 2019.

I am confident that, in addition to the two key information reports that my Department has published in 2017 and 2018, the database will considerably increase transparency around the factors that influence the cost of motor insurance. Increasing the availability of data in relation to employer and public liability insurance is also a matter that was discussed by the CIWG and its report on the cost of employer and public liability insurance recommends a number of actions to improve transparency in this area. Recommendation 1 required the Central Statistics Office, CSO, to consider the feasibility of collecting price information on the cost of insurance to businesses, and if it considered such an index feasible, to make appropriate proposals.

The CSO submitted its report to the CIWG in January 2019. While it found that no international precedent exists for such an index, and most price information methodologies it examined were not feasible, it indicated that it wanted to further consider a particular price information method that may potentially be capable of being operationalised. I understand that this method would use a commercially available technology solution to automatically price a high volume of representative profiles, that is, customer profiles such as an office-based company with 20 employees, good safety standards and no claims history. The price quotations for these profiles would be tracked over time to estimate the overall change in premiums.

The examination is under way, and it is expected that the CSO will provide the CIWG with a determination on feasibility during the summer.

Deputy Pearse Doherty: We all hear the anger among small businesses, be they grocers, soft play areas, pubs and retail outlets, at the dramatic increase they face in insurance costs. The committee heard that at first hand. In some cases over a short period premiums have increased by 1,000%. In spite of that, there is no measurement in the State to measure the increase in insurance on small businesses. The National Competitiveness Council produced a report on the cost of doing business and it said insurance costs increased rapidly between 2013 and 2016 but they have been decreasing since then. It said the price of car and other transport insurance is roughly what it was in 2015, in line with the EU average. That is the best the National Competitiveness Council can do on the cost of doing business because it has no data whatsoever on the astronomical increases faced by small businesses, which is putting some of them to the wall. Two and a half years on from all the glossy reports, we have less transparency because we did have a certain degree of transparency. The blue book was published annually by the Central Bank but it has been withdrawn. The private motor insurance statistics were also published but they are no longer available. We have action point after action point but we have less transparency. Businesses are going to the wall because insurance companies can spin and refer to figures nobody else has and nobody can ask them what they are doing and they are putting people out of business because of the astronomical increases.

Deputy Michael D'Arcy: I understand and accept that there is anger. Everything that I am doing is to try to ensure that we give businesses the opportunity to stay in business and trade in

17 April 2019

the way they should be trading. Deputy Pearse Doherty was correct to say there is no measurement in the State. There is also no measurement internationally for what we are trying to do. The CSO came to us last January with a number of options. We considered that four of them were not feasible as we could not make them operational. The CSO is to report back to us over the summer months with a structure that we believe we can apply and put into operation. I will not tell the CSO how to do it. It has the best people to do it.

I will not pretend that the insurance companies are white knights. They have been unhelpful in terms of how they hold their information. Deputies Pearse Doherty and Michael McGrath are aware of that from their interactions with them in the Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach. We are doing everything we can to try to ensure that small and medium enterprises the length and breadth of this country get a fair pricing structure and regime from insurance companies.

Deputy Pearse Doherty: I hear what the Minister of State says and I take it at face value but the reality is that we have less transparency now within the system. The blue book and the private motor insurance statistics, PMIS, should have been published in recent years. We should not allow the insurance industry to do what it has done, namely, allow our agencies to take away the little transparency that existed. This is the same entity that was investigated in dawn raids by European authorities because of its cartel-like behaviour. It is the same entity that is refusing to insure soft play areas the length and breadth of the State. We will see them close down one by one. An entrepreneur in the soft play area broke down before the committee as she had put her ambitions and hopes into her business and she will be out of business because no insurance company in the State will insure her. They say it is too costly and we cannot dispute that because no data are available. The reality is that the national claims information database is a closed book that only gives information to the industry, and only on claims, not costs. The Alliance for Insurance Reform said that confirms its view that official Ireland is in no hurry to resolve this crisis despite the damage insurance costs are doing to small businesses. Unfortunately, it is right, because there is a lack of urgency and a clear lack of transparency which is affecting jobs and businesses to a considerable extent.

Deputy Michael D'Arcy: Anybody who says there is no urgency in relation to insurance is wrong. Deputy Pearse Doherty is wrong. It is very rare but everybody in this House, the other House, those in government and in opposition, is putting his or her shoulder to the wheel to try to rectify the insurance sector. I have complimented every Member in this House and in the other House for the co-operation that exists on insurance. I do that on all occasions because it is fair and right. Everyone wants this matter concluded but the biggest issue remains to be addressed, namely, the level of awards. The Judicial Council Bill has moved from Committee Stage in Seanad Éireann to Report Stage. I mixed up the date on the last occasion, saying that it would be done before the end of March. The matter moved back into the Seanad on 2 April. I have set a date by which I want to achieve this, and it can be achieved with the help of the Members of the Houses, by getting the Judicial Council Bill through Seanad Éireann and Dáil Éireann prior to end of the summer session. I have asked for an early signature motion on this so that we can move towards the establishment of the judicial council and allow for the establishment of a committee to consider personal injury assessment guidelines for that legislation.

This is crucial legislation and will impact on awards. High awards mean high premiums. I am asking that the Committee on Finance, Public Expenditure and Reform, and Taoiseach before we conclude the legislation in both Houses, asks all the insurance companies to appear before it. The committee should put hard questions to those companies if we do our bit to put the

structure and legislation in place to allow the re-calibration of the book of quantum guidelines in line with the recommendations of the personal injuries commission. I will do it in private, but I am asking the Committee on Finance, Public Expenditure and Reform, and Taoiseach, to do it in public.

Central Bank of Ireland Reports

40. **Deputy Michael McGrath** asked the Minister for Finance when he plans to introduce the Central Bank (Amendment) Bill to address the recommendations of the Central Bank on banking culture and accountability; and if he will make a statement on the matter. [17999/19]

Deputy Michael McGrath: This question concerns the Central Bank's report on behaviour and culture within the main retail banks. One of the key recommendations in the report was that a senior individual accountability regime would be introduced in Ireland for senior executives within the banking system. There already is such a regime in the UK. This recommendation was contained in the report issued by the Central Bank in July of last year. It requires legislation, which I believe will be supported in this House. Can the Minister update the House on this issue? When does he expect to bring this legislation forward?

Deputy Paschal Donohoe: As the Deputy will be aware, I am committed to introducing a Central Bank (amendment) Bill that will increase individual accountability in the financial sector. As I have stated previously, the need to rebuild trust in the banking sector is a priority for this Government. Indeed, international evidence illustrates that improvements in banking culture, through increased individual accountability, lead to better consumer protection and financial stability outcomes.

In 2017, I asked the Central Bank to prepare a report on the current cultures, behaviours and the associated risks in the retail banks and the actions that may be taken to ensure that banks prioritise customer issues in the future. Following my request, in July of last year the Central Bank published the report, Behaviour and Culture of the Irish Retail Banks.

My officials have been working on the details of a Central Bank (amendment) Bill, which will address the recommendations made in the report and a number of other policy matters, including statutory changes following on from the banking inquiry, potential changes related to Private Member's Bills and other matters.

The main proposals by the Central Bank in the report to enhance individual accountability include conduct standards, a senior executive accountability regime and enhancements to the Central Bank's current fitness and probity regime and the enforcement regime.

In preparing its report the Central Bank co-operated extensively with the Dutch Central Bank as it is one of the leaders in the field of financial services culture sphere. Separately, my Department has focused on the implementation and lessons from the UK's senior managers' regime and conduct standards given the close relationship between the two financial sectors. This is particularly valid given the similar common law legal system so we can learn from the experiences of the UK.

The ongoing work between the Central Bank and my officials has focused on developing possible wording for legislative amendments and considering this wording in the context of

17 April 2019

constitutional protections and existing legal provisions.

I have previously stated in this House that I intended to seek Government approval to draft the heads of a Bill by the end of quarter one this year. Notwithstanding that Brexit-related issues have caused this timeline to be adjusted, my intention is to progress this matter expeditiously so that I can seek approval to draft the heads of the Bill before the summer recess.

Deputy Michael McGrath: That reply is deeply disappointing. The reality is that the Central Bank has asked for these powers to hold senior executives in our banking system accountable, and the Minister is talking about going to the Government to seek approval to draft the heads of a Bill. He has not done that yet and is hoping to do that in the coming months. That does not sound to me like it is a Government priority or that we are likely to see this senior executive accountability regime introduced any time soon. The Minister knows well what the catalyst for all of this was. It was, of course, the tracker mortgage scandal, which continues to this day. The single largest outstanding issue in that tracker scandal relates to AIB. There are 6,000 customers in what is known as the prevailing rate group. I am sure the Minister is familiar with it and I encourage him to read over the transcript of our questioning of AIB's executives at the committee last week. That issue is going to go the full distance. The Minister should look at it and if he has a view on it - I hope he does - he should express that view. The measure of culture change is whether or not the banks, when decisions can go either way, make decisions in favour of the consumer.

Deputy Paschal Donohoe: My message to the House is very clear. I am going to bring in this legislation as soon as possible. There are many delicate constitutional matters that we have to deal with and I am determined that we will deal with them. I refer in particular to Articles 37 and 38 of the Constitution, which concern the limits to which judicial powers can be exercised other than by the courts and the right of an individual to earn a living and related property rights. There are other elements of our Constitution which are equally important, for example the common good. There is also a need to learn from the grave difficulties we have had in recent years in the operation of our banking system.

The commitment I had given to date was that I would bring the heads of the Bill to the Government before the end of the first quarter. I am now indicating to the House that it is going to take a little bit longer to do. The only reason for that delay is that all of my officials who have been involved in this area have also been involved in all of the issues which arose in the context of our Brexit omnibus Bill. That matter is now dealt with and I am going to move this matter forward as quickly as I can.

Deputy Michael McGrath: People want to know when this Bill will be introduced, not when the Minister is going to seek approval to draft the heads of a Bill. People want to know when it will be the law of the land that senior executives who are making critical decisions about the future of their consumers can be held to account in the manner recommended by the Central Bank. I would like to hear when the Minister expects that this regime will actually be put in place. Of course it is the case that the regime has to be constitutional, but the question of the constitutional rights of the 40,000 tracker mortgage customers who had their money taken from them also arises. Many of those people are still waiting to get that money back. There are 6,000 customers in AIB who, in my view, are still being wronged. That issue, as I said, is going to go the full distance. The Minister needs personally to examine that issue and convey a view, if he has one. Otherwise it will end up in the High Court and could be very embarrassing indeed for AIB, which is a bank in which the State continues to hold a majority share.

Deputy Paschal Donohoe: I will reaffirm again my determination that this Bill be implemented as soon as possible. The Deputy mentioned what citizens want to hear about the ability of such legislation to be effectively implemented. This has to be done in a way that is fully consistent with our Constitution. When the legislation is used, it must be capable of withstanding legal challenge. That is what we are going to do. I have explained why it has taken a little bit longer to do than I had previously indicated, but I am determined that we will move this legislation through.

On the implementation of this legislation, if I get co-operation from the House on this matter, which I am sure I will given the interest people have in it, and get agreement to the heads of the Bill well in advance of the summer recess, we can publish it, move to drafting and have the legislation available to go to the House after the summer. Thereafter I hope we can pass it as soon as possible.

On the Deputy's final point about the group of citizens affected by AIB, I wish to assure the Deputy that I am well aware of the issue.

I am equally aware that the investigation of this matter is being carried out by the Central Bank and I have to recognise its right to do that work.

Insurance Costs

41. **Deputy Joan Burton** asked the Minister for Finance his plans for insurance reforms in view of the fact that the issue of rising insurance costs and high compensation has created a market distortion that is now causing persons to lose their jobs across many small businesses; and if he will make a statement on the matter. [17869/19]

Deputy Joan Burton: Is the Minister aware that small and medium sized businesses around the country are being threatened with job losses and closures because of rising insurance costs which are only advised to them at the last minute but are not documented and detailed?

Deputy Paschal Donohoe: I am very conscious of the difficulties being faced by certain small businesses in obtaining insurance and that a number of such businesses have had to close or are facing closure if they are unable to get cover. I believe that the issue of the rising cost of insurance, and in some cases its unavailability, is linked to high award levels particularly for soft tissue injuries, as well as what appears to be an increase in fraudulent and exaggerated claims. The result of this is that in certain parts of the economy, such as play centres, insurers are withdrawing altogether as they argue they are incurring losses in these areas

The Deputy will be aware that neither I nor the Central Bank can interfere in the provision or pricing of insurance products. However, it was recognised that the State could play a role in improving the environment within which insurers operate, thus the cost of insurance working group, CIWG, was established in July 2016.

The CIWG has produced two reports and a series of quarterly progress updates on the various recommendations made by CIWG and endorsed by Government. The difficulties facing the consumer and the voluntary and small business sector from the high cost of insurance premiums are acknowledged in these reports.

17 April 2019

A key recommendation of the CIWG was the establishment of the personal injuries commission, PIC, which was asked to examine among other things award levels in this country compared with elsewhere. It reported in September and concluded that soft tissue injuries are significantly higher here than in England and Wales and recommended that action be taken to address this disparity through the establishment of the judicial council. The PIC recommended that this body would become responsible for preparing the guidelines on personal injury award levels, and would replace the book of quantum.

The current position is that the Minister for Justice and Equality has indicated that he hopes that the Judicial Council Bill 2017 will be enacted by the summer. It recently completed Committee Stage in the Seanad. Alongside this, the Law Reform Commission has included the subject of capping damages in personal injuries litigation in its draft fifth programme of law reform and this work will begin shortly.

Deputy Joan Burton: I have heard about the different measures that are being taken, announced and re-announced and discussed at various committees. At the Oireachtas Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach we had the privilege of meeting Ms Linda Murray who operates a play centre. It is one of many which, despite no claims, now face huge increases in their premiums. There is market failure or distortion whereby insurance companies are coming out of the blue and imposing enormous premium increases on people. They have been doing this with car insurance for young people and are now doing it on a widespread basis to businesses.

Effectively it is an attack on our cultural and family life as well as business life because for instance play centres, venues, pubs, music and sports events, all of the things that we enjoy are coming under attack and possible closure in the case of small venues because of the extraordinary premiums being charged to business operators.

Deputy Paschal Donohoe: I absolutely understand the severity of the issues Deputy Burton is referring to. The Minister of State, Deputy D'Arcy, has outlined the different steps that Government is taking to respond to what I know is a very serious matter in our economy and society. He has been in very regular contact with An Garda Síochána and the Garda Commissioner about many aspects of this issue. He and I have received assurances that the Garda Síochána is looking to increase capacity in this area to deal with some of the issues Deputy Burton has referred to. I and the Minister of State expect further public announcements and developments in this area to deal with some of the issues the Deputy has referred to.

The Deputy will be aware of the recent statement from Mr. Justice Nicholas Kearns who noted, in his second report on personal injuries, their effect on premiums and the various challenges we are discussing this morning, that insurance industry representatives have repeatedly stated that award levels and costs would come down if claims costs come down. The Minister of State and I are calling on the industry to repeat that statement.

Deputy Joan Burton: We have had discussions about the Garda Síochána perhaps having a dedicated fraud unit. We have seen extraordinary cases repeatedly detailed in the newspapers where many insurance claims made in respect of relatively minor car crashes have failed. Does the Minister know, following his conversations with the Minister for Justice and Equality, whether anyone has been charged with fraud in respect of any of these claims? Has any action been taken? It really is affecting every stream of Irish life in a destructive way. Children will not be able to run in school playgrounds, or play in play centres. Water parks are being charged

massive increases in premiums. The Minister is talking the talk but we are not getting any sense of a Government that is able to deal comprehensively with this. I have read Mr. Justice Kearns's remarks. He has been very frank and open and willing to reform but is the Government willing to?

Deputy Paschal Donohoe: The Government is willing to reform. I am aware for example that one sentence has already been handed down for some of the criminal activity that has caused the difficulties facing citizens. I fully accept that this issue is having a very strong effect on the operation of business within our society and the delivery of services and activities that matter to our citizens. I refer to the legislative measures being implemented by Government, the work An Garda Síochána is doing, the expectation of further activity and commitments and when all this will be in place, and this will be in place. Those who lead the insurance industry have given a commitment to adjust their premiums if the issues they refer to are addressed, and a public statement will be made again by the industry on this issue. We will play our part in dealing with an issue that we acknowledge is causing the degree of worry and harm that Deputy Burton has referred to and we are fully committed to doing all we can in that area.

Insurance Industry

42. **Deputy Michael McGrath** asked the Minister for Finance his legislative and policy priorities in the area of insurance reform; and if he will make a statement on the matter. [18000/19]

Deputy Michael McGrath: The fact that three of the five priority questions have been dedicated to insurance underlines just how grave the current situation is. It really is a crisis point for many businesses throughout the country. Many have closed and others are on the brink of closure. This House needs to offer some solutions and we need to be clear and specific about when these solutions will be in place. For example, the Minister said he hopes to have the Judicial Council Bill 2017 enacted this summer. When will the revised guidelines be in place and when will they influence the level of awards being granted in cases that go all the way through the court system? Will the Minister indicate when that one practical measure will be in place?

Deputy Paschal Donohoe: I will refer to the actions that have been taken because the Deputy is correct that this is a matter that has dominated priority questions but as I am sure he will appreciate regardless of whether it is dominating these questions I am aware of how serious the issue is and of the work that the Minister of State, Deputy D'Arcy, is doing to tackle this issue.

Before I answer the Deputy's specific question I want to point to what has already happened. I refer to the work the Garda Síochána is continuing to do in this area of which there will be more in that space. The Minister has engaged with the Garda Commissioner on that. I refer to the work the Garda Síochána is doing in collecting statistics regarding a new insurance fraud category to further aid our analysis of what we can do to tackle this issue. I refer also to the amendment of sections 8 and 14 of the Civil Liability and Courts Act of 2004 to ensure defendants are appropriately notified of a claim having been submitted. The Personal Injuries Assessment Board (Amendment) Act 2019 commenced at the start of April. I refer to the work that has been done on the Central Bank (National Claims Information Database) Act, which has been commenced. While its initial focus is on motor insurance, the information being generated will be of help in dealing with this broad area.

To answer the question the Deputy put to me, the Minister of State, Deputy D'Arcy, has al-

17 April 2019

ready stated and I share his view that if and when the Judicial Council Bill is implemented and passed by the Seanad before the summer recess, we hope the guidelines the Deputy is referring to will be in place by the end of this year. However, I have to recognise that this is a judicial council. It is independent in its work and if we begin to be perceived to be interfering with that independence, let alone do it, we undermine its independence and therefore its effectiveness. Neither I nor I am sure the Deputy want to do that but we hope that soon after the passage of this Bill the issuing of guidelines can be dealt with by the council.

Deputy Michael McGrath: It is great to see the Minister answering questions on insurance because it seemed to me at times that the Minister of State, Deputy D'Arcy, has been a lone voice in Government talking about insurance. I am glad to see the Minister taking these questions as the Minister serving in Cabinet with responsibility.

The bottom line here is that there are sectors of business in this country to which an Irish insurer is not willing to offer cover. It is all very fine for people to bash the insurance companies, and I will do that too when I need to do it, but that they will not even provide insurance to certain sectors tells us there is something fundamentally wrong. The nub of this is when those award levels, particularly for soft tissue injuries, will come more into line with other jurisdictions as set out in the Personal Injuries Commission report.

When it comes to fraud, notwithstanding the reference the Minister made to one case which I am not familiar with, the general view is that there is no deterrent to somebody taking a bogus claim. I am certainly not aware of cases that have been brought right through the system. We have tried to get data from the Courts Service and the Minister for Justice and Equality. There is no data. We cannot get any data whatsoever as to the number of cases brought before the courts relating to alleged insurance fraud, not least the number of actual convictions. Could we start by getting some useful data because there seems to be no down side to people chancing their arm and taking a fraudulent claim? It seems to be a no-lose situation.

Deputy Paschal Donohoe: I agree with the Deputy that the matter has to move beyond simply attacking those within the industry. That is why the work the Minister of State, Deputy D'Arcy, has done is so important because he is looking to tackle some of the root issues that are contributing to this problem. I also agree with the Deputy that if costs in this area for those who are providing insurance are high, and higher versus elsewhere in Europe, that will have an effect on the pricing and availability of policies. We need to call out areas in the industry that we believe need to change. We are doing that but we also need to address issues they are raising in an effective and fair manner.

On the point the Deputy put to me regarding information on deterrents within our court system, I believe we will have information available on that in an accessible manner within the next number of weeks. We will then share that with the Oireachtas committee so that the Deputy will be able to see it.

In terms of my role on this issue, I am absolutely committed to making further progress on this matter to support the Minister of State, Deputy D'Arcy, in his efforts and to addressing this issue further myself, not only because of the issues Deputy McGrath and other Deputies have raised but also because of the issue this presents to our economy overall.

Deputy Michael McGrath: In terms of specifics, the Minister is expecting some announcement shortly on the work of An Garda Síochána around insurance fraud. We do not know the

nature of that but this has been long promised and we are expecting some announcement. Let us hope it is tangible and positive.

The Minister is expecting and taking the caveat on board that it depends on the speed at which the judicial council, once established, gets its work done but he is hoping and expecting that by the end of this year there will be revised guidelines, which the Judiciary will have to reflect in the level of awards. I say to the Minister, and I have had this discussion with the Minister of State, Deputy D'Arcy, that when he is bringing forward the details of the Judicial Council Bill in the Seanad and when it completes its journey in this House, if he allows too much wriggle room for the Judiciary and if they only have to have regard to these new guidelines then it will be a waste of time. There will always be a certain degree of discretion allowed but we know what happens in cases where there is too much discretion. Essentially, the guidelines become redundant very quickly. This has to be tightly framed to make sure that the new levels of awards set out in the guidelines are reflected in actual award levels.

Deputy Paschal Donohoe: Regarding the timelines the Deputy restated on the basis of what I said to him a moment ago, that is correct. However, to be clear again it is a matter for the judicial council, when implemented, and the content of its guidelines. If the House or I as Minister begin to determine or look to influence its work it would set us down a path of undermining the council and the effect it may have on an issue on which we all want to see progress. All of the comments I make about this issue recognise the independence of the Judiciary and the contribution it may make to progress on this issue.

That allows me to address the point the Deputy has raised about wriggle room. The legislation we bring forward has to respect the independence of the Judiciary but the Government is committed to respecting its independence and looking to make progress on an issue we know is of huge importance by use of peer review and trying to develop more expertise regarding the effect of these rulings on vital matters in our economy and our society.

Ceisteanna Eile - Other Questions

Insurance Industry

43. **Deputy Michael McGrath** asked the Minister for Finance when he plans to bring forward legislative changes that would oblige insurance companies to inform policyholders of claims made against them; the reason he has not brought forward legislation in its own right; and if he will make a statement on the matter. [17767/19]

62. **Deputy Aindrias Moynihan** asked the Minister for Finance when he plans to introduce legislation to ensure motor insurance policyholders who have claims made against them are informed of claims against them before a settlement is made; and if he will make a statement on the matter. [17824/19]

Deputy Michael McGrath: This question is on a similar theme but on the previous point, if the guidelines are too loose they will be a waste of time. My advice to the Minister is that he should not go down that road.

17 April 2019

With regard to some specific issues in the insurance area, what policyholders have found in many instances is that claims have been settled behind their back. They are often claims they did not even know had been made against them and their policy. That is simply not good enough. There have been cases where the policyholder felt they could successfully have defended those claims yet they have been settled because the insurance company did not want to take the risk of going to court. When will that specific issue be dealt with?

Deputy Michael D’Arcy: I propose to take Questions Nos. 43 and 62 together.

My Department is currently working on developing legislative changes that would oblige insurance companies to inform policyholders of claims made against them. The objective of the proposal is to ensure that policyholders are informed as soon as possible after a claim against their policy is lodged and informed after a claim is settled. In addition, the proposal will seek to require insurers to engage with the policyholder to ensure the policyholder’s views are taken into consideration.

The proposal originates from Recommendation 8 of the Report on the Cost of Motor Insurance. A corresponding recommendation was then included in the Report on the Cost of Employer and Public Liability Insurance, Recommendation 10, as this issue is generally far more relevant to businesses and other liability insurance policyholders than individual motorists. The proposal seeks to include within the scope of the changes small businesses which have an annual turnover of €3 million or less.

The Department engaged with Insurance Ireland to seek voluntary agreement of this proposal through a protocol. Unfortunately, no such agreement could be reached on a non-legislative basis.

As a result, it is proposed to include the legislative proposal within the Consumer Insurance Contracts Bill 2017, a Private Members’ Bill which is based on a 2015 Law Reform Commission report. The Government provided support in principle for the objectives of this Bill on Second Stage and noted the intention of the Minister for Finance to submit substantive amendments should the Bill reach Committee Stage. This proposal is now being developed as a Committee Stage amendment, the specifics of which are dependent on approval from the Office of the Parliamentary Counsel.

The reason the legislative changes are not being drafted as part of a new, separate Bill is because the Minister and I see the Consumer Insurance Contracts Bill as an ideal vehicle for addressing insurance consumer-related issues such as this from an efficiency and effectiveness perspective. In addition, as all parties have worked very constructively together on important insurance legislation such as the Insurance (Amendment) Act 2018, and the Central Bank (National Claims Information Database) Act 2018, I see no reason this constructive engagement cannot continue.

Deputy Michael McGrath: I would like the Minister of State to indicate who would not agree to provide for this on a non-legislative basis in order that policyholders might be told of claims made against their policies. That is so dispiriting. This recommendation dates back to January 2017 and Insurance Ireland was to have had a general protocol in place by the end of that year. This did not happen and then the next report referred to legislative change. If we cannot get to a point where insurance companies tell policyholders that claims have been made against them and ask them whether they have anything to say in that regard or any defence to

put forward - and whether the company can see the evidence - then in what direction are we moving?

Policyholders are still not even told in their renewal notices what premiums they paid in the previous year. I got my car insurance quote recently and there was no information on what I paid last year. I had to contact the insurance company to check. That is a joke. We are talking about data and transparency, yet simple information that would allow consumers to make more informed and better decisions continues to be withheld from them. That is not good enough.

Deputy Michael D’Arcy: I will read the relevant section of the reply again; it is pretty clear. It states, “The Department engaged with Insurance Ireland to seek voluntary agreement of this proposal through a protocol. Unfortunately, no such agreement could be reached on a non-legislative basis.” Insurance Ireland represents the main insurance companies. We were unable to agree on the recommendation from the motor report and the employer liability and public liability report. That is the answer to the question.

I thought it would be particularly easy for somebody to be able to see the quote from the previous year listed three or four lines above this year’s quote. The Deputy heard me cite my own business as a dairy farmer, for which I have multiple insurance policies, and the fact that I am obliged to search the file from the previous year in order to find information on the premium I paid. This is the easiest and most transparent way to proceed, and it would cost nothing. However, we have to go through a certain process in this regard and it will be done within the next month.

Deputy Michael McGrath: That is pathetic. It has taken two and a half years for the most basic reform to be introduced in order that consumers will be informed, via their annual renewal notices, what they paid last year and what they are being asked to pay this year. It has taken that amount of time to have that level of basic information provided to consumers. I feel sorry for the Minister of State at times in trying to deal with this. It is a joke that it was not possible to reach agreement with the insurance industry on a protocol requiring its members to inform policyholders that claims were made against them and to inform them subsequently how those claims were dealt with, namely, whether they settled, the amount of the settlements involved and so on.

I am not afraid to call out the insurance industry either when I think it is wrong. It is depressing that such a simple reform could not be agreed on a voluntary basis and that we have to go down the road of legislating in order to give consumers the most basic information, to which they are entitled and should be provided as a matter of course.

Deputy Pearse Doherty: This issue highlights the battle with the insurance industry. This is something that should have been dealt with and should never have had to emerge in a report. That report has been in existence for two and a half years. This is about transparency. We will have the industry representatives before us again. One would swear butter would not melt in their mouths when they are sitting across from us at the committee, where they are all about transparency and are consumer-centric and all the rest. We have seen the cut of them. We have seen how they fought the Minister of State in this regard for the past two and a half years. The legislation I introduced passed Second Stage two years ago. I had a commitment from the person who was in the Minister of State’s position previously that it would go through the committee in a matter of months. However, despite being designed to give consumers more rights *vis-à-vis* the insurance industry, the Bill has been stalled for two years due to the requirement

17 April 2019

for a money message from Government. That said, I am glad the Minister of State is going to use this legislation as a vehicle to deal with the issue. I was somewhat concerned when the Department put the legislation out for consultation last week, with a six-month window for said consultation.

Deputy Michael D'Arcy: It is six weeks.

Deputy Pearse Doherty: Sorry, a six-week window. This means that it is unlikely the legislation will be before the committee prior to the summer recess. I am very disappointed with that because I thought we would be dealing with it straight after Easter.

Deputy Michael D'Arcy: I want to clarify that, in regard to the previous year's premium, when I came into this position, I was the one who was pursuing that. It has not been in train for 30 months but rather 15. That is how long it takes to get something through these processes in order to improve transparency for consumers.

I have not spared the insurance companies where I think they have not acted in a fair and reasonable manner towards their clients - their customers. These clients purchase products from those companies. It has been difficult on occasion to try to get improved transparency from the companies, and I have made that point before. As I see it, the biggest issue with the insurance companies is that the customer does not come first; he or she comes last. That is a terrible position for customers to find themselves in *vis-à-vis* the companies from which they purchase products. The consumer does not come first; the consumer comes last.

The Deputies will have seen that I have proposed the establishment of an insurance culture board similar to the Irish Banking Culture Board. It is something that badly needs to be reconfigured. On too many occasions, Irish consumers do not come first with the companies with which they contract. Without their customers, the insurance companies do not have a basis for their business.

NAMA Transactions

44. **Deputy Mick Wallace** asked the Minister for Finance if he has had discussions with NAMA officials or his officials with regard to the UN special rapporteur letter on Ireland which stated that 93% of NAMA assets have been sold to foreign investors; and if he will make a statement on the matter. [17801/19]

Deputy Mick Wallace: The question relates to the UN special rapporteur's letter on Ireland which states that 93% of NAMA assets have been sold to foreign investors. I am not sure where the UN rapporteur got his figures but I would expect NAMA to know exactly how much it has sold and to whom. It appears that this is not the case. In a press release last week, NAMA stated that 69% of its asset sales went to Irish companies but, last November, NAMA told the Committee of Public Accounts that 69% of its assets were sold to foreign companies. The Minister might be able to provide a definitive answer.

Deputy Paschal Donohoe: I am advised that the formal response to the UN joint communication relating to housing will be delivered by the Tánaiste in early May and that input for this response is currently being gathered, including in my Department.

In the context of the UN communication relating to NAMA, I wish to clarify a number of

points. First, I am advised that the reference to a figure of 93% in the letter refers to loan sales only and does not include sales of property assets securing NAMA's loans. To date, in excess of two thirds of NAMA disposals have been sales of property assets or refinancing arrangements. Therefore, loan sales relate to less than one third of NAMA disposals. As regards the purchaser profile of Irish properties sold by NAMA debtors and receivers, I am advised that almost 70% of the purchasers were Irish.

Second, the sale of loans by NAMA does not result in a change in the ownership of the underlying properties. This means that the purchaser of the loans does not become a property owner or a landlord; rather, that individual or entity becomes a secured creditor. The registered owner, be they Irish or foreign, retains ownership of the secured property.

Third, foreign assets have accounted for approximately 45% of the assets included as collateral for loan sales undertaken by NAMA. Thus, it is incorrect to infer that loans purchased by foreign investors are secured by Irish assets only. I can assure the Deputy all those points will be made to the UN.

Deputy Mick Wallace: There is a play on language here. Of the €74 billion that went into NAMA, what percentage ended up with foreign entities? The Committee of Public Accounts report into Project Eagle from 2016 showed that NAMA had sold 20% of its entire debt of €74 billion to one company, Cerberus. This works out at €14.5 billion, whether one calls it loans or assets. This included Project Eagle, Project Arrow, Project Gem and Project Shift. I will not go into the fact Project Gem and Project Arrow were sold to Cerberus after the Project Eagle debacle surfaced and were sold at knockdown prices.

Can the Minister defend the agency selling a fifth of its entire portfolio to one vulture fund? I would expect NAMA to know to whom it sold its loans and assets. There appears to be some discrepancy in its statements, although the Minister may disagree with me on that.

Under section 172 of the National Asset Management Agency Act, a person who is a debtor or debtor-connected party, in relation to an acquired bank asset, is prohibited from acquiring from NAMA any acquired bank assets in relation to which default has occurred. Is the Minister concerned that the Project Nantes loan sale, which I raised with him before, is an example of this? NAMA was not aware that the purchaser, Clairvue, was based in Luxembourg nor was it aware that purchaser and the debtor, Avestus, share a director. It had to go back and investigate because it never verified its original section 172 declarations.

Deputy Paschal Donohoe: The figures I have shared with the Deputy are figures that have been shared with me by NAMA and put into a different light the statement made by the United Nations on the operation of NAMA. By sharing this information with the Tánaiste, I have no doubt at all that these perspectives will be shared with the UN in response to the communication that it has issued.

The Deputy referred to a number of specific matters on the operation of NAMA and I want to tell him that despite our difference in views on the matter, I am fully satisfied that NAMA has acted in accordance with its mandate on the disposal of its assets. The Deputy will be aware of the different pieces of work that are under way on the operation of NAMA and I await their outcome. I remain satisfied in the matters that have been raised with me that NAMA has operated in line with its mandate.

Deputy Mick Wallace: Some €352 million was owed on the Avestus assets and it got them

17 April 2019

back through a shell company based in Luxembourg for €26 million. How can the Minister stand over this?

On a different issue, the Minister might be aware of a recent case in the United States involving a NAMA debtor versus NAMA and the National Asset Loan Management, NALM, it was argued by NAMA that NALM was a sovereign and, therefore, subject to the foreign sovereign immunity Act, which prevents lawsuits been brought against other countries. The US Court accepted NAMA's argument that NALM was a foreign sovereign but this is now being challenged.

As the Minister is aware, NALM is a private company. The Minister's Department has indicated to the IMF, the World Bank, the ECB and EUROSTAT that NALM is 51% privately-owned, which was done to get around the state aid rule. I am checking if the Minister's Department has any involvement in the US court case or if he is concerned that NALM is being portrayed as a State entity, when it is a private entity, of which the Government made sure.

Deputy Paschal Donohoe: I am not involved in the detail or decisions that are made in individual court cases. The Deputy will be aware as to how NAMA has been set up. I am responsible for setting its mandate and for influencing and setting the objectives it wants to fulfil but it has independence as to how it goes about that. That firewall is also in place to ensure that it is able to fulfil its mandate in a proper way, which is what it is doing.

I am not aware of the detail of the individual American court case the Deputy referred to but I will get some information in relation to it.

The Deputy always raises matters like this because of his interest in the common good and public interest. I note his decision not to use any posters in the European Parliament elections and I wish him good luck in his efforts in the coming weeks.

Tax Code

45. **Deputy Joan Burton** asked the Minister for Finance if he has examined the recent report by the Committee on Budgetary Oversight in relation to tax expenditures and the estimated cost that revenue forgone could be as much as €10 billion to €15 billion per annum; his plans to implement the recommendations of the committee in respect of same; and if he will make a statement on the matter. [17826/19]

Deputy Joan Burton: I hope the Minister will convey the good wishes he conveyed to Deputy Wallace with other Deputies and parties who may be contesting the European and local elections.

My question relates to the recently published report by the Committee on Budgetary Oversight. Evidence given by Professor Micheál Collins from UCD suggested that tax expenditures could be costing the State between €5 billion and as much as €10 billion to €15 billion per annum. Is the Minister aware that more than 80% of these tax reliefs, once put into effect, have no sunset clauses? Some 23% of these reliefs have never been reviewed.

Deputy Paschal Donohoe: I am aware of the Committee on Budgetary Oversight's work in the area of tax expenditures, and the publication of a report on the topic earlier this month. The committee met with representatives of my Department and Revenue in January 2019. It

also met separately with the Parliamentary Budget Office, and with the economist, Dr. Micheál Collins from the school of social policy in UCD.

The Committee on Budgetary Oversight report acknowledges that estimates of revenue forgone can be different due to different definitions of what is included in tax expenditure. The figures of €10 billion to €15 billion of revenue forgone quoted in the Deputy's question is from the opening statement to the committee by Dr. Micheál Collins. The Parliamentary Budget Office aggregate cost estimate is in the region of €5 billion based on the Department of Finance's classification which is narrower and is aligned with an OECD's definition of tax expenditure.

The work on tax expenditures review is a continuous process. The 2017 tax strategy group paper on the topic noted that significant advances have been made in the analysis of tax expenditures. Therefore, in the Department's 2014 tax expenditure guidelines, a comprehensive analytical process for evaluations and *ex-ante* evaluations of proposed new tax incentives were put in place.

With regards to the eight recommendations made in the report by the committee, these are currently being considered by my Department and by the Revenue Commissioners.

Deputy Joan Burton: The essence of a tax expenditure, tax incentive, a tax break or whatever one wants to call it is that it is provided to incentivise individual taxpayers, companies or others to do certain things, create certain activities and generate economic activity. It is genuinely shocking that there are no sunset clauses. At a minimum, we should try to address and approach this where as companies grow and develop, they contribute their proper share of tax contribution to the Exchequer.

It is important that tax expenditure should be reviewed. The research and development tax credit is a case in point. We know it was intended for a certain type of activity but we have not had sufficient analysis done to find out who and how the country are benefitting from it. I have put forward a Private Members' Bill to create a standing commission which would constantly look at tax breaks.

Deputy Paschal Donohoe: It is worthwhile acknowledging that all tax expenditures that have been commenced since 2014 have been subject to sunset clauses. Since that point in time, we have brought in the requirement the Deputy is referring to. In the last four annual reviews done via the tax strategy groups, we have looked at different elements of tax expenditures. In the 2018 report, for example, we included reviews of the employment and investment initiative, agri-tax, help-to-buy, the film relief and start-up relief for businesses. Each year, as we move through our tax strategy group process, we have looked at various tax expenditures.

As the Deputy may be aware, we are currently in the process of doing that for the research and development tax credit. Each initiative brought forward since 2014 has had a sunset clause. The most recent change made by me in the last budget on the tax credit for the film industry was also sunsetted.

Deputy Joan Burton: That is information that the Minister and his Department did not communicate to the Committee on Budgetary Oversight. The essence of the problem is that these kinds of tax breaks, where merited, can be extremely useful in generating economic activity and employment, especially in regions or parts of the country that need employment. We know many parts of the country are not getting the employment bonus that they should be getting which is evident in the big cities and towns. I am at a loss to understand why the Minister,

17 April 2019

the Department of Finance and indeed the Revenue Commissioners should be so reluctant to provide detailed information so that each year, three years or four years we can make decisions on which have outlived their usefulness and which deserve to be continued and if there are cases for new measures.

An Leas-Cheann Comhairle: I will afford Deputy Pearse Doherty a short supplementary.

Deputy Pearse Doherty: I want to focus on one issue of tax forgoing, which is vulture funds in the State buying up billions of euro of assets in the form of individual mortgages and business loans and putting them in structures which are tax-exempt. The Minister is well aware that the vultures are setting up special purpose vehicles under section 110 which means that they pay no tax on the multi-billion euro assets that they hold in the form of Irish mortgages. It is a scandal that they are being sold in the first place but the fact that they are paying no tax on it is another scandal. The Taoiseach said in response to our questions that he would look at this issue. Will the Minister confirm to the House that this will be blocked and not allowed to continue after the Finance Bill this year?

Deputy Paschal Donohoe: In response to Deputy Burton, I am sure that the information I have shared in the House was shared with the Committee on Budgetary Oversight.

Deputy Joan Burton: It was not.

Deputy Paschal Donohoe: As I have indicated over the last number of years, we have already looked to review tax expenditure. I thought a good example of that was the work that we did with the film industry. While we might have had different views on the outcome of that review, I do not recall anybody criticising the content of the review or the way that it was being done.

In response to Deputy Doherty's question, as the Deputy will no doubt remember from the debate on the Finance Bill, I committed to reviewing these matters in the context of the tax strategy group process and the papers that it will produce before the summer. I explained the issue that we have with timing and that if we do it as part of the tax strategy group, by that point we will have a full set of data on tax returns from that part of our economy. I will deliver against that commitment and that will inform choices that I may or may not make later in the year.

Mortgage Arrears Proposals

46. **Deputy Bernard J. Durkan** asked the Minister for Finance the steps which can be taken to encourage lenders, directly or through the medium of the Central Bank, when dealing with borrowers in arrears to take into account the willingness of the borrowers to make reasonable repayments in line with their circumstances rather than liquidation, particularly in circumstances in which the family home or small business is concerned; and if he will make a statement on the matter. [17798/19]

Deputy Bernard J. Durkan: This question seeks to ascertain the extent to which the Minister, whether directly or through the aegis of the Central Bank, can influence the manner in which borrowers in arrears are treated, especially where the borrowers are making realistic payments.

Deputy Paschal Donohoe: As the Deputy will be aware, within the remit of the Central

Bank's responsibilities for safeguarding stability and protecting consumers, its approach to mortgage arrears resolution is focused on ensuring the fair treatment of borrowers through a strong consumer protection framework and ensuring that lenders have appropriate arrears resolution strategies and operations in place.

There are clear steps outlined for lenders and how they engage with borrowers in the statutory code of conduct on mortgage arrears, CCMA, that forms part of the Central Bank's consumer protection measures. There are clear steps for consumer protection, aimed specifically at the process to be followed by relevant firms, to ensure borrowers in arrears or pre-arrears in respect of a mortgage loan are treated in a timely, transparent and fair manner. Banks, retail credit firms and credit servicing firms are all required to comply with the CCMA. There are regulations for firms lending to small and medium enterprises which regulated lenders have been required to comply with since 1 July 2016 and in the case of credit unions from 1 January 2017.

Deputy Bernard J. Durkan: I further seek to ascertain whether it might be timely to visit again the manner in which all borrowers are being treated. There is a vast difference between those who refuse to make any payment and those who are struggling to make payments but are achieving reasonable results. Some lending institutions are surreptitiously offering the properties for sale under the counter. This is not obviously advertised and it puts the borrowers in a very sensitive position, especially at a time when approximately 30,000 borrowers, homeowners and small businesses are the subject of this conversation. I ask the Minister to ensure that the lenders actually do what they say they are doing.

Deputy Paschal Donohoe: We keep this matter under review all the times. As the Deputy will be aware, every quarter we publish all of the different information on the performance of mortgages and how the issue of non-payment of arrears is dealt with. I regularly meet the banks at CEO and chairperson level and I raise these issues at each of these meetings. The Deputy will know that we are making and have made progress with regard to restructuring agreements and that by the end of the fourth quarter of last year, we saw a further 4,251 new restructuring arrangements put in place, bringing the total number of these structures agreed in 2018 alone up to 22,171 restructures. That shows the degree to which these kinds of arrangements are being used to deal with the issues that the Deputy is referring to. I will continue to look at the framework we have in place to ensure that it gets the balance right between treating our citizens fairly and ensuring that we have a banking sector that can meet the needs of all citizens and our economy.

Deputy Bernard J. Durkan: I appreciate the extent of the role and the position that the Minister must have in this situation. However, I am a little concerned, having dealt with many such cases, that the lenders do not always tell the full and true story. I find that, wrapped up in the statistics, can be a multitude of stories which ultimately boil down to individual families and households losing their small businesses or homes and finding themselves thrust out into the marketplace where there is a very severe shortage of housing. As a result, the question that arises is that, when borrowers are making payments in line with their ability today as opposed to their ability a number of years ago, could a special arrangement be entered into or consideration given to such a special arrangement to facilitate this?

An Leas-Cheann Comhairle: I will facilitate a brief question from Deputy Pearse Doherty.

Deputy Pearse Doherty: The Minister obviously does not know what is happening under his nose. Ulster Bank sold a portfolio of more than 2,000 buy-to-lets to Promontoria Scariff.

17 April 2019

Cabot is administering them. It is appointing a receiver to all of those properties. It is telling them to clear the arrears within 30 days or a fixed asset receiver will be appointed. That means they are taking the asset whether there is negative equity or positive equity. They are not facilitating any arrangements. All of these tenants in these assets will get a notice to quit. This has happened because of the Minister's policy of rolling out the red carpet to the vultures. They can do this because nothing can be legally done to prevent them from doing it. That is happening right now.

An Leas-Cheann Comhairle: Deputy Burton can ask a brief supplementary.

Deputy Joan Burton: Permanent TSB is getting ready, in April and May, to transfer its mortgages to a vehicle that it has sold them to. Like the circumstances that Deputy Durkan is outlining, many families are terrified that they will be forced out of the home on which they are paying three quarters or more of the old mortgage, when it was taken out in 2003 or 2005, at the height of the boom, at very high cost prices. The Minister has to step in to look after these families.

Deputy Paschal Donohoe: I am well aware of what is happening, as Deputy Doherty put it, underneath my nose. I am aware of the number of mortgages that have been successfully restructured. The number of mortgages in arrears is declining but citizens still face challenges if they find they are in arrears and are worried about their future. This is why we have organisations like Abhaile and the Insolvency Service of Ireland, which have been successful in ensuring that the majority of citizens who find themselves in difficulties stay in their homes. Very few Deputies refer to these when we are acknowledging the difficulties that exist and I rarely hear recognition of the progress that has been made, nor of the protections that are in place.

In respect of loan book sales, I do not have a role to influence or direct banks on how they manage their commercial operations but I have a responsibility to make sure protections are in place for citizens who find themselves in difficult situations. The figures I have shared with the House show how those regulations are working

Deputy Pearse Doherty: What about Cabot Ireland and the thousands of people who are going to be evicted?

Pension Provisions

47. **Deputy Aindrias Moynihan** asked the Minister for Finance his plans to deal with the issue of private pension schemes which are not paying cost of living increases in circumstances in which the recipient is entitled to same; if his attention has been drawn to the fact that many policies may be affected like this in the future; and if he will make a statement on the matter. [17823/19]

Deputy Aindrias Moynihan: There is an expectation among pensioners of a bigger pension but because of Revenue rules, a restriction has been put on the 5% escalators in certain policies. How will the Minister ensure people get the pension increase they were expecting?

Deputy Paschal Donohoe: I am advised by Revenue that it is aware that a number of pension providers are not paying out the full yearly increases on a number of policies known as "5% escalators". These are pension policies where the provider has agreed that the amount of

the pension paid out will be increased by a certain percentage on an annual basis. The legislation governing the tax treatment of pensions is contained in Part 30 of, and Schedules 23 to 23C to, the Taxes Consolidation Act 1997. In addition, the Revenue pensions manual gives general guidance on, among other things, how this legislation is to be applied.

Revenue rules in relation to policies such as these escalators allow that guaranteed increases of a pension in payment may be made if within the following limits: a fixed increase of not more than 3% per annum compound; or an increase linked to the consumer price index or another similar agreed index. The rules in question have been in existence for many years and their purpose is to maintain the real value of pension payments. Consequently, these rules allow for the real value of pensions in payment to be maintained over the course of a pensioner's lifetime.

Having made inquiries, Revenue has identified that there are around 1,000 of these 5% escalator policies in total in Ireland and that payments have been restricted in around 160 of these policies. This matter will be raised by Revenue in the course of its meeting with the insurance industry representative body, Insurance Ireland, which is arranged for later this month. Revenue has advised me that it is considering a number of options to address the issue, including changes that may be needed to their pensions manual to ensure policyholders receive the full benefits to which they are entitled. I have been assured that any changes that may be required will cover all policyholders that are or may be affected.

Deputy Aindrias Moynihan: Over many years, the State has encouraged people to make provision for their own pension. People need to have confidence that the system will deliver for them in respect of their pensions but mixed messages have been sent here and restrictions have been put in. I understand from the Minister that there is a move to take action, and that is important, but will that action deal only with existing pensions? Will it pay back what has been restricted? How confident is the Minister on his estimation of "around 1,000" such cases? We know that one in seven is restricted. Are there a total of 1,000 or might there be many others which have not been discovered yet? We also need to know how quickly people will get the increased pension which they were expecting and for which they had paid.

Deputy Paschal Donohoe: I am very confident about the figure as it was given to me by the Revenue Commissioners on foot of the Deputy's question. It affects around 160 policies overall. I cannot predetermine what the outcome will be of the engagement which the Revenue Commissioners will have with Insurance Ireland. Any changes that might be made are a matter for the Revenue Commissioners and this might lead to a change in the Revenue pensions manual. I am aware of the matter, as are the Revenue Commissioners, which is why they are meeting Insurance Ireland later this month. I will update the Deputy as to the outcome of that meeting and whether any relevant next steps emerge.

Deputy Aindrias Moynihan: It is good that those moves are being taken. Is there a timeline for when the changes will be made to the manual? Will the Minister be able to direct that the money will be paid in respect of pensions that have already been restricted and that it will not be just new pensions? People have paid into their pensions but they have been restricted and they should be able to get their money back.

Deputy Paschal Donohoe: I never said any changes would be made because that is a matter for the Revenue Commissioners and it depends on their interpretation of law. If they approach me to say they believe changes are needed in law, or that they require my assistance with something, I will consider it very carefully. The question of whether a pension will be

17 April 2019

paid retrospectively is a matter for the pension companies themselves and I do not have a role in directing them to do or not to do something. It is first and foremost a matter for the Revenue Commissioners and a meeting will take place on this matter with representative bodies in the next couple of weeks.

Question No. 48 replied to with Written Answers.

Insurance Industry

An Leas-Cheann Comhairle: I will facilitate the next question on the basis that there will be no introduction, a short response and one supplementary question.

49. **Deputy Michael McGrath** asked the Minister for Finance the number of persons who had latent defect insurance with a company (details supplied) who have obtained alternative insurance; and if he will make a statement on the matter. [17768/19]

Deputy Michael D’Arcy: The Deputy should note that neither my Department nor the Central Bank has information on the number of persons who had latent defect insurance with the now bankrupt Danish insurer, Alpha, and who have since organised alternative insurance. The private and commercial nature of these arrangements means that such information is not publicly available.

In a recent parliamentary question response to the Deputy, I indicated that my officials would contact BCR Legal Group and the Danish insolvency administrator to seek further information in relation to policyholders in Ireland affected by the liquidation of Alpha. In response, my Department has been informed that BCR Legal Group figures show that there were 1,588 policies sold to developers in respect of properties in Ireland. Of these, 1,147 certificates were issued to developers for passing onto homeowners once the properties were sold.

BCR also informed my Department that it is exploring the possibility of the transfer of UK-issued Alpha policies to a new insurer under the UK financial services compensation scheme, FSCS. It should be noted that the insurance compensation fund, ICF, does not cater for such a situation under the Insurance Act 1964, as amended. However, even more relevant is that even if the ICF did facilitate such a scenario, my understanding is that given the nature of this business, it is likely there would be considerable practical difficulties with another insurer providing this cover retrospectively.

Additional information not given on the floor of the House

The background to this case, as the Deputy is aware, is that the Danish Financial Supervisory Authority, Danish FSA, on 7 March 2018 notified the Central Bank that it had ordered Alpha Insurance A/S, Alpha, to cease writing new business, including renewal of existing contracts and business, with immediate effect. It further advised the Central Bank on 9 May 2018 that the liquidators of the insurance company Alpha had filed a petition for bankruptcy. As Alpha was a Danish-based insurance firm, and therefore subject to prudential supervision by the Danish FSA, the Central Bank had no role in this decision. Alpha was selling non-life insurance policies in Ireland through the broker network on a freedom-of-services basis and it also operated in Denmark, France, Germany, Greece, Italy, Norway, Spain and the United Kingdom. According to the information for Irish policyholders, published on Alpha’s website, <https://alphagroup>.

dk, on 26 June 2018, the insolvency estate commenced the distribution of information notices to all policyholders and claimants of Alpha in bankruptcy in Ireland. The information notice contains information on the termination of insurance policies, the Danish guarantee fund for claimants owed money, information regarding the reporting of claims to the insolvency estate and the procedure for reporting new claims.

The claims handler for Alpha in Ireland and the UK, BCR Legal Group, confirmed to the Central Bank that its representative, CRL, wrote to the developers who had purchased these latent defects policies, on two occasions. The purpose was to advise that Alpha had been placed in bankruptcy, that policies would be cancelled from 11 August 2018, and to request details of the owner of the properties insured under these policies. BCR subsequently wrote to all homeowners affected by the liquidation of Alpha following receipt of their details from the developers to advise that, as Alpha had gone into liquidation, its latent defects policies had been terminated and that they should consider replacing this policy. BCR also provided these homeowners with an information sheet from the liquidators.

Deputy Michael McGrath: This relates to the collapse of Alpha Insurance, a Danish regulated firm, in May 2018. The key concern relates to approximately 1,600 households which had latent defect insurance in place with the company, in policies which lapsed in August 2018 as a result of the collapse of the company. I am seeking to establish what the position is for those people. I understand that they were notified that their policy had lapsed and I do not believe it is possible for individual households to take out a new, similar policy. If the Minister would write to me in respect of the outcome of the contact he had with the company to which he referred, namely, BCR, I would be satisfied with that.

Sitting suspended at 12 noon and resumed at 2 p.m.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Micheál Martin: For many years, parts of rural Ireland, businesses and homes have been without any broadband connectivity. Back in 2012 when the then Minister, Pat Rabbitte, announced the national broadband plan, he was very clear that there would be a minimum of 30 megabits per second for every remaining home and business in the country, no matter how rural or remote. Every year since, Ministers have consistently repeated that. From 2011, 2012, 2016, 2017 and 2018, the language used in different announcements was one of the near future - within weeks and so on. We were told there would be a broadband announcement within weeks last November and that has been repeated subsequently.

Yesterday, the Taoiseach announced in the House that the cost of the investment in the broadband contract to the taxpayer would be €3 billion. Last week the Minister for Communications, Climate Action and Environment said he could not talk about it at all because the matter had not been finalised. We had been told for months that it had not been finalised yet out of the blue yesterday the Taoiseach was in a position to announce formally the cost to the taxpayer would be €3 billion.

From the start, the bidders in this process were led to believe that the maximum taxpayer subvention was €500 million. That has now ballooned to €3 billion. The Taoiseach needs to

17 April 2019

explain how we have gone so dramatically from €500 million to €3 billion in the cost to the taxpayer. Has the Minister for Public Expenditure and Reform analysed this? What is his role and that of the Department in analysing this process? We on this side of the House have not been presented with comprehensive information.

Will the Taoiseach also confirm that at the end of the process, the asset will not be owned by the State, notwithstanding the expenditure of €3 billion?

Will the Taoiseach comment on the capacity of the Granahan McCourt Capital consortium to manage a project of this scale and size? Is the Government satisfied that it has the necessary experience and expertise to deliver a project of this magnitude?

Taking the Taoiseach's comments yesterday as confirmation of the award, is the Government satisfied that the consortium is the same consortium which originally bid? Have the legal issues in relation to the competitive tendering process been sorted out?

The fundamental question relates to the Taoiseach's announcement that the plan would cost taxpayers €3 billion when all along people were led to believe the cost to the taxpayer would be €500 million.

The Taoiseach: I thank the Deputy for raising this important issue again. Back in 2012 when the national broadband plan was announced, only about 20% of homes, businesses and farms in Ireland had access to high-speed broadband. By the time this Fine Gael-Independent Government came to office that was at 50%. It is now up to 75%.

Deputy Charlie McConalogue: That is nothing to do with the Government. The Taoiseach will take credit for the weather next.

The Taoiseach: The national broadband plan as a policy driven by private investment has brought about a situation where the number of----

An Leas-Cheann Comhairle: Please. The Taoiseach to speak without interruption.

The Taoiseach: I will start again.

Deputy Micheál Martin: We do not need to start again.

An Leas-Cheann Comhairle: The Deputies will have an opportunity, or I might give them an opportunity.

The Taoiseach: I would like to start again.

An Leas-Cheann Comhairle: If the Deputies misbehave, I will not. The Taoiseach to speak without interruption.

The Taoiseach: I again thank the Deputy for raising this important issue which is of huge interest to people in rural Ireland and all parts of Ireland. Back in 2012 when the national broadband plan was announced, only about 20% of homes, businesses and farms in Ireland had access to high-speed broadband. By the time this Fine Gael-Independent Government came to office that was at 50%. It is now up around 75%, driven by private investment and Government policy.

Deputy Brendan Howlin: Yes.

The Taoiseach: Many people are opposed to private investment in communications but it has delivered 75% coverage already at no cost to the taxpayer. Now is the point when the Government needs to intervene to ensure that the next 25%, 540,000 homes, farms and businesses across Ireland, over 1 million people, are connected to high-speed broadband.

I am happy to confirm and clarify one or two things that were said in the last couple of days. I can confirm that in 2014 the memorandum brought to Cabinet by the Minister at the time, Pat Rabbitte, estimated that the cost of bringing high-speed broadband to 1,100 villages in Ireland would be up to €512 million. That was never the cost for connecting every home, farm and business in the country. The State subvention was never capped at €500 million. That is not correct either.

In terms of bids, the only bid received is not only from Granahan McCourt. Before others withdrew, they also put in bids and the figures were similar in those bids.

In terms of the ownership model which the Deputy asked about, under the proposed contract terms, the contract is to build the network, to operate the network, to maintain the network and to manage the network for 25 years, at which point ownership stays with the consortium. However, at that point, Government has the option to buy. As this is not a commercial piece of infrastructure, one would expect that to be a relatively inexpensive proposition. At any point, if the contractor fails to deliver, the Government can step in and take over. Those have been the terms of the proposition since very early on.

Obviously, some more work needs to be done. This matter is being analysed by Government, by my own Department, by the Department of Public Expenditure and Reform and, of course, by the Department of Communications, Energy and Climate Action, which is the lead Department on this issue.

The next step will be for the Government to make a decision on whether to accept the bid and designate a preferred bidder. That has not yet been done. I anticipate that can be done in the next couple of weeks. It will then take a number of months for contracts to be drawn up and signed. After that, the work will commence in terms of roll-out on the ground.

Deputy Micheál Martin: One gets the sense the Taoiseach is managing this from a public opinion perspective and from a political perspective.

By the way, two of the original bidders did not actually bid in the end; they gave outline indication. It was asserted all along it would be €500 million. Industry sources are saying the cost to build out the network is approximately €1.5 billion. The Government is proposing that the consortium concerned will get €3 billion of taxpayers' money to build and to manage, and to own the entire network at the very end, making profits along the way. I have no difficulty with people making profits, but for the taxpayer to spend €3 billion and not own, or having any prospect of owning at the end, is something that needs to be fully explained. I find it difficult to comprehend.

The drip-feeding of information around this is not satisfactory. Given that the Taoiseach has now announced the crucial element of this which is the pricing, he has an obligation to place the full proposition in the public domain.

I got the sense, because of the PwC report on the children's hospital, that there may have been an attempt to create distance between that last week and the announcement on broadband.

17 April 2019

I do not know why all of the secrecy is still there. The Minister for Communications, Energy and Climate Action, Deputy Bruton, stated he could not comment last week on this when parliamentary questions were tabled, yet the Taoiseach had no difficulty in announcing the price of €3 billion yesterday.

There is an onus and an obligation on the Taoiseach to give the full cost. What is the overall cost of the project estimated to be? The subvention from the State will be €3 billion. Are there any additional costs, over and above that, to the bidder?

The Taoiseach: Not to my knowledge, but the decision has yet to be made by Cabinet. The decision that will be made by Cabinet in the next couple of weeks is whether to accept the bid and to designate this bidder as the preferred bidder, at which point contracts will have to be drawn up and signed, and that will take a few more months after that.

The contract is not only to build this network; the contract is to build the network, to operate it, to manage it, to maintain it, and also to rent the infrastructure from Eir, which will be necessary to rent for the reasons that people will understand. The cost of building it is only a proportion of the entire cost of a network that has to be built, managed and maintained and, of course, infrastructure rented from the incumbent.

Deputy Micheál Martin: We are taking all the risk.

The Taoiseach: In terms of investment in infrastructure, we should bear the following in mind: in the past 20 years in Ireland, we have invested €40 billion in our roads connecting our cities by motorways, bypasses, local, regional and national roads all over the country; in the past 20 years in Ireland, we have invested €10 billion in our sewerage and water network - perhaps we should have done more; and in the past 20 years, Government has invested very little in our communications infrastructure. That has all been done by the private sector. We need to see this kind of investment in that context.

This is not a small project. This is a huge project serving more than 500,000 homes, farms and businesses all over the country. Over 1 million people will potentially benefit - people who will be able to access education, healthcare and public services online and do the kind of things into the future that everyone should be able to do.

Deputy Mary Lou McDonald: With every day that passes, the process surrounding the national broadband plan becomes ever more reminiscent of the debacle that now surrounds the cost of the national children's hospital. When I pressed the Taoiseach on this here yesterday, he admitted and confirmed for the first time that the cost of the broadband plan could reach €3 billion, despite the original cost estimate being in the region of €500 million. Despite the Taoiseach's attempt to skate around this yesterday by arguing that the plan had changed, the fact is that in 2012 the commitment made by the then Minister, Mr. Pat Rabbitte, as part of the Fine Gael-Labour coalition was to ensure the roll-out of high-speed broadband to every home and business throughout the State. That was the commitment - plain and simple.

We can argue the toss around semantics. The fact is that the aim of the national broadband plan has not changed, but what has changed, incredibly, is its cost. According to the Taoiseach yesterday, it will now cost six times what was expected. The overspend could run into billions of euro. To top it all, the Taoiseach advises that the infrastructure will be in the ownership of the consortium but that the State could, 25 years on, spend more public money to buy that infrastructure back. One could not make this up. It is utterly ludicrous.

The unfortunate reality of all of this mess is that, as the Taoiseach said, more than 500,000 homes, businesses and farms right across rural areas are left still without broadband, despite repeated assurances and repeated announcements. It beggars belief that this is still an issue. We have no date still for a decision to be taken. We have no date for commencement. The commitment to deliver high-speed broadband by 2020 will undoubtedly be broken. That is the reality. This process has been utterly chaotic.

The Taoiseach stated last October, in the aftermath of the resignation of the then Minister, Deputy Denis Naughten, that he would make this national broadband plan a “personal crusade”. He also said, “I promised I will make it happen”. He told the Dáil in November that he received two reports on this matter from the Department at least every fortnight. When exactly will the rest of us get a proper report? When will we get clarity? We were supposed to have an announcement before Easter. That is now not going to happen, despite the Taoiseach’s assurances that it would.

We do not now know whether this plan is going ahead or not. The 500,000 homes, businesses and farms, it seems, are to be left in the lurch for a considerable period. The Taoiseach has no notion of any cost or budget for this plan. Above all, people in rural areas are left with no clarity as to what is happening. We can all agree that is utterly unacceptable. When will we have an announcement? When will we have the real figures? When will we have access to that? Above all, when will people in rural areas know that there will, in fact, be a national broadband plan roll-out?

The Taoiseach: First, I said it was my objective to have this decision made by Easter.

Deputy Dara Calleary: By Christmas.

The Taoiseach: I did not give an assurance that it would be made by Easter.

A Deputy: It was weeks, last November.

Deputy Dara Calleary: The Taoiseach said Christmas.

An Leas-Cheann Comhairle: Please, Deputies.

The Taoiseach: At the time, I stated bluntly and explicitly that one of the reasons we were not in a position to make a decision is because we did not know whether there would be a crash-out Brexit last week and the Government could not make major financial decisions with the risk of that hanging over us in the past couple of weeks.

Deputy Micheál Martin: That is not true.

The Taoiseach: It is exactly what I said at the time.

Deputy Timmy Dooley: Repeating an untruth does not make it the case.

An Leas-Cheann Comhairle: The Deputies got their opportunity.

The Taoiseach: Second, Deputy McDonald did not hear the answer that I gave Deputy Micheál Martin and I will give it again. I have looked at the memorandums. I have confirmed that the memorandum that was brought to Cabinet by the then Minister, Mr. Rabbitte, in 2014 gave an estimate of this project costing up to €512 million, specifically. That was for extending high-speed broadband to 1,100 villages in Ireland-----

17 April 2019

Deputy Brendan Howlin: There was a subsequent memorandum by the former Minister, Mr. Alex White, mapping out all the intervention area.

The Taoiseach: -----not from there onwards-----

An Leas-Cheann Comhairle: The Deputies will all have an opportunity.

The Taoiseach: -----to every home and business in Ireland.

Deputy Micheál Martin: It is important for the record that there was a subsequent memorandum.

The Taoiseach: It is not the case that there was ever a €500 million cap on the subsidy and it is not the case that there was only one indicative bid put in. I want to put those facts out on the table-----

Deputy Timmy Dooley: We will bring the bidders to the committee and we will establish those facts.

The Taoiseach: -----because we constantly heard otherwise. We should not forget what is involved. This programme is about extending high-speed broadband to over 500,000 homes, farms and businesses. It is a major project, possibly the biggest investment ever made in rural Ireland and possibly as important as rural electrification. It is not going to be done cheaply and quickly. As already stated, we need to bear in mind that €40 billion and €10 billion, respectively, were invested in roads and water in the past 20 years. Building infrastructure like this and connecting homes, farms and businesses all over the country will be expensive.

Deputy Timmy Dooley: It will be expensive doing it the way the Government is doing it.

The Taoiseach: The Government has not yet made a decision to accept a bid or to appoint a preferred bidder. If and when it comes to the point of being able to do that, there will be several months-----

Deputy Micheál Martin: The Taoiseach is drip-feeding information.

The Taoiseach: -----while contracts are drawn up and, during that period, I have no doubt that the committee and Parliament will want to scrutinise the matter in detail.

Deputy Timmy Dooley: That will be after the event.

Deputy Mary Lou McDonald: It is a small mercy that we were not reliant on the Taoiseach and his Government for rural electrification because there would still be debate about Ardnacru-sha power plant. We would still be in the dark, lighting candles and hoping for the best.

The Government used the wrong procurement process. The process was supposed to generate a dynamic of competitiveness and yet there is a sole bidder left. By definition, that leaves the Government vulnerable in terms of cost. The Cabinet and Government sources consistently briefed that the cost of this scheme would be €500 million. The Taoiseach quoted a memo brought to Cabinet in 2014 but I am advised by Deputy Howlin that a subsequent memo was brought by the then Minister of State and former Deputy, Alex White. The Taoiseach is being selective in his quotation of memos.

We are now left in a situation that is utterly farcical. The Taoiseach states that he is not sure

whether he is going to accept this bid from the sole bidder, the cost of which will be six times that of the original estimate. The Taoiseach still protests, with a straight face, that he is the Taoiseach and that this is the Government that will deliver broadband to rural Ireland. Quite frankly, nobody believes that at this stage and I suspect he does not believe it either.

I ask for more clarity in the Taoiseach's answers. Can he give us a precise date on which the Cabinet will make its decision? Can he give us access to these memos and all of the information and data that he possesses?

The Taoiseach: I cannot give the Deputy a precise date, nor have I ever. Due diligence has to be undergone, Cabinet Ministers have to be briefed, the Cabinet has to meet, a decision has to be made and a preferred bidder has to be appointed, or not.

Deputy McDonald questioned my beliefs. I am of the view that Sinn Féin would probably have opposed rural electrification if it had been around during that period. Sinn Féin representatives would have stated that it would cost too much, that it was not necessary and that people in rural Ireland did not need electricity. That would have been the Sinn Féin view. We have seen Sinn Féin's approach to infrastructure in Northern Ireland, the renewable heating scandal and everything it has done there. We have seen how, in this State, infrastructure has come on in leaps and bounds and overtaken infrastructure in Northern Ireland. I have no doubt that Sinn Féin would have opposed rural electrification and it is very likely that Sinn Féin will oppose rural broadband as well.

(Interruptions).

The Taoiseach: Will Sinn Féin put forward an alternative? It has tried to by proposing that the ESB do it and the ESB pulled out. Sinn Féin proposed that a public company be designated to do it. That is contrary to European state aid law, under which tendering is required. I have no doubt that Sinn Féin is opposed to rural broadband and that it would try to stop the project if it got into government.

Deputy Mary Lou McDonald: That is just daft.

Deputy Micheál Martin: No one is opposed to it, it is about how it is done.

Deputy Brendan Howlin: The nationalist far right surged in the recent general election in Finland. The tactic of those involved was to promote a whole new level of misinformation and outright lies about climate change and the necessary policies to tackle it. Greenpeace and others have dubbed it Finland's climate election. There has been similar climate scepticism as part of US President Donald Trump's call for the US to abandon the Paris Agreement. Thankfully, we heard a different and more progressive American view expressed by the Speaker of the House of Representatives, Ms Nancy Pelosi, in this Chamber earlier.

The strong scientific consensus is that we have 11 years to make serious changes to our economies in order to stave off the worst impact of global climate change. Reducing and phasing out our carbon emissions over the next 30 years will allow us to sustain most of our way of life while limiting, although not undoing, the further harm that our economies will cause the planet. This is not a solution to climate change but it is the least worst course of action that we must now take. Those worst affected by climate change will be the people living in countries which are particularly exposed to droughts and floods. Equally, those with least wealth here in Ireland are at the greatest risk of any failure to meet the challenges head on. That is where the

populists have lied in the faces of those they pretend to represent. They have stoked hysteria about food prices and demand to retain petrol-burning cars. They claim that climate change is exaggerated so that elites can impose further austerity on ordinary people.

Making changes to our economy will be difficult. That is why the Labour Party and the trade union movement have argued for a just transition model, to use the opportunity to eliminate energy policy and to ensure that the State actively supports the creation of good jobs to replace those that will be displaced. On foot of events in recent weeks, it is clear that some populists here intend to campaign against climate policy as a tactic to scare voters without any consideration of the dire consequences that this might have on reducing our capacity to mitigate the harm of climate change. They are warning people of the high cost of climate action policies while claiming that climate action can be somehow achieved free of charge. They are warning people of the loss of jobs and income that will follow from failing to control climate change.

The membership of this House should rally together in respect of the following question. Will the Government confirm that it is committed to the just transition approach which has been outlined by the trade union movement and supported by my party and which will mean setting up robust funds to assist people with home insulation, to mitigate the increased fuel costs and to support job replacement in industries that will be displaced as we make the necessary adjustments? When will we see the Government's climate action plan?

The Taoiseach: I confirm that the Government supports a just transition on climate change. I am not sure it is exactly the model that Deputy Howlin supports but the Government absolutely supports the principles of just transition. We anticipate that the Minister for Communications, Climate Action and Environment, Deputy Bruton, will bring forward the all-of-Government climate action plan in May. I agree with Deputy Howlin's broad assessment regarding the politics of climate change and I have previously commented on that in this House.

I do not think it is quite the case that the populist, far-right Finns Party surged. It got a similar share of the vote as it got in the elections five years ago. In many ways, the election was a draw because the Social Democrats won 40 seats, the mainstream, centre-right party - Fine Gael's sister party - won 38 seat and the Finns Party won 39.

The politics of climate action are difficult as we saw in France, where climate action kicked off the yellow vest protests. A Government lost office in Australia because it was taking climate action. There have been difficulties in Canada where the Government has taken climate action. As is often the case, everyone agrees about the need to take climate action but the fact that it requires changes in lifestyle, can increase costs and have impacts on people can make it difficult. It is used by populist parties to make themselves more popular, to create fantasies about elites and all those matters to which Deputy Howlin referred. In most of the world, that is the populism of the right; in Ireland, it is the populism of the left - not the Labour Party, but Sinn Féin, Solidarity-People Before Profit and others, the parties that could not sign up to the cross-party climate action plan because it might cost them votes or they might lose out on the opportunity to exploit an issue for the sake of populism.

Deputy Mary Lou McDonald: No.

Deputy Seán Crowe: The Taoiseach should read the reports.

The Taoiseach: We do not have a far right in Ireland. We have a far left but the far right and the far left are like a horse shoe: when one goes so far in one direction, one pretty much

ends up in the same place.

One of the recommendations of the cross-party committee on climate action was that we adopt a just transition model and have just transition task forces. There are ways in which we can realise them. In the midlands, as Bord na Móna restructures and moves away from peat to become an energy and a waste company, it is about making sure people not only get decent severance packages and pensions but also get the opportunity to retrain and take up new employment in other areas. As the Deputy says, it can involve helping people to make the change and we do that already by providing subsidies for electric vehicles and the Better Energy Warmer Homes scheme.

However, we must also be honest with people. The cost of renovating and insulating every home in Ireland is €50 billion. No Government of any hue could find that kind of money so people will have to bear most of the cost of insulating their homes themselves. The Government is not in a position to buy everyone an electric vehicle so people will have to bear the cost of changing their vehicles. That is where Government models come in. It can introduce a carbon charge or tax to make things that damage the environment more expensive but on the flip side, it can use subsidies, the fuel allowance and the welfare system to compensate for that to make sure it is just.

Deputy Brendan Howlin: Our view is that everything gathered from carbon taxes should be used to assist those who will be impacted by it - not by giving everybody a cheque in the post but by ensuring that the most vulnerable are completely protected. We can do that by ensuring their houses are insulated and they have alternative fuels but that is for another day.

On Monday, the International Energy Agency urged the Irish Government to publish more transparent emissions targets. The agency is right to point out the lack of definition regarding our climate action commitments. The climate action committee called on the Government to introduce annual carbon budgets, to cap the annual level of carbon emissions in each sector of the economy and to reduce these caps year on year. Will the Government confirm now that it will introduce transparent carbon budgets for the economy beginning with this year's budget?

The Taoiseach: I cannot confirm that but it is something we are considering as part of the whole-of-Government climate action plan. I appreciate where the Deputy is coming from in saying that all the revenues from carbon tax should be ring-fenced to assist the most vulnerable whether it is through the fuel allowance or helping them insulate their homes and so on. I understand where he is coming from. There is a difficulty with that model and this is something that arises so much in policy making. When all the money goes to the most vulnerable, the people who lose out the most are the ones who are just above that threshold. We see it all the time in public policy - people who earn just a bit more than the threshold for a medical card or social housing. That is the difficulty with a model----

Deputy Brendan Howlin: The notion of giving everybody the same is not right.

The Taoiseach: True, but ring-fencing all of it for the vulnerable and forgetting about the people just above the threshold, the middle class and low-income families is not just either. That is why we do not agree with Deputy Howlin's assessment.

Deputy Maureen O'Sullivan: I wish to raise the implications of the Minister for Housing, Planning and Local Government's decision to increase building heights in Dublin. This decision was made without any regard to the setting, the impact on land values or any sense of home

17 April 2019

or quality of life. What it has done is open a space for developers whose Celtic tiger excesses and irresponsibility had drastic consequences in many areas, including housing. The permission was given because this door was opened to an application for a 22-storey tower on Tara Street from Tanat Limited, which is controlled by property developer Johnny Ronan. This application had already been rejected by Dublin City Council planners because its scale and bulk would be significantly detrimental to the architecture and conservation of the area from Trinity College along the Liffey to the Customs House and into O'Connell Street.

Under freedom of information, I received copies of letters between developers and Ministers for Housing, Planning and Local Government. Apart from the praise and considerable redactions, one quote stood out. This stated that height limits are compromising Dublin's ability to respond to the housing crisis. I would ask what this 22-storey tower will do for housing. The answer is nothing. I want to turn to the docklands. Quotes relating to the docklands stated that restrictions are preventing delivery of appropriate residential densities in Dublin docklands and constitute a significant impediment to increasing housing supply there.

To date, the current height had been adhered to because of the SDZ, which is a legally binding contract between the local authority, the developer and the community. Developers are now lobbying and pressurising Dublin City Council to review the SDZ but only on height, which is the door the Minister has opened. If there is a review, the other aspects of an SDZ should be part of the review. They include aspects like plot ratio, sustainable living, social audit, benefit to community, quality of life, social mix and infrastructure. The review of the height is supposedly for housing but in reality, it is for high-rise offices, commercial space, hotels, aparthotels and some student accommodation with the housing all being buy-to-lets that will not be on sale on the open market. There is zero scope for public servants and people on average wages to afford to live in the area never mind the local community. There is such hypocrisy, that is, that this is supposed to be for housing. During the previous building boom in the docklands, 36 social homes were built. There will be no social homes with these plans. The social element is gone. It has gone to Rialto and along the M50.

Well-established communities in the docklands area of North Wall are being ignored and treated with contempt. They are overshadowed and are now facing a 22-storey office block that is practically in their back gardens. What is happening involves giving away control of an important part of the city - North Lotts and South Lotts - to developers. Do we never learn? We will be left with uninspiring glass cages and no communities, houses or homes. Where is a real, creative and sustainable vision for Dublin with people at its core, not profiteering egotistical developers with abysmal track records when it comes to quality of life for communities and ordinary people?

The Taoiseach: I thank the Deputy for raising this issue. I would prefer not to comment on an individual planning application, building or SDZ without having studied it. I am not informed enough to comment specifically on it but I am advised that Dublin City Council is reviewing the SDZ for that area. I would expect the council to take all issues into account, including the impact on existing residents, their residential amenity and all of the factors that should be taken into account in planning.

On a general note, I support the policy of us going higher in our cities, not just in Dublin but also in the Tivoli docklands in the centre of Cork and the city centres of Limerick and Galway. Rather than growing out and continuing to sprawl, our cities should grow up. That is not just for housing. It also applies to office buildings, public buildings and every type of building we

build. If we have more dense development, which involves some high rise in our city centres, it is right in terms of climate action and our response to climate change. It means less commuting and people spending less time in their cars and more time with their families. It means that we can run public services and public transport much more efficiently. The Deputy and I, and, I am sure, most people in this House, travel all over the world and see beautiful cities all over the world that have high density be they Chicago, San Diego or Barcelona. People there have a good quality of life, good services and good public transport and live in much higher densities. I do not think that is a bad model. I think it is a good model but we must take everything into account. Whether a planning application is for a two, six or 25-storey building, planners must take all factors into account such as the architectural merit of the building, its impact on other people and whether it is a near zero-emissions building. In principle, we are right to go higher in our cities but one does not just go ahead and do it without taking all those other factors into account.

Deputy Maureen O’Sullivan: I think there is a space for high rise but Dublin is not New York or Chicago. Dublin has a particular historic and cultural aspect to it. Let us not be hypocritical about this. Height increases have nothing to do with housing. Regardless of whether or not they are appropriate for family living, they have nothing to do with housing. It is time we move away from terms like “social and affordable” and begin to use the term “public housing”. I do not know whether the Taoiseach got to CHQ to see the exhibition on the Vienna model. What we had there was a creative and innovative use of space and current buildings. It is being presented as a way forward and I think we should look at it. The docklands could be the lead on that. Otherwise we are consigning the docklands to offices, business space and high rise all over the place. The communities there have suffered enough already. I do not know whether the Taoiseach saw the video footage released by the IFI last night. It showed the demolition of Sheriff Street in the 1980s, with people hoping something better was going to come. I refer to another scheme in the Ballsbridge area. There is a block of, I think, 80 apartments there. They are all being bought up, and for what? To put up 300 buy-to-lets in the area. We are creating a market for a certain kind of people. What we are seeing is increasing land values and then the flipping of sites. We are going against what was agreed in the strategic development zones, SDZs, and I hope what the Taoiseach says, that everything will be reviewed, will come to pass.

The Taoiseach: We need all types of development in Ireland, including in our cities: housing, office buildings, hotels and student accommodation. We will have a population of 6 million by 2040. It is therefore not a case of either-or; we will need all sorts of development in our cities. While the block to which the Deputy refers has no housing in it, An Bord Pleanála just the other day approved planning permission for 3,500 homes in Poolbeg, consisting of a mixture of private, affordable and social housing at high densities. She is right about Tara Street, but not far from Tara Street is Poolbeg, where 3,500 residential units have been approved.

I have not been over to CHQ recently but I have been to Vienna many times. The model of public housing used in Vienna has merit. It is one of the reasons we are doing cost-rental housing on Emmet Road and in Dún Laoghaire-Rathdown, for example. What I find ironic, however, is that many of the people who laud the Vienna model are opposed to aspects of it here in Ireland. The Vienna model involves a relatively high local property tax being used to help subsidise housing, something very much opposed by the left in Ireland. The model does not involve direct build by local authorities; housing is provided through public private partnerships and affordable housing bodies, which the left in Ireland viciously opposes. The model also involves relatively low levels of home ownership. Most people in Vienna do not own their

own homes; they are tenants. The model is buy-to-let.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

An Leas-Cheann Comhairle: The Ceann Comhairle has left three names to be carried over from yesterday: Deputies Durkan, McConalogue and Eugene Murphy. I will take the leaders first, however. I think we will get them all in, providing they abide by the time limits.

Deputy Dara Calleary: I note news of the new coalition between Fine Gael and Deputy McDonald's party in Seanad Éireann. They are introducing a guillotine on the Judicial Appointments Commission Bill. I wish the new coalition well. May it have happiness and prosperity.

Deputy Mattie McGrath: Fianna Fáil is getting jealous.

(Interruptions).

An Leas-Cheann Comhairle: Deputies should not be inviting interruptions.

Deputy Dara Calleary: In the context of promised legislation, is it the Government's intention to reintroduce the guillotine, or will it get permission from Deputy McDonald to do so, in this House for future legislation?

The Taoiseach: I have never been a fan of guillotines. In my six years as a Minister in three Government Departments I never used the guillotine once. There does come a point, however, at which a filibuster is under way and a minority in either this House or the Seanad are preventing a democratic decision from being made. I do not know how many hours of debate that Bill had. I think it was 70 or 80 hours.

Deputy Mattie McGrath: One hundred hours.

The Taoiseach: Any Deputy or Senator who cannot make his or her argument in 70 or 80 hours-----

Deputy Dara Calleary: It is a new coalition.

The Taoiseach: -----would probably have difficulty getting elected to this House anyway, whatever about the other one. There comes a time when the use of a guillotine or limiting debate is merited, and that is when debate has gone on for four, five or six days and people are just repeating themselves or deliberately using filibustering tactics to prevent the majority from having its view. However, as the Government does not have a majority in either the Dáil or the Seanad, we cannot decide to use a guillotine. We will be able to curtail debate only if the majority of the House wants that to be done.

An Leas-Cheann Comhairle: It is not a matter for the Taoiseach to decide on a guillotine. I have been here for many years when a guillotine has been used. It is a matter for the House on the Order of Business to decide to use a guillotine. It is a matter of custom and practice.

Deputy Mary Lou McDonald: Deputy Calleary sounded decidedly clingy in his contribution. The Taoiseach may wish to reassure him after this sitting that all is well with Fine Gael

and its partners in Fianna Fáil.

The Minister for Children and Youth Affairs is preparing legislation to provide lawfully for the phased forensic excavation of the Tuam mother and baby home. The commission's report into the burial arrangements of mother and baby homes makes completing this legislation all the more urgent. The report finds that the burial chambers in Tuam were not a recognised burial ground and did not provide for the dignified internment of human remains, and the House should note the importance of this statement. I am sure all our thoughts today are with the families whose loved ones remain interred in Tuam. Requests for voluntary DNA samples must be advanced and time must be set aside for the Minister to come before the House to discuss this report and set out a timeframe for the excavation in Tuam. Will the Minister therefore come before the House to make a statement and take questions on this matter immediately after the recess?

The Taoiseach: I am sure the Minister, Deputy Zappone, would be happy to do that. I will speak to her later as to whether she can do so when the Dáil resumes. The fifth interim report of the commission was discussed at Cabinet yesterday and published today. It makes gruesome reading, even if many of the facts were known to us already, and gives us a further insight into a very dark part of our history, a time when women and their babies were appallingly treated, often simply because the mothers were not married or because they were poor. They were badly treated by the State, the church, their own families and wider society. This happened at a time when infant mortality was very high and there were few vaccines, no antibiotics, very poor public health and sanitation and huge numbers of people living at close quarters in congregated settings. However, none of this excuses the indignity of the way in which these babies were treated in death and as a society we inherit a deep shame for what was done back then and we must now endeavour to learn, to atone and to put things right. This is the guiding approach of the Government and the Minister, Deputy Zappone. As I said, I am sure she will be happy to make a statement and to answer questions when the Dáil resumes.

Deputy Brendan Howlin: People are once again queuing overnight to be in a position to buy a home. Last year we saw a large group waiting outside a development at Hansfield, in Dublin 15. This was a common feature during the Celtic Tiger era and was often seen as a tactic to drive a frenzy and allow for further price rises, even in the middle of a sale of a group of houses. Last Friday night and into Saturday morning in Ballincollig, in Cork city, 14 prospective buyers slept in their cars overnight in an effort to buy affordable homes. By the morning, this number had swollen to 100 people queuing to put down a deposit. Our local Labour Party candidate, Ciara Kennedy, very aptly described this as *The Hunger Games* for housing, so desperate are people there to secure homes. Surely there is a better way of doing this. What can we do to stop such a frenzy and stop seeing people's homes - or their visions, their dreams of homes - evaporate? Are there plans to ask the Property Services Regulatory Authority to draw up a code of conduct for estate agents and developers to nip this trend in the bud if it is going to be a feature into the future, as it was in the past? A simple online queuing or ticketing system should be put in place and, as a last resort, perhaps we need to amend the Property Services (Regulation) Act.

The Taoiseach: The Deputy is absolutely right about this. This is unusual practice but does happen. It is not the norm but is very much a tactic, a marketing device, used to create attention for a particular development. It happened in times of copious supply; it is happening at a time of limited supply. It is often the case that there are more bidders for a house than can buy the house, even a single house, but one does not ask people to queue up outside. That is not a good

17 April 2019

way to treat people. I am not sure if we can do anything under the regulations but I am aware of the issue, as is the Minister, Deputy Eoghan Murphy. We will examine any proposals around consumer protections that might be able to stop this practice from happening again.

An Leas-Cheann Comhairle: I now move to Deputy Connolly, on behalf of Independents 4 Change.

Deputy Paul Murphy rose.

An Leas-Cheann Comhairle: Let me make this very clear. There are those who think they should be allowed to speak in advance of others. Fianna Fáil, Sinn Féin, Labour, Independents 4 Change and Solidarity are all parties. After them, we have the Rural Independent Group, which is a technical group of seven Deputies, one more than Solidarity-People Before Profit.

Deputy Paul Murphy: Independents 4 Change is not a party.

An Leas-Cheann Comhairle: If the Deputy can wait another few minutes and if he is not in a rush, he will be given an opportunity. I just want to-----

Deputy Paul Murphy: That is fine.

Deputy Catherine Connolly: To be helpful, Solidarity has always been before us.

An Leas-Cheann Comhairle: I am in the Chair and that is what I have.

Deputy Catherine Connolly: I am just being helpful.

An Leas-Cheann Comhairle: That is fine. The Social Democrats have the final spot. I am just clarifying the situation.

Deputy Catherine Connolly: Following on from Deputy McDonald's comments on the mother and baby homes report, I also request a full debate and not just questions and answers. The Taoiseach has spoken about this as if it in the past. It is not in the past. I spent two hours reading the report and I will go back and read it in detail. The report states: "The Commission is surprised by the lack of knowledge about the burials on the part of Galway County Council and the Sisters of Bon Secours." That was published just today. The affidavit sworn in respect of Castlepollard, Sean Ross and Bessborough by the congregation "was, in many respects, speculative, inaccurate and misleading."

I could give many quotations but I will not in the interest of brevity. I will just state again this is not in the past. It is the present where the commission has to use discovery orders and is surprised at the lack of knowledge and the failure to hand over documents. I ask the Taoiseach to please stop talking about this matter as if it is in the past. Let us get this issue into the Dáil and have an open and frank debate. That debate should not just be on the bodies hidden in sewage in chambers under the ground but on knowledge that has been hidden as well.

The Taoiseach: I meant to say that these were events that happened in the past. All of these institutions are closed and have been closed for quite some time now. It is still, of course, a real issue, a live issue and a lived experience for those who were in those institutions. I join the Minister for Children and Youth Affairs, Deputy Zappone, in calling on anyone who has information that would be of use to the commission of inquiry to come forward with that. The fifth interim report published today is not the final say on this issue. The work of the commission is

ongoing and it expects to produce a final report next spring. We must allow the commission to do its work without political interference. Those who have information, however, should bring it forward and allow the commission to analyse it.

An Leas-Cheann Comhairle: We now go to the Solidarity party. Being the humble person that I am, I have to apologise because Solidarity is ahead of Independents 4 Change in the ranking order, for some reason.

Deputy Paul Murphy: That is fine and I thank the Leas-Cheann Comhairle. A Programme for a Partnership Government refers to the introduction of universal healthcare. How does that tally with the news that the VHI will provide access to new cancer drugs that will not be available for public patients? Does the Taoiseach agree that the very notion of two-tier cancer treatment is horrific? Does he also agree that it means embedding a deep inequality within our health service and that it brings us closer to the horrific model of private healthcare in the United States? In reality, this will mean that those able to afford access to VHI will be able to get different treatment and, ultimately, potentially a better chance of surviving cancer than those relying on public health services. It will result in a further undermining of our public health system and an extension and deepening of the two-tier nature of that system. It will take us away from what we stand for which is the idea of a properly funded one-tier national health service.

The Taoiseach: The Government's commitment to universal healthcare is a very real one. It is evidenced by the fact that prescription charges for people with medical cards are going down and by the fact that prescription charges for those who do not have medical cards are also going down through the reduction in the drugs payment scheme, DPS, monthly cap. It is also evidenced by the fact that we are extending general practitioner, GP, care without fees to more and more people. It will first be extended to those aged under six and over 70, then to those in receipt of carer's allowance and carer's benefit and then to children with severe disability or cancer. This month there has been an increase of 10% in the income limits for free GP care and that will mean that more low-income working families can qualify next year, including children aged seven and eight. That is what is happening from the Government's side to deliver on universal healthcare. It is happening in a slow way but in a way that meets and matches capacity. The decision made by the VHI is a decision made by one insurer and I do not believe the others are following suit. That decision is also in respect of private patients in private hospitals and not public hospitals. I understand that under a Solidarity system private medicine would be banned and private hospitals would be closed down.

Deputy Paul Murphy: There would be no need for them if a proper healthcare system was put in place.

The Taoiseach: That is not something we are proposing to do. As far as public hospitals are concerned, however, all patients will continue to receive the same medicines whether they have health insurance or not and no matter who they are insured by. The best system would be a single system of approvals, with the European Medicines Agency, EMA, deciding on a European-wide basis which medicines are approved for use and setting a fair price as to reimbursement.

Deputy Mattie McGrath: I am sure that the Taoiseach is aware that the UK Secretary of State for Environment, Food and Rural Affairs, Mr. Michael Gove-----

An Leas-Cheann Comhairle: Is this a question on promised legislation?

Deputy Mattie McGrath: It is, of course. It is on very important legislation about our fu-

17 April 2019

ture after Brexit. Secretary of State Gove has expressed the view that tariffs should be imposed on Irish exports, especially beef, lamb and dairy products. This is very concerning. I hope the Taoiseach, the Tánaiste and his Minister for Agriculture, Food and Marine are aware of this in the first instance. This a vital issue and a very worrying one for the thousands of families involved in agriculture whether at the farm gate or in the associated spin-off and export industries. Will the Taoiseach make a statement on this matter and will he challenge Mr. Gove? We are told that we will be waiting for Hallowe'en for an outcome on Brexit but this statement has been made.

An Leas-Cheann Comhairle: The Taoiseach can answer if he feels this is an appropriate matter for questions on promised legislation.

The Taoiseach: I do not think that it is but that is a decision for the Chair.

An Leas-Cheann Comhairle: I will decide on it and it is not appropriate for questions on promised legislation.

Deputy Mattie McGrath: Other questions have included the Tuam babies and everything else and nothing was asked about those.

An Leas-Cheann Comhairle: I think Deputy Mattie McGrath is a good example to lead on.

Deputy Mattie McGrath: This is very important issue.

An Leas-Cheann Comhairle: The Taoiseach wants to take the question.

The Taoiseach: I believe in the European Union and in free trade and not in tariffs, quotas or rules of origin. That is why I am not in favour of Brexit. I am in favour of the European Union because that is one of the things it is all about.

An Leas-Cheann Comhairle: Deputies Durkan, McConalogue, Eugene Murphy and Buckley are left over from yesterday. I call Deputy McConalogue, who is present.

Deputy Charlie McConalogue: I address this question to the Minister of State, Deputy Damien English. It is in respect of the lack of progress with a mica redress scheme. Approximately 5,000 homeowners have been affected by this issue of mica in concrete blocks in Donegal and Mayo. Those people are at their wits' end waiting on this scheme that the Government committed to introducing as part of the budget before Christmas. The Minister of State indicated last week that he hoped it might go before the Cabinet yesterday. I do not believe that happened. Will he outline, once and for all, the situation regarding this scheme and give a commitment on when it will come into effect? Will he also make it clear that this scheme will be 100% funded as happened with the pyrite redress scheme on the east coast? Homeowners cannot wait any longer and it is totally unfair that they are living in this situation.

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): We naturally want this scheme to be fully confirmed at Cabinet but the most important aspect was Cabinet agreement for the scheme to happen. That happened last September or October. All the groups involved know that it will take some time to put this scheme together. We moved quite fast on this in the past year and a half based on the expert report because we understand people need help fixing their homes. The Government is prepared to do that. It was hoped the scheme would go before the Cabinet this week but I understand it

is on the agenda for the next meeting of the Cabinet and will be dealt with there. I am not at liberty to give details of a scheme until the Cabinet has agreed it. Deputy McConalogue will be aware of that and most people understand that is the process of Government decision-making as well.

Deputy Eugene Murphy: My question is in respect of A Programme for a Partnership Government. I am sorry the Taoiseach has left the Chamber. I wish to raise a matter regarding health services in County Roscommon, and in particular, an issue I have brought up repeatedly, the Rosalie unit. I know this is not the Minister for Communications, Climate Change and Environment's area but tomorrow morning one patient, and perhaps a second, will be forcibly removed from the Rosalie centre in Castlerea in Roscommon. Our brothers and sisters, human beings, will be taken out of what has been their home for almost 30 years. This is an absolute, total and utter disgrace. When the Taoiseach was Minister for Health, he and the former Deputy and Minister of State, Kathleen Lynch, gave a commitment that this centre would not close. It is a centre for 34 people who do not have advice and who are very vulnerable. There will be a major protest outside the centre tomorrow morning and people intend to prevent this happening. This is a very urgent matter.

3 o'clock

An Leas-Cheann Comhairle: I know it is.

Deputy Eugene Murphy: I want answers. I want the Minister to immediately give a message to the Taoiseach and the Minister for Health to instruct the HSE to back off this now.

An Leas-Cheann Comhairle: The Minister, Deputy Bruton, can answer if he is in a position to do that.

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): I unfortunately do not have access to the information-----

An Leas-Cheann Comhairle: I am sorry for interrupting the Minister but other Deputies have questions on this same issue as well.

Deputy Martin Kenny: It is the same issue.

Deputy Paul Murphy: It is also the same issue.

An Leas-Cheann Comhairle: Deputy Martin Kenny does not have to elaborate.

Deputy Martin Kenny: It is on the same issue and I will be very brief. This seems to be a position that the HSE is adopting all over the country. It is closing down units like this, moving people out into the private sector and leaving these units empty for years.

These people have lived in this facility for decades and it is their home. They are being turfed out on the street, which is totally inappropriate and wrong.

Deputy Eugene Murphy: It is a disgrace.

Deputy Martin Kenny: The Taoiseach, who left a few minutes ago, had a written letter to say this would not happen.

Deputy Eugene Murphy: I have it.

Deputy Martin Kenny: The Government has completely turned its back on these people.

17 April 2019

An Leas-Cheann Comhairle: The Minister to answer, if he is in a position to do so.

Deputy Richard Bruton: Unfortunately, I do not have access to the full information on this. The Minister of State at the Department of Health, Deputy Jim Daly, was in the House last week to answer questions and I am aware from conversations that he is making great efforts to find a solution. All I can do is alert him to the continuing concerns of Deputies. I can well understand the concerns they are expressing but I know the Minister of State has been trying very hard to find a solution.

Deputy Eugene Murphy: The Taoiseach and the Minister for Health need to take it on.

An Leas-Cheann Comhairle: Order. I call Deputy Buckley and I know he will be brief.

Deputy Pat Buckley: The programme for Government contains a commitment that no child should be admitted to an adult psychiatric ward or unit. According to a recent newspaper article, however, a lack of beds is forcing Wexford children into adult psychiatric units. The paper reports that children with severe mental health problems are being admitted to adult psychiatric wards due to the lack of age appropriate facilities and that concerned parents in County Wexford say they are in a living hell. When is the Government going to take mental health seriously and stop this practice once and for all? When will it put proper facilities in place for these young people?

An Leas-Cheann Comhairle: I call the Minister.

Deputy Pat Buckley: The newspaper quotes a single father whose 16 year old son first attempted suicide at 14 and who says his child has been denied essential treatment.

An Leas-Cheann Comhairle: There are ten other Members I am trying to accommodate. Is the Minister in a position to answer?

Deputy Richard Bruton: That any child should be inappropriately placed in an adult psychiatric hospital is clearly a matter for concern. Notwithstanding that, special provision has been made every year since 2011 to extend budgets for mental health services and that has seen the opening of new beds, the creation of new primary care services and the extension of employment in the service. However, the need continues to grow at a pace that often outstrips the extra resources being provided. It is an explicit target of the HSE to eliminate this problem and it reports monthly on the progress it is making.

Deputy John Curran: I refer to the programme for Government and Rebuilding Ireland with specific reference to the Rebuilding Ireland home loan. Last week, the Minister for Housing, Planning and Local Government indicated when questioned about the home loan scheme that it remained open, was not frozen and that all local authorities had been advised to continue to receive and process applications. I was very happy with that response and informed a constituent of mine who, unfortunately, wants to move out of the Dublin area because it is unaffordable to buy here, even with the scheme. She approached a local authority and her response is as follows:

I have just got off the phone to Meath County Council which says it is not accepting any applications until they receive their allocation for 2019. They will not receive applications by post. All meetings have to be face to face and they will not be booking them in until the scheme is reopened.

I reflected then on the content of the Minister's statement. He said that local authorities had been "advised" to continue. I ask the Government now to instruct local authorities to receive applications. This is a State-run scheme which they are facilitating and they should not be in a position to refuse.

Minister of State at the Department of Housing, Planning, Community and Local Government (Deputy Damien English): The Minister restated those remarks at the joint committee this morning and I reaffirm that it remains the position. I will ensure there is correspondence to local authorities to confirm that as well.

Deputy Michael Moynihan: I raised this issue last week in the Dáil and I hoped the Taoiseach would be here to address it today. While the programme for Government says that there should be better public services, there is a 12, 14 or 16 week waiting list now for carer's allowance which is causing huge problems for families. We are interacting every day with families making decisions on the provision of care in their own homes for loved ones who get sick. They are looking for the carer's allowance but it is not forthcoming. The whole of Government must address this desperately serious issue and apply the resources through the Department to ensure applications for carer's allowance are determined in a timely manner and within two or three weeks.

Minister for Employment Affairs and Social Protection (Deputy Regina Doherty): I am not sure if the Deputy was here last week for Oral Questions, but we have extended considerable new resources to look at carer's benefit and carer's allowance payments. We have reduced the waiting period from 19 weeks last year, which was wholly unacceptable, to 14 weeks this year. That is the direct result of the allocation of extra staff resources to the Department and of the new form we worked hard on in conjunction with the Irish Carers' Association to simplify the process. The fact remains, however, that it is a medically assessed scheme and it is a different matter to apply to it than to apply to some of our other schemes. A great deal of the information we require is medically difficult to ascertain and adjudicate on and that is why it takes a long time. However, we have reduced the waiting time from 19 to 14 weeks and will not be happy until we reach the target of 12 weeks.

Deputy Niamh Smyth: Where stands the Local Government (Rates) Bill which passed Second Stage months ago and now languishes somewhere in the cellars of the committee room area? While the Government fails to move in any meaningful way to reform the rates system, businesses are going to the wall. That is not idle talk. We saw last week the report on the cost of doing business in Ireland. Right across Cavan and Monaghan over the last two weeks, businesses have received letters from the Valuation Office, largely to inform them of massive hikes in commercial rates. One business reports an increase of 344%. Anyone could tell the Minister that it is unsustainable for any business. How does the Minister intend to intervene? Cavan-Monaghan faces Brexit around the corner and is barely surviving after the recession.

An Leas-Cheann Comhairle: Where stands the Bill?

Deputy Richard Bruton: It is my understanding that it is down to the committee to order its work.

An Leas-Cheann Comhairle: It is before the committee.

Deputy Richard Bruton: If it is not on its work programme, that is a matter for the committee. The Government will facilitate committee deliberations on any Bill.

17 April 2019

Deputy Imelda Munster: The programme for Government refers to supports for independent living for older people. So far this year, Louth County Council has dealt with 460 applications for housing adaptation grants for older people and people with disabilities. This includes 138 applications from last year which could not proceed due to a lack of Government funding. Of those 138 carried over applications, 76 were deemed to be priority 1 applications on the part of seriously ill people. Louth County Council has recently received its Government allocation but it is nowhere near adequate. In fact, it is totally inadequate.

An Leas-Cheann Comhairle: Thank you.

Deputy Imelda Munster: When the Fine Gael-Labour Government was removing public long-stay and respite care beds from the college hospital, its excuse was that it wanted to support independent living for older people. We now have a situation in which seriously ill priority 1 applicants cannot access basics like stair lifts and wet rooms.

Minister of State at the Department of Justice and Equality (Deputy David Stanton): This is a Second Stage speech.

An Leas-Cheann Comhairle: Deputy Munster, please.

Deputy Imelda Munster: Will the Government please increase the funding given the avalanche of applications? When will it do so?

Deputy Damien English: We have increased the funding for the last two years and are committed to increasing it every year for the next couple of years. We recognise it is a very important area. The allocations provided to local authorities a few weeks ago will provide for the adaptation of 11,000 houses, which is a major improvement on the 8,000 adapted three years ago.

Deputy Imelda Munster: It will not cover the half of it.

Deputy Damien English: I understand the issue was raised in relation to Louth last year also. There is some difficulty with matched funding locally, which is a matter for Louth County Council. For our part, I guarantee that every local authority has received increased funding. We also seek to adjust funding based on population. Local authorities such as that of Louth and those with increased populations should see that reflected in their allocations.

An Leas-Cheann Comhairle: We have the response. I call Deputy Danny Healy-Rae.

Deputy Danny Healy-Rae: I raised the fair deal scheme two weeks ago and referred to the slow rate at which funds were being made available to Cork and Kerry. The Minister denied there was a problem but it was in the newspapers yesterday and the leader of Fianna Fáil also raised it. That is because it is an issue. Hundreds of farmers came here yesterday. Where is the legislation for the fair deal for farmers to put a cap of three years on the percentage of assets required to fund a place on the scheme? This has taken so long that there seems to be a total disregard of and discrimination towards farming communities.

An Leas-Cheann Comhairle: We have the question.

Deputy Danny Healy-Rae: I just want to say one other thing. Why is the Government still-----

An Leas-Cheann Comhairle: The question is simple - where is the legislation on the fair deal scheme for farmers? There is no need to elaborate.

Deputy Danny Healy-Rae: I am just asking the question.

An Leas-Cheann Comhairle: I am filtering it.

Deputy Danny Healy-Rae: Why is the Government still insisting on assessing the entire value of a farm instead of just the dwelling? This is discrimination. It appears that farmers are paying for the fair deal scheme for the rest of the country.

An Leas-Cheann Comhairle: Does Deputy Scanlon wish to raise an associated issue?

Deputy Eamon Scanlon: Yes. I support Deputy Danny Healy-Rae. According to yesterday's edition of the *Irish Independent*, a farmer who has expended all of his savings because his wife is in a nursing home must now sell land. I am dealing with the case of a young man with three children who took the deferred option. He has 60 acres and is in receipt of farm assist. His bill is €60,000. To pay it, he will have to sell his farm. The heads of the Bill were agreed in December and are with the Government, but it needs to be introduced in the Dáil so that we can deal with an issue that is causing hardship for many.

An Leas-Cheann Comhairle: Where stands the legislation?

Deputy Richard Bruton: I understand, and the Deputies are right. The proposed policy change is to cap contributions based on farm and business assets at three years where a family's successor commits to working the productive assets. That has been approved by the Government and the heads of the Bill are expected in May.

Deputy Gerry Adams: I wish to again ask about the publication of the national Traveller health action plan and the status of the planning advisory committee on Traveller health. I raised this matter with the Taoiseach last week. He stated that he did not have an update but that he would raise the issue with the Minister of State at the Department of Health, Deputy Catherine Byrne, and the Minister, Deputy Harris, and try to get a better reply. I have heard nothing from the Taoiseach's office, the Minister or the Minister of State since.

I also raised the related issue of the failure of the State to support the two surviving children of the Carrickmines fire of October 2015, in which ten of their family members died - their two parents, three siblings and five others. In recent months, I have pursued this issue with six different Ministers. There has been no evidence of any willingness on their part to help these children.

Deputy Regina Doherty: No.

Deputy Gerry Adams: The six Ministers, including Deputies Bruton and Regina Doherty, have failed to respond to reasonable questions on Traveller health and welfare. Will the Leas-Cheann Comhairle advise me on the failure of Ministers to respond to questions? What is the status of the planning advisory body on Traveller health and the Traveller health action plan?

Deputy Richard Bruton: I am afraid that I do not have a briefing on the Traveller health action plan, but I will seek to have the Ministers provide the Deputy with an update on it. In respect of the Carrickmines fire, the families have had interactions with a number of Departments, but I will seek more information-----

17 April 2019

Deputy Gerry Adams: The children still cannot get to school or obtain the support they deserve.

Deputy Mary Lou McDonald: They have been left entirely.

Deputy Gerry Adams: The Minister knows better than to refer to interactions with Departments.

Deputy Richard Bruton: I do not know the details of what was requested.

Deputy Gerry Adams: I talked to him about the matter as well.

Deputy Richard Bruton: This is Questions on Promised Legislation and, obviously, I do not have a briefing on the details. I will seek to assess where the matter stands and then revert to the Deputy.

Deputy Gerry Adams: Will the Leas-Cheann Comhairle advise on this dilemma of written letters and questions? The response the Minister has given is exactly the same as that which I obtained from the Taoiseach last week.

An Leas-Cheann Comhairle: The Deputy can judge the Minister over the next few days. I am sure that he will follow through.

Deputy Richard Bruton: That is all I can do for the Deputy. There are other means available to him, for example, tabling a Topical Issue matter and allowing the Ministers to answer-----

Deputy Gerry Adams: I have done that.

Deputy Richard Bruton: Okay.

An Leas-Cheann Comhairle: Perhaps a reply is coming from the Taoiseach. The Minister will ensure-----

Deputy Richard Bruton: I will.

Deputy Maurice Quinlivan: On page 21 of the programme for Government, there is a commitment to increasing significantly and expediting the delivery of social housing units. This is not happening in Limerick city. Last September, I informed the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, that there were more than 70 council houses boarded up across Limerick city. Today, the bulk of those properties remain boarded up. At the time, I specifically mentioned No. 55 Shanboley Road. A family was told that it would be allocated that unit, but the house is still empty. No. 13 Lee Estate has been boarded up for three years. No. 65 Scanlon Park in Castleconnell has been boarded up for two years.

An Leas-Cheann Comhairle: A question, please.

Deputy Maurice Quinlivan: Shamefully, these properties and many others are lying idle while 3,000 people in Limerick are on the housing list.

An Leas-Cheann Comhairle: Ceist. This is a statement.

Deputy Maurice Quinlivan: The Government's housing plan is failing dramatically. When will something be done to address the large number of empty council houses, not just in Limerick, but across the country?

Deputy Damien English: Two types of properties are involved. Under the regeneration scheme, properties might be deemed to be lying idle for the purpose of regeneration works. I recognise that some of those properties in Limerick have been brought back into use early on in that scheme. Regarding voids, I have made it clear a number of times that funding has been made available to Limerick. Limerick City Council was told last September that, if it needed more money to tackle voids, we would provide it. There is taxpayer's money available for that. More than 9,500 void properties have been brought back into use, building on the work done by Deputy Jan O'Sullivan and the Government. There should be no long-term voids left. Resources are available. If Limerick has houses that can be brought back into use, the money will be made available.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy Donnchadh Ó Laoghaire - to discuss the need for additional schools to be designated DEIS band 2; (2) Deputy John Lahart - to discuss the archaeological find at Scholarstown, Knocklyon, and plans to preserve and protect the site; (3) Deputy Eamon Scanlon - to discuss the need for increased paediatric physiotherapy staff and resources in the north west; (4) Deputy James Browne - to discuss waiting lists for speech and language therapy in County Wexford; (5) Deputy Mary Butler - to discuss waiting times and funding for the fair deal scheme; (6) Deputy Dessie Ellis - to discuss the need to expedite the scheme to replace lead piping in housing estates; (7) Deputy Martin Kenny - to discuss physiotherapy services in Sligo and the north west to address a need to stay in Dublin for treatment; (8) Deputy Maurice Quinlivan - to discuss an independent clinical review of University Hospital Limerick; (9) Deputy Michael Moynihan - to discuss the eligibility criteria for higher education grants; (10) Deputy Gerry Adams - to discuss the crisis in child and adolescent mental health services in County Louth; (11) Deputies Clare Daly, Louise O'Reilly and Jim O'Callaghan - to discuss the need for autism spectrum disorder, ASD, units and educational resources for children with special needs in north Dublin; (12) Deputy Kate O'Connell - to discuss a proposal to use a new methodology for the valuation of rates for some businesses; and (13) Deputy Mick Wallace - to discuss the designation of Gorey, County Wexford, as a rent pressure zone.

The matters raised by Deputies John Lahart, Donnchadh Ó Laoghaire, Kate O'Connell and Gerry Adams have been selected for discussion.

Ceisteanna (Atógáil) - Questions (Resumed)

Brexit Preparations

1. **Deputy Brendan Howlin** asked the Taoiseach the role his Department is playing in preparing for a hard Brexit. [15024/19]

17 April 2019

2. **Deputy Mary Lou McDonald** asked the Taoiseach the role of his Department in preparing for a hard Brexit. [15016/19]

3. **Deputy Joan Burton** asked the Taoiseach the role his Department is playing in preparing for a hard Brexit. [16347/19]

4. **Deputy Richard Boyd Barrett** asked the Taoiseach the role of his Department in preparing for a hard Brexit. [16401/19]

The Taoiseach: I propose to take Questions No. 1 to 4, inclusive, together.

My Department works closely with the Department of Foreign Affairs and Trade, which has overall responsibility for Brexit. A comprehensive set of structures has been put in place to ensure that all Departments and their agencies are engaged in detailed preparedness and contingency activities. Within my Department, staff across several divisions contribute to the work on Brexit. Brexit is a core part of the work of the international, EU and Northern Ireland division, which is headed by a second Secretary General who acts as Irish sherpa for EU business, including Brexit issues. The division advises me in my role as a member of European Council and in respect of Government consideration of Brexit issues, including negotiations, as well as Northern Ireland affairs and British-Irish relations. The economic division of my Department advises me in the development and implementation of national and sectoral economic policies to ensure the economy is well placed to respond to opportunities and threats, including Brexit.

To augment this ongoing work, my Department also has a dedicated unit on Brexit preparedness and contingency planning. This unit, working closely with the Department of Foreign Affairs and Trade, assists several groups that oversee Brexit preparations. The unit provides assistance to a Secretaries General group, chaired by the Secretary General to the Government. The unit also assists a senior officials group of assistant secretaries on no-deal Brexit planning. It has been meeting on a regular basis and planning based on the Government's contingency action plan, which was published last December and updated on 30 January. The plan provides detailed sectoral analyses and approaches to mitigate the impacts of a no-deal Brexit.

My Department, in conjunction with the Department of Foreign Affairs and Trade, also jointly chairs a senior officials group on Brexit-related legislation, which oversaw the development of the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019, signed into law by the President on St. Patrick's Day. Work is continuing in parallel on complementary secondary legislation.

The decision of the European Council to extend Article 50 prevented a no-deal Brexit on 12 April and has significantly reduced the overall risk of no deal. However, given the ongoing political uncertainty in London, that risk has not been fully averted, and prudent preparations by the Government for all possible scenarios will continue.

Deputy Brendan Howlin: Over the weekend, it was reported that the British Government had stepped down its front-line Brexit preparations. On the basis of what was announced in the newspapers, it appears that those preparations were massive, cost billions of pounds and involved the deployment of thousands of civil servants. If I understand what the Taoiseach has just stated, I agree that we should not be, and cannot afford to be, complacent about the prospect still on the table of a no-deal Brexit. Yesterday, the German foreign Minister indicated his country's impatience by saying German patience was wearing thin and that there could be no further extension beyond October.

As we know, a little over half of the 84,000 businesses that trade with the UK have thus far applied for Irish customs registration, which will be needed in the event of a no-deal Brexit. The president of the Road Haulage Association has accused State agencies of still being “unable to answer basic questions”. While I appreciate what the Taoiseach has said thus far, fundamental groups such as the Road Hauliers Association deserve to have their concerns addressed and their questions answered.

Does the Taoiseach agree that it is a cause for worry that a little over half of the businesses doing trade with the United Kingdom have yet registered for their customs registration, which will be required, and what will he do about it?

Deputy Mary Lou McDonald: Whereas the Taoiseach correctly stated the additional extension of time for the British Government and Parliament to get its house in order lessens the prospect of an imminent crash, the threat is not entirely removed. There is no such thing as a good Brexit for us. I have spoken to people throughout the country and those in farming say the Brexit damage is being done as we speak. Whereas the extension gave cause for a sigh of relief, we need to remember that the uncertainty and imminent threat of Brexit, hard or soft, is doing a whole lot of damage in any event.

We did not have the opportunity to respond to the contribution of the Speaker of the US House of Representatives, Ms Pelosi, earlier in the House, but I wish to record my warm welcome for her words, in which she clearly set out the position that any trade deal between the United States of America and Britain will not be a runner in the event that damage is done to the Good Friday Agreement. The United States has made considerable diplomatic, political and, for many people, personal investment in the development and delivery of the Good Friday Agreement and the peace process, and it will not give way easily on the Good Friday Agreement. If Brexiteers of the Tory or Democratic Unionist Party variety have an ear to the House, I hope they heard loudly and clearly that damage done to our peace process and economy will have a real cost for them and their trading ambitions.

Deputy Joan Burton: In a way, Ireland has been a little lucky that a potentially hard, disastrous Brexit has been averted, at least for a period. As a country, we now have breathing space to confirm changes that are coming in any event and to get the island more ready for the fact that, one way or another, the relationship between the United Kingdom and the European Union is changing. It is important for ports such as that of Cork, Rosslare and Dublin that the breathing space is used because in the future, we will need ships to travel directly from the Continent to those ports. As the House will be aware, it was a shock to Rosslare when the Irish Ferries ship was moved to Dublin. From a Dublin point of view, given the level of traffic that is typically on the M50, it is difficult to envisage that virtually all the imports and exports to and from Ireland could end up being processed at Dublin Port. Dublin does not have the road infrastructure to take that. I hope that the breathing space can be used to beef up the development of Rosslare and Cork ports. I acknowledge that quite a bit of work has been done at all three ports but there is an awful lot more to do, particularly to enable them to take large volumes intended for the south west, the south east and the midlands. We need to be able to use all three ports to their maximum capabilities. It would be good because it would avoid being overly focused on Dublin, which does not have the route capacity to deal with all the trucks if they end up coming.

Deputy Micheál Martin: On a number of recent occasions, I have asked the Taoiseach whether direct discussions have been held with the British Government concerning the possible imposition of direct rule in Northern Ireland, which was threatened as a possible no-deal

scenario for the United Kingdom approached. At a time when two of the three strands of the Good Friday Agreement are suspended and the third is dysfunctional, the imposition of direct rule would be a further-----

Deputy Brendan Howlin: The Deputy is speaking about the next group of questions.

Deputy Micheál Martin: No, I am addressing no-deal preparations. The imposition of direct rule was threatened in the context of a no-deal scenario.

Deputy Brendan Howlin: Direct rule is specific to the next group of questions.

Deputy Micheál Martin: If the Deputy will allow me, I am entitled to ask questions.

Deputy Brendan Howlin: Sure.

Deputy Micheál Martin: Will the Taoiseach explain what discussions he has held with the British on these matters? What does he intend to do to get the institutions of the agreement re-established? Two years after they collapsed because of a heating scheme, their absence has caused damage to the people of Ireland. I welcome very much what the Speaker of the US House of Representatives, Ms Pelosi, said earlier about there being no US-UK trade deal if any harm comes to the Good Friday Agreement, but the greatest harm currently being done to the Good Friday Agreement is the absence of institutions in Northern Ireland and the collapse of its Executive and Assembly. It is extraordinary and must be dealt with.

On no-deal planning, the failure to publish no-deal notices by 29 March needs to be explained, given how the risk of no deal was then significantly higher than it has been in the past two weeks. It is interesting that many of the no-deal notices were published after 29 March. We now know that by 29 March, 50% of businesses which trade with the United Kingdom had not completed the most basic step towards continuing that trade. June is the next point when a no-deal scenario could happen. What efforts are under way to ensure there is a far better response and that our economic exposure is addressed before then? It is clear that previous approaches did not work by 29 March. Will something new in respect of the sectors and businesses be tried? We are all focused on the no-deal scenario but what have been termed soft, or less severe, Brexits would also have an impact. I have spoken to IBEC. Some companies have millions of euro worth of inventory in storage in Britain, for up to four months in the agrifood sector. It is having an impact, therefore, on many companies, not to mention the compliance costs that would emerge in the event of any form of Brexit.

The Taoiseach: On no-deal preparedness, we have not taken the decision to step down our preparedness in the way the United Kingdom has, but those measures were complete, or close to complete, at the end of March in any event.

Deputy Howlin asked about the uptake of customs registration numbers by businesses. Revenue has identified 84,000 businesses that may need a customs registration number, that is, an economic operator registration and identification, EORI, number, although they might not all need one. Thus far, 45,000 businesses have such a number, while approximately 4,800 customer numbers were issued in the past three months alone. Having an EORI number is the minimum requirement for businesses to be able to move goods from or through the UK in a no-deal scenario. The application can be made quickly, easily and at no cost through Revenue's secure online service. Companies should also ensure that they, or an agent on their behalf, have a facility, that is, software, to make a customs declaration and that they know the commodity

code of their products, as this is used to determine the import and customs duties payable. Last week, customs officers were present at Dublin and Rosslare ports and on board a number of ships, where they issued information leaflets to help importers, exporters and truck drivers with concerns or questions about what they need to do post Brexit. No importer or exporter, therefore, can claim not to be informed at this stage. With regard to the uptake of business supports, 567 applications have been made for the Brexit loan scheme, of which 511 have been approved. More than 5,000 Brexit scorecards have been completed by Enterprise Ireland companies and almost 1,000 by LEO companies. A total of 182 be prepared grants have been approved, 140 projects have been approved under the market discovery fund, 3,000 prepare to export scorecards have been completed, 1,200 people have participated on the customs insights online course, 47 products have been approved under the agile innovation fund and 16 Brexit advisory clinics have taken place with more than 1,200 people present. The Brexit: act on programme funds consultants to help improve resilience and 210 plans have been completed. A total of 1,000 strategic consultancy grants to assist Enterprise Ireland clients have been approved. In February, under the online retail scheme, 11 retailers were awarded funding and there will be a second call. With regard to smaller businesses supported by local enterprise offices, 518 clients have been approved for grants for technical assistance, 247 for the lean for micro programme, 562 participants solely focused on Brexit have been provided mentors and 4,213 participants have attended Brexit seminars or events. A total of 2,419 small and medium enterprises have directly engaged InterTradeIreland for advice. There have been 1,400 applications for vouchers, of which 1,200 have been approved so far.

With regard to the public information campaign, people are familiar with the getting Ireland Brexit ready campaign. There have been 101 stakeholder events in 21 counties, with recent advisory clinics in Laois, Dublin, Monaghan and Cork and customs training in Laois. In terms of financial assistance available, €300 million has been set aside in the Brexit loan scheme for affordable loans of between €25,000 and €1.5 million to eligible businesses. A separate €300 million future growth loan scheme for SMEs, including farmers, is in place to support strategic long-term investment post-Brexit to reorient products people make away from the UK market. There are Enterprise Ireland be prepared grants, start to plan vouchers from InterTradeIreland, the market discovery fund and the agile innovation fund that I mentioned earlier.

In addition, the legislation passed by the Houses includes the introduction of postponed accounting to allow all traders for a certain period account for VAT in their bimonthly VAT return instead of at the point of import as well as a provision to enable Enterprise Ireland to provide a lending investment instrument for client companies to help Irish businesses stay competitive, innovate and grow. It is important for businesses and other organisations to be aware of the supports available and, if not already doing so, to take this additional time as an opportunity to take the necessary steps.

Road haulage to the UK is facilitated by the EU's community licence that will allow international hauliers from member states, including Ireland, to move freely within the EU. As part of contingency planning, the European Commission proposes to adopt a temporary unilateral measure for nine months after Brexit to allow access for UK hauliers to the EU provided it does the same. There is concern about delays at Dover and Calais, and it is still uncertain as to whether Irish trucks can or will be fast tracked through Dover and Calais, but this is what we seek.

17 April 2019

Brexit Negotiations

5. **Deputy Michael Moynihan** asked the Taoiseach if he has spoken with the British Prime Minister, Mrs. May, since the indicative votes took place on 27 March 2019. [15114/19]

6. **Deputy Michael Moynihan** asked the Taoiseach if discussions on the implications of direct rule were discussed with the British Prime Minister, Mrs. May, in his recent meetings or conversations with her. [15418/19]

7. **Deputy Michael Moynihan** asked the Taoiseach if he has spoken with the British Prime Minister, Mrs. May, since 29 March 2019; and if officials on his behalf have spoken with British officials in relation to plans post 31 October 2019. [16356/19]

8. **Deputy Mary Lou McDonald** asked the Taoiseach when he last spoke with the British Prime Minister, Mrs. Theresa May. [16452/19]

9. **Deputy Brendan Howlin** asked the Taoiseach if he has spoken to the British Prime Minister, Mrs. May, since the indicative votes took place; and if he has discussed with her the prospect of direct rule in Northern Ireland. [16480/19]

10. **Deputy Micheál Martin** asked the Taoiseach if he discussed the Northern Ireland Executive with the British Prime Minister, Mrs. May, recently; and his views on whether there will be direct rule in Northern Ireland due to the lack of progress. [16668/19]

11. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his recent conversations with the British Prime Minister, Mrs. May. [16746/19]

12. **Deputy Eamon Ryan** asked the Taoiseach if he will report on recent conversations with the UK Prime Minister, Mrs. Theresa May. [17624/19]

13. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his recent discussions with the British Prime Minister, Mrs. May. [17789/19]

The Taoiseach: I propose to take Questions Nos. 5 to 13, inclusive, together.

I last saw the British Prime Minister, Mrs. May, on the margins of the special European Council meeting on 10 April. At that meeting, the Prime Minister presented her case for a further extension of the Article 50 deadline. The House is aware that the European Council agreed to an extension of the deadline to 31 October, provided that the UK participates in the European Parliament elections next month.

Prior to that meeting, I spoke to the Prime Minister by phone on the evening of 8 April 2019 when we discussed her letter to Donald Tusk seeking an extension and preparations for the summit. During our discussion, I repeated to the Prime Minister my openness to an extension of the Article 50 deadline.

I welcome the agreement reached last week between the EU 27 and the UK on the Brexit extension. I firmly believe that ratification of the withdrawal agreement by the House of Commons is in all our interests and I hope the time extension will be used to enable the deal to be agreed. Approval of the withdrawal agreement is the best way to protect the Good Friday Agreement and to avoid a hard border. I was pleased to have the continued support of my fellow European Council members on this objective.

Prior to this, I had a bilateral meeting with the Prime Minister in Brussels at the time of the European Council on 21 March, as I previously reported to the House during Taoiseach's Questions on 27 March and in my statement to the House on the European Council meeting on the same date. Officials in my Department are in regular contact with their British counterparts on a range of issues, including Brexit, as are colleagues from the Department of Foreign Affairs and Trade, including the ambassador and his team in London.

An Leas-Cheann Comhairle: I call Deputy McDonald.

Deputy Micheál Martin: I have a question.

An Leas-Cheann Comhairle: It is in the name of Deputy Michael Moynihan.

Deputy Micheál Martin: I am taking it.

An Leas-Cheann Comhairle: Deputy Martin also has a question in his own right.

Deputy Mary Lou McDonald: The practice normally is to go to Fianna Fáil. I do not mind.

An Leas-Cheann Comhairle: Okay, I call Deputy Martin but he will have only one bite of the cherry. He will not get in again because he has only one question in his name.

Deputy Micheál Martin: I accept that. Originally I thought Questions Nos. 1 to 14, inclusive, were grouped together.

The Taoiseach did not reply to the specifics of Question No. 6 on whether the implications of direct rule were discussed with the Prime Minister, Mrs. May, in the Taoiseach's recent meetings or conversations with her. He might address it in response to these questions. Did he discuss the threat of direct rule or its implications? I have asked the Taoiseach on a number of occasions whether there have been discussions between the Taoiseach and the British Government on the possible imposition of direct rule in Northern Ireland. The Taoiseach might outline to us what discussions took place. His predecessors would have been quite open to explaining the discussions that would be ongoing with London on matters of this kind.

Notwithstanding all the threats to the Good Friday Agreement, I repeat what I said earlier. The biggest threat remains the collapse of the institutions. In itself, this has been damaging to Brexit in terms of the North-South relationship and the increased polarisation in the North between the two main political groupings, the lack of dialogue, the lack of formal engagement and, above all, the deprivation of a platform and parliamentary forum for an anti-Brexit majority in the North. Brexit represents a moment of great threat to the North and the island. It seems to be inexplicable that we do not have the Assembly or Executive up and running.

I have picked up for quite some time from the Taoiseach and others that they want to get Brexit sorted and then they will look again at the North. We do not have that luxury. Brexit will be an ongoing saga because whatever is decided in terms of the withdrawal agreement, or what I call the end of the beginning, and the first phase of the exit, there will be a lot of discussions to be held subsequently between the British Government, Ireland and the European Union on the relationship between the UK and European Union. This will carry on. We will have the same tensions as we have had in British politics about the nature of the agreement and its various elements. We will have continuing tensions within British politics with regard to legislation and the type of trading relationship. The institutions of the Good Friday Agreement cannot wait for

17 April 2019

the resolution of Brexit before the co-guarantors of the agreement, namely, the British and Irish Governments, take action. They need to intervene. Last week, the Taoiseach said it was up to the two parties but it is not. The two Governments also have a responsibility. Historically, it has been the two Governments that have always been the engines and catalysts for getting talks around the table and getting things going. I would appreciate the Taoiseach's comments on this, specifically on the direct rule question.

Deputy Mary Lou McDonald: Deputy Martin has it the wrong way around with regard to his assertion that the institutions have not been functioning. I deeply regret this and it is disgraceful we do not have institutions of government up and running more than two years on. We know the history of this. We had landed on an accommodation the DUP could not carry. I will not get into a blame game but that is what happened. I assure the Deputy that as and when there is a real window for re-establishing sustainable power-sharing and not just devolution we will grab it with both hands. It is wrong to say that the institutions being down represents a threat to Brexit. I do not even know what that means.

Deputy Micheál Martin: It means it is a threat to the Good Friday Agreement.

Deputy Mary Lou McDonald: The reality is that Brexit represents a real and present danger to the Good Friday Agreement and all of the apparatus, infrastructure, human rights' standards, equality provisions, parity of esteem and the citizenship protections that go with it. That is the actual truth. There is another truth. The DUP has gone into hiding, into the embrace of Theresa May at Westminster, and they are in no frame of mind to re-establish the institutions. The Deputy may not like that but those are the current dynamics as we speak.

I shall now address the issue of direct rule. I have discussed this with Mrs. May and it has been made absolutely clear to her that direct rule is not an option, be it a hard Brexit, soft Brexit or any other form or variety of Brexit. I believe that Mrs. May understands and accepts that. There is a need for a meeting of the British-Irish Intergovernmental Conference, BIIGC, which should happen very quickly. In part of the Taoiseach's contingency planning in the event of a hard Brexit, which none of us wishes to see, and in circumstances where there is a de facto repartitioning of Ireland and all of the politics that go with that, we need to understand that, in the interim, we would be looking at not so much direct rule as joint authority. What might that look like? Those provisions need to be made.

I agree with Deputy Micheál Martin that in the absence of a dynamic from the two Governments, who are equal co-guarantors of this agreement, it has proven incredibly difficult - in fact impossible - to get the kind of buy-in that we need from partners in unionism to resolve the outstanding equality issues, to sign up to power-sharing in all of its dimensions, and to get the show back on the road. The Deputy is correct in saying that. This has been a matter of very great frustration.

Has Mrs. May given any indication to the Taoiseach as to the roadmap or the timeframe in her head with regard to landing on an agreed Brexit position?

Visit of Portuguese Delegation

An Leas-Cheann Comhairle: Before continuing with questions, I wish on my own behalf and on behalf of the Members of Dáil Éireann to offer a céad míle fáilte, a most sincere wel-

come, to a six-member parliamentary delegation from the European Affairs Committee of the National Assembly of Portugal, led by its chairperson, Ms Regina Bastos.

Our Portuguese friends are meeting with the EU Affairs Committee and have called upon the Ceann Comhairle and Cathaoirleach. You are most welcome to Leinster House and I hope you find your visit useful.

Ceisteanna - Questions (Resumed)

Deputy Brendan Howlin: As others have said, it is more than two years since the collapse of power-sharing in Northern Ireland. We are all agreed that the Government has a pivotal role to play in facilitating the return of the much needed institutions. Clearly we have some influence over our Government and we have none over the British Government, which has responsibility in that regard. One of the demands on our Government is to build bridges with unionism. It has been a very important component part of the process of peace building over many decades. Successive Governments have gone out of their way to ensure there was an understanding and clear lines of communication with the various strands of unionism. According to a DUP figure, however, the Taoiseach and Tánaiste do not possess rational qualities and there seems to be no capacity for relationship building. Whatever one believes of that, this is an expressed view of the Taoiseach and the Tánaiste. Last week, a DUP MP commented that they had never known a time when Irish-unionist relations have been so broken. When we think back most of us could envisage a time there was very sundered relations between Irish Governments and unionism. For it be expressed, however, it means we are at fairly difficult impasse. I do not believe it is something we should just ignore. Listening to the tone of the debate in this House during Question Time, there is a movement away from the sense of rapport and rapprochement that has categorised - using the crudest of measures - nationalist and unionist relations over the past two decades. Does the Taoiseach recognise this relationship and does he recognise it as a problem? If so, does he have a particular strategy to address it?

The Taoiseach: I thank the Deputies for their questions. Deputy Micheál Martin asked about direct rule. The Tánaiste and I have discussed this with our counterparts. We have been very straight in saying that we cannot support a return to direct rule. We have had no indications from the UK Government that this is what it intends to do but we have given our view, straight up, that we could not support this and were it attempted, we would consider it to be contrary to the Good Friday Agreement. Deputy McDonald has met the British Prime Minister on a number of occasions and, as she said, Mrs. May understands this, and I do not believe it is her intention.

We stand ready to assist the DUP and Sinn Féin to come together to form an Executive. It is complicated, which is the reality, by the ongoing uncertainty around Brexit, by the local authority elections on 2 May and the EU Parliament elections on 23 May, and by the added complication of the Conservative Party's confidence and supply agreement with the DUP, making the party dependent on the DUP's votes to continue in government. This is an unprecedented situation but it does not stop us from endeavouring to support the two parties in putting together an Executive and intervening in whatever way we can that would be effective. Deputies will be aware that there have been many interventions already.

17 April 2019

The Prime Minister plans to carry out talks with other parties, especially the Labour Party, with a view to coming to an agreement on the joint political declaration. The Prime Minister accepts that the withdrawal agreement is not being reopened. If Mrs. May can come to an agreement on changes to the joint political declaration, a fourth meaningful vote will be put before the House of Commons prior to the European Parliament elections. There is a desire on the part of the British Government not to hold the EU elections, which it believes would be farcical given that the UK is due to leave the EU. If it is not possible to come to an agreement with the Labour Party that gives the government an enduring majority - it is not enough to win the meaningful vote, as the government also has to be able to get a majority for all of the enabling legislation thereafter - there will be a further round of indicative votes in the House of Commons, which the government has agreed to be bound by. There is a fair bit of time throughout May, June and going into the summer recess for all of that to be done in the House of Commons. Having time is different to being able to find a majority, which is obviously a real difficulty for them at the moment.

Deputy Howlin quoted a DUP figure who was not named. I am not sure who it was. I can tell the Deputy that my engagements with the leader of the DUP, Mrs. Arlene Foster, have been regular and while we do not see eye to eye on everything, they have often been very friendly. Most recently they have been in touch with me on the issue of *voisinage*, asking that we resolve it, which we did. They contacted me thereafter to thank us for having the issue resolved. Even beyond Brexit we co-operate on other issues and will continue to do so.

The Deputy will also be aware that Sir Jeffrey Donaldson of the DUP attended my party's conference recently. Lines of communication are very much open - politician to politician and adviser to adviser. We do not see eye to eye on fundamental matters and there is no point in pretending otherwise. Apart from keeping lines of communication with the DUP open, part of the strategy is to recognise that there is more to unionism than the DUP. This is why I made a particular effort some time ago, with the support of others, to encourage someone from a unionist background to run for the Seanad, who was subsequently elected. It is the reason we have had an engagement with the UUP and the reason I have had an ongoing engagement with what is described as civic unionism, which is non-party unionism. It is also the reason I made a point of visiting Schomberg House, the Orange Order headquarters in Belfast, becoming the first Taoiseach to do so. I have met the Orange Order since then in Government Buildings. There are many strands of unionism. I suppose if there is a strategy, it is to recognise that.

Taoiseach's Communications

14. **Deputy Joan Burton** asked the Taoiseach if he will report on his most recent conversations with the Prime Minister of New Zealand; and the issues that were discussed. [15147/19]

15. **Deputy Brendan Howlin** asked the Taoiseach if he will report on his recent conversations with the Prime Minister of New Zealand, Ms Jacinda Ardern. [16481/19]

16. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his most recent conversations with the Prime Minister of New Zealand. [17790/19]

The Taoiseach: I propose to take Questions Nos. 14 to 16, inclusive, together.

I spoke by telephone with the Prime Minister of New Zealand, Jacinda Ardern, on 27 March.

The Prime Minister contacted me to discuss what actions might be taken to counter the proliferation of violent and extremist online content following the horrific terror attack on two mosques in Christchurch, New Zealand on 15 March. I took the opportunity to pass on to the Prime Minister and the people of New Zealand the condolences of the Irish Government, this House and our people on the tragic loss of 50 innocent lives and the injuries to so many others.

The Prime Minister and I discussed initiatives being put in place here in Ireland and across the EU to tackle violent and illegal online content. It is the view of the Government that we can no longer rely on self-regulation alone by digital platform providers to ensure that users are kept safe online. The Minister for Communications, Climate Action and Environment, Deputy Bruton, recently concluded a public consultation on the online safety Bill which will establish a national regulatory authority to oversee the course of actions that online platforms have in place to protect their users. It will implement provisions of the revised EU audio-visual media services directive requiring video sharing platforms to protect users from content containing hate speech and other illegal content. The Bill also draws on work done by the Law Reform Commission on the establishment of an online digital safety commission, which, in turn, is inspired by existing legislation in New Zealand.

Ireland is also involved in detailed discussions at EU level on the proposed new EU regulation on preventing the dissemination of terrorism content online. This proposal obliges service providers to remove offending content within a short timeframe and provides for fines of up to 4% of annual global turnover in the event of systematic failure to remove content. This proposal is still under discussion and is unlikely to be concluded before the European elections. However, once enacted, Ireland will establish a competent authority to ensure that companies comply with this regulation.

I agreed with Prime Minister Ardern that our officials would compare approaches to these challenges and that we will stay in touch on the matter. We considered the possibility of a high-level meeting involving her and other EU Prime Ministers in Europe in the foreseeable future.

Deputy Joan Burton: I thank the Taoiseach for the reply. Prime Minister Ardern's approach in the aftermath of the horrific shooting and murders in Christchurch set an example globally of statesmanship of which everybody involved in politics, women and men, can be proud.

Following on from the Taoiseach's comments regarding the introduction of further gun control in New Zealand, will he consider the introduction of similar legislation here? This morning, there was another gun attack in the Sheephill area of Corduff. There was also a gun attack early last night in Finglas. One of these gun attacks took place in the constituency which the Taoiseach and I represent and the other was in an adjacent constituency. There are armed patrols patrolling the city centre in Dublin. The Taoiseach referred in his reply to advances New Zealand is making in this area. Its response to the murders was to tighten gun control significantly. In the aftermath of the Christchurch murders, did the Taoiseach take the opportunity to review security and gun control here, which, because of the cocaine and other drugs trade, is pretty much out of control? Children in our primary schools are worried about walking to and from school because they might get caught up in gunmen shooting at each other. As I said, early this morning in a nice estate like Sheephill, there was a gun attack which we are given to understand is related to feuding among rival drugs gangs and drugs operators.

The Taoiseach's engagement with Prime Minister Ardern probably took place in the im-

17 April 2019

mediate aftermath of the shootings. Will he take a leaf out of New Zealand's book and try to remove guns from Irish society so that our society will not be worn down, exploited and, possibly, destroyed by the drugs trade in terms of the gun violence that it is bringing to the streets of all our major cities and, particularly, the areas he and I represent? Will he establish a special task force to address this issue because it needs to be done?

Acting Chairman (Deputy Eugene Murphy): As there are less than seven minutes remaining for these questions, I ask Members to be brief in order that the Taoiseach will have an opportunity to reply.

Deputy Brendan Howlin: It is one month since the horrific mosque shootings in New Zealand that shocked all of us from a variety of perspectives. If one had to pick a country where one would expect this type of right wing extremism to happen, New Zealand would be the last country to come to mind. This proves that there is nowhere on the planet immune from the perils of such an attack. We in Ireland cannot be complacent. It has been said in the past that not only could an attack occur on our own soil in the Republic, but the Republic could be used as a base for an attack on a neighbouring jurisdiction.

The Garda have noted an increase in online activity aimed at an Irish audience of those of the extreme right - the fascist right. Has the Taoiseach considered this as a major threat? I know that the Government periodically carries out an assessment of threats. Can the Taoiseach give an assurance to the House that An Garda Síochána has the capacity to monitor adequately this insidious, terribly damaging online activity?

Deputy Micheál Martin: I join all those who praised Prime Minister Ardern for her great leadership in the aftermath of the Christchurch atrocity. She made a very powerful statement to the people of New Zealand and to the world about the need for unity against hate and for all of us to stand with minorities who are under attack. The recent spurt of Islamophobic campaigns by politicians in many countries is something we need to fight against not only here but internationally as well. Our media should understand that there are many people out there who have no problem picking on minorities if they think it might get them attention. They are happy to play on the margins and the proportional representation system here is such that media coverage can deliver a real electoral advantage and bonus to people engaged in such activity. The media need to remember too that they have the freedom to cover anything but they need to avoid falling again and again for giving significant exposure to people exploiting division for political purposes. In this context, the Taoiseach may be aware that the European Commission carried out research in every European Union country on attitudes to immigrants in general, which found that there are many places where people have limited or no experience of Muslims but have been persuaded by demagogues to fear them. Thankfully, Ireland is one of the best countries when it comes to open attitudes to different faiths and cultures, which we must actively protect. More should be done to promote integration. We have not as yet achieved full integration in society of minorities and different faiths and cultures. Local authorities are perfectly placed to promote programmes locally and some have been doing an excellent job in this regard.

What initiatives are planned to actively monitor and combat the hateful ideology behind the Christchurch attack?

Deputy Mary Lou McDonald: The horrific attacks in Christchurch one month ago left all of us numb. As has been said, Christchurch, New Zealand is the last place one would imagine this might happen. There is a central lesson in that, namely, that no part of our globe is immune

from this toxic cancer of hatred. There is no doubt that we have much to do in our own society to ensure cohesion.

Deputy Burton referred to the constituency which she and the Taoiseach represent.

I am mindful of the fact that there is great diversity in many of the sprawling new suburbs in the Taoiseach's constituency. When I visit those large suburbs, I look around and ask what service provision and integration are like in them. I should also state that we
4 o'clock have great diversity in my constituency, and I ask the same questions in our inner city. If we are honest, we have to state that public policy in this area has been lacklustre. We have been lacking in the power of our intent to ensure new citizens and newcomers to our country are fully integrated.

Not surprisingly, I share the concern that has been expressed about guns on the streets. Neighbourhoods I represent have endured a so-called feud which has involved young children witnessing and being hurt as a result of horrific acts of violence. I suggest that the answer is somewhere in the realm of good community policing and resourcing. The Taoiseach might advise us of his plans in that regard.

The Taoiseach: I very much agree with the Deputies who have praised the response of Prime Minister Ardern to last month's events in Christchurch. I believe she responded with great dignity and leadership. She became a unifying force for New Zealand. In our conversations, she often speaks about how we need to tackle both the root causes and the enablers of terrorism and extremism. That is the correct approach. Quite frankly, I do not think she could have handled it better. I am absolutely sure she would have preferred not to have had to handle it at all.

Gun control in New Zealand was very weak, relative to Ireland, prior to last month's appalling tragedy in Christchurch. The authorities in New Zealand responded to what happened by taking the opportunity to tighten their gun laws, which are still somewhat looser than the gun laws in this jurisdiction. We already have stringent controls on the issuing of firearms certificates by An Garda Síochána and the conditions under which firearms can be held. There are penalties in place for firearms offences under the Firearms Acts. Every application for a firearms certificate is considered on its individual merits. An application cannot be granted by a Garda superintendent unless certain conditions set out in law are met. The Firearms Acts provide that a person applying for a firearms certificate "can be permitted" to possess a firearm "without danger to the public safety" and must have "a good reason for requiring the firearm".

Certain firearms, such as semi-automatic centrefire rifles and large-calibre handguns, are considered restricted under Irish law and attract additional conditions over and above the standard requirements that must be met. Such requirements include a requirement for the applicant to have "demonstrated that the firearm is the only type of weapon that is appropriate for the purpose for which it is required". Decisions on restricted firearms are made by a Garda chief superintendent. The Firearms Acts also provide for the revocation of a firearms certificate if the conditions which applied to the granting of the firearms certificate in the first instance are no longer met.

Mandatory minimum sentences were introduced in 2006 for certain firearms offences on foot of concerns about the effects that such offences were having on society in general. Legislation was introduced in 2008 to arrest the growth in large-calibre handguns. As a result, such

17 April 2019

firearms are no longer licensable unless a firearms certificate was held at the time the legislation was commenced. While there are approximately 200,000 firearms certificates in the State, the vast majority of them relate to shotguns that are held by farmers for the purposes of vermin control.

A substantial review of firearms licensing, including consultation with the public, stakeholders and the relevant Oireachtas committee, has been undertaken in recent years. A number of actions have been identified as a result of this review. The Department of Justice and Equality is actively progressing some of these actions, including a ban on new licences for semi-automatic centrefire rifles and the establishment of a firearms assessment and appeals authority. Almost all gun crimes in Ireland are committed using guns that are held illegally and are not licensed. I think it is fair to say that our gun laws are successful in that regard. The issue of illegally held firearms is a separate matter that requires separate action.

Cabinet subcommittee F, which deals with national security and comprises Ministers, officials, representatives of Defence Forces intelligence and Garda intelligence and personnel from the National Cyber Security Centre, has met in the past two weeks. We used that opportunity to review the threat level. We recognised that if a lone-wolf white supremacist from Australia could go to New Zealand and do what he did, a lone-wolf white supremacist here in Ireland, or from Britain, could do something similar here. No country is immune to terrorism. We considered what could be done to prevent it and how we would respond to it. For the first time, there have been joint exercises involving the Garda, the Defence Forces and the blue-light services. We have advertised for the position of head of the new national security co-ordination centre, which will be set up under the auspices of the Department of the Taoiseach. We will have that structure established this year.

Written Answers are published on the Oireachtas website.

Post-European Council Meetings: Statements

The Taoiseach: I am pleased to have an opportunity to update the House on the special meeting of the European Council, which I attended in Brussels last Wednesday. President Tusk convened this meeting following the UK Parliament's rejection of the withdrawal agreement on 29 March last. As Deputies will recall, at the previous meeting of the European Council on 21 March, we agreed that if the withdrawal agreement was not ratified by the UK Parliament, we would extend Article 50 until 12 April, by which time the Prime Minister should have outlined an alternative plan.

Brexit was the only item on the agenda for our meeting last Wednesday. The meeting began with an exchange of views with the President of the European Parliament, Antonio Tajani. These exchanges are always useful, particularly when it comes to Brexit, because the European Parliament has a crucial role to play in this respect. The European Parliament must ratify the withdrawal agreement in order for it to take effect. Prime Minister May was then invited to speak to the 27 EU leaders. She elaborated on her request for a further extension to Article 50. She described the cross-party talks which are under way in London. She said that more time is needed to facilitate an agreement on the way forward. The Prime Minister fully accepted that the withdrawal agreement is closed and will not be renegotiated. Therefore, the cross-party

talks are focusing on the shape of the future relationship. From the perspective of the EU, we have always said that if the UK changes its red lines, we will be ready to amend the political declaration on the framework of the future relationship. We have consistently said that we want the withdrawal agreement to be ratified in order that there is an orderly Brexit. This will allow negotiations on a new economic and security partnership with the UK to begin without delay, which is in all of our interests because it helps to avoid a no-deal scenario.

We took account of the Prime Minister's view that the cross-party talks could produce an outcome which would enable the withdrawal agreement to be ratified by the House of Commons. We were favourably disposed towards allowing time for this. Our subsequent discussions focused on the length of a possible extension. We assessed Prime Minister May's request for an extension until 30 June, President Tusk's suggestion of a year-long flexible extension and other proposals from leaders. Our aim in our discussions was to be as helpful as possible to the UK, while keeping in mind the need for European unity and the need for us to protect ourselves, the EU institutions and the work of the Union. Differing and very valid views on the best way to achieve this aim were expressed. On balance, we agreed that a flexible extension until 31 October would be the best way forward. This means the UK can leave the EU before that date if the withdrawal agreement has been ratified. In such circumstances, the UK will leave the EU on the first day of the first month after it has been ratified.

If the UK has not left the EU by the time the elections to the European Parliament take place, as a member state it will participate in those elections. The Prime Minister has said she wants to see the withdrawal agreement ratified before then. Nonetheless, the UK Government has already made the order for the elections to be held. If the agreement has not been ratified and the UK does not hold European Parliament elections, it will leave without a deal on 1 June. The UK has also committed to act in a responsible and constructive way during the extension. This allays any concerns - justified or otherwise - about the risks that an extension could pose for the Union and safeguards its effective functioning and its capacity to take decisions that will affect our citizens into the future. I was pleased to hear President Juncker advise at the European Council that long-term decisions can be discussed among the 27 member states without the UK. However, the UK will continue to have full rights as a member state and therefore must continue to comply with its obligations. We avoided a no-deal Brexit on 12 April and we provided the UK with more time to ensure an orderly withdrawal. On that basis, I welcome the outcome of the European Council meeting.

Once again, we emphasised that the withdrawal agreement, including the backstop, cannot be renegotiated and that any unilateral commitments made by the UK must be compatible with the letter and spirit of the withdrawal agreement. This point was also reinforced during my earlier meetings with Chancellor Merkel, President Macron and Mr. Michel Barnier, in my telephone contacts with Prime Ministers Rutte, Muscat, Kurz, Ratas and Bettel, and my engagements with other EU counterparts. Responsibility for finding a positive way forward between now and the end of October now lies with the United Kingdom.

As I said before, the European Union is not a prison. Nobody is forced to stay. The EU is our common European home and no country should be forced out. The UK effectively has three options. It can ratify the withdrawal agreement, it can revoke Article 50 and remain in the EU, or it can leave without a deal.

Before the European Council proper, I had the opportunity to engage with some of my EU counterparts, including a meeting of the Heads of State of France, Belgium, the Netherlands,

17 April 2019

Denmark, Sweden and Ireland, hosted by the Belgian Prime Minister, Mr. Charles Michel. There was a meeting of the European People's Party leaders. I also had many discussions with colleagues at the margins of the meeting. I thank them for their support for Ireland. We agreed to continue to co-operate closely in the period ahead. The strong unity at EU level that had been such a feature of the Brexit negotiations will continue. In addition to Brexit itself, we have many important challenges to meet and decisions to take in the coming months. The extension until 31 October will allow the EU to focus on other matters. At the next scheduled meeting of the European Council in June, for example, we will discuss economic and other issues. We agreed, however, that we would use the meeting very briefly to review progress regarding Brexit and consider any issues that may have arisen in the interim.

The outcome we agreed at the European Council meeting last Wednesday was practical and sensible. Unfortunately, however, given the ongoing political uncertainty in London, the risk of no deal has not been fully averted. It still could happen by accident. The UK Parliament has indicated it does not want a no-deal outcome but unless it takes decisive action, by finding a majority for a way forward, this is a possibility. In light of this, we are continuing our preparations for all outcomes, particularly no deal.

Brexit will have negative consequences but we are determined to be as ready as we can. A comprehensive contingency action plan is in place, with a whole-of-government response. In recent months, we have ramped up our planning at both domestic and EU levels, and this work will intensify. The Brexit omnibus Act, which was passed by the Oireachtas last month, was signed into law by the President on St Patrick's Day. Once again, I thank the Opposition for its co-operation in ensuring the rapid passage of this legislation. The common travel area has been protected and strengthened. Work on the required secondary legislation, covering a wide range of issues, from driver licenses to the recognition of qualifications, is progressing in parallel and will continue. We are also working hard to ensure our ports and airports will be ready to deal with new customs and trade controls. Although some disruption will be inevitable regardless of what kind of Brexit occurs, we are determined that the necessary infrastructure, staffing and ICT will be in place so the trade flows can continue. Budget 2019 included €78 million for farmers, fishermen and food SMEs to cover the additional costs associated with Brexit. Low-cost loans are available, as are grants and copious amounts of information and advice.

The Cabinet reviews and discusses this work on a weekly basis. The Tánaiste chairs regular meetings of the Brexit stakeholders' forum, which had its 17th meeting last month. Finally, it is worth restating that the European Commission understands and acknowledges fully the specific challenges Brexit poses for Ireland, particularly in the event of no deal and particularly at the land border between Ireland and Northern Ireland. We will continue to work closely with the Commission to find solutions for our citizens, businesses and farmers.

Deputy Micheál Martin: The need to hold an emergency summit of the European Council on the sole topic of how long to extend the period before which the UK will leave the European Union was itself a failure. Six years after Mr. David Cameron began the process leading to a referendum and three years after that referendum, we appear nowhere near resolving the issue of what the UK's relationship will be with its former partners. The bulk of this blame lies squarely with London, but equally we need to understand that the European Union itself is failing to get to grips with the situation and the urgent need to address threats to itself. The situation today is that we have hit roadblocks regarding both the withdrawal agreement and the future relationship. On the first, it is not clear how a majority for the agreement can be achieved in the House of Commons because opposing it is seen by different sides as maintaining their

leverage. Remainers want to avoid the definitive exit that would follow immediately upon ratification. They want, at a minimum, to secure a much closer long-term connection. The hard-line Brexiteers want to avoid the close relationship implied by the agreement and its links to the political declaration. It should be noted in passing that the majority of these Brexiteers continue to be disinterested in Ireland.

The record of the many debates held by the House of Commons in recent months shows that Ireland-related matters are not a primary concern, and a majority would probably vote for the agreement with a Northern Ireland-only backstop and be able to pass it even if the DUP voted against it. It is also striking how the sole focus of the negotiations between Labour and parts of the UK Government is the future relationship. No one really has any idea what is likely to happen in the near future. There is a chance that a section of Labour MPs will support the agreement in order to avoid another referendum; however, there is little we can do to influence this. The critical decision by those at the summit was to make a choice between an October final deadline and a much later deadline. It is not clear which of these options was better because President Macron's core point about how Brexit is undermining the EU's day-to-day functioning at a critical moment is valid. We have not held any emergency summit to discuss the reform of the Union, how it can tackle the anti-EU campaigning of the left and right, the need to complete the banking union, the need for an increased budget, or the vital issue of the leaderships of the Commission, Council and European Central Bank, all of which become vacant during this year.

October is a reasonable compromise that maintains some pressure on the UK to come to a fixed position, allows for a referendum or election, if that is required, gives space for the inevitable Tory leadership contest, and allows countries like Ireland, which have not completed no-deal preparations, to catch up. If there is a credible reason for a further extension at some point, that can be granted at an autumn summit. It is important for us all to understand that the holding of European Parliament elections in the UK next month carries with it important risks if they take place in an air of complete uncertainty. Were the UK definitely staying in the Union, the elections would be a moment to reconnect, but the great uncertainty and aggressive rhetoric that has already begun could actually comprise a radicalising moment. I do not believe any state, least of all Ireland, would benefit from the further degradation of British politics and the empowering of more extreme voices. Therefore, Europe should be ready to move quickly to respond to anything positive that might emerge from the negotiations in London or from any other development. We also need to use the time now available to us to do something which we failed to do before, that is, to be ready for a no-deal scenario. We dodged a bullet on 29 March. On that date, 50% of companies that trade with the UK had not completed basic registrations required to keep trading in a no-deal scenario. Only 10% of key financial supports had been allocated, with a much smaller number actually distributed. In Dublin Port, the management said the customs plaza was ready but that the staff were not. Since 29 March, a long list of fundamental no-deal guidance has appeared that should have been in place when the UK came within days of crashing out. A defining characteristic of this Government is the gap between its rhetoric, including its paid marketing, and its delivery. This delivery deficit was a feature yet again last month on Brexit, and it must not continue.

Industries and communities which are already feeling dramatic pressure from sterling's volatility need more active engagement. They should not have to be threatened with closure before anything is done to help them. We need a greater honesty about the impact of the mass increase in stocks in the UK and here that have distorted key markets and are a burden for many

17 April 2019

companies. The economic update yesterday confirmed that Brexit has hit the growth forecasts published in the Budget last year – forecasts which were based on the optimistic assumption that the withdrawal agreement would be ratified and effective by 29 March. While the fiscal gap this causes has been closed by unexpected revenue on business taxes, we need much greater transparency on what is planned if the slowdown continues. We need much greater urgency and to be actually ready regardless of what happens in June or October. We need less talk about activity and a more focus on impact.

Given the events of recent months and the rapidly changing situation, I do not think anyone here can any longer credibly argue that Ireland would have been served by spending three months holding an election and trying to form a Government. Irrespective of the Taoiseach's new habit of labelling any media stories which are inconvenient as empty conspiracies, it appears that much of his own Government has been regularly trying to create the pretext for a Brexit election.

Fianna Fáil stands fully behind its decision not to force on Ireland the political instability which has caused so much damage to Northern Ireland and Britain. Indeed, had we been without a functioning Parliament and Government in recent months, we would have had zero no-deal legislation.

We must also address the grave situation in relation to the Good Friday Agreement, which goes well beyond the very serious issue of Brexit. Two of the three strands of the agreement are in complete suspension, while the third is in a grave condition. Added to this, one has the threat of direct rule being imposed. It is more than two years since the democratic institutions of the agreement were collapsed because of a heating scheme which appears to have lost nowhere near the amount of money used to justify the collapse. It is inexplicable and the rationale for collapsing the Executive is in no way acceptable. If such a scandal happened in government here, we would not collapse the Dáil or Seanad. Parliaments do not get collapsed because of scandals. It was a grave mistake by Sinn Féin to collapse the Executive at the time. Equally, it is a grave mistake by the DUP not to agree to go back into the Assembly. I believe we would have marriage equality by now had the Assembly been up and running, notwithstanding the petitions of concern. For far too long since the Good Friday Agreement was signed, and too often, the reflex to simply collapse the Executive and Assembly has been used. There have been periods when the default was to simply pull out and collapse the institutions. That is no longer acceptable and cannot be acceptable in the future because vacuums are dangerous in situations such as this, particularly in the context of Brexit. I made that point earlier in the Chamber but I think Deputy McDonald may have misunderstood what I was saying. Brexit is a grave threat to the island and to Northern Ireland. I cannot understand how anyone can stand by and say that it is grand that we do not have the Assembly and Executive and not make every effort to restore them so that the anti-Brexit majority in the North would have a voice in the Parliament, just as those in Scotland and Wales have.

It is now two years since the institutions were collapsed. At a time when its future has been at the centre of international affairs for the first time in 21 years, Northern Ireland has been left without a voice at the table. The pro-EU majority in the Assembly has been gagged by the two largest parties who agree on only one thing, that someone else is to blame. We do not need our Government to take the position of "We'll help if we can". We need it to show leadership, to get involved, and to try to get re-engagement.

If people are not even talking then of course they cannot reach agreement and nothing can

be achieved. At a minimum we should demand that a civic forum be convened to give the people of Northern Ireland some place to express their views on reforming the institutions and getting through Brexit.

Now that there is some new breathing space, Ireland's best interests require a rapid increase in Brexit preparations. Businesses need to start seeing real support for diversifying products and markets. Vital indigenous sectors which are already hit by sterling's devaluation have to be engaged with and helped to replace lost business. Most of all, Ireland has to speak up for a more effective EU, with a renewed leadership and focused on an urgent reform agenda.

Deputy David Cullinane: We are now just shy of three year's since the Brexit referendum result. Despite the great time and effort that have been put into negotiating the withdrawal agreement, the many debates, consultations and sittings of the Brexit stakeholder meetings which were organised by the Tánaiste and which the Opposition have worked constructively on, we are no closer to the ratification of the withdrawal agreement. This must be very concerning for all of us. Despite serious reservations about the agreement and the absence of several issues therein, especially the rights of EU citizens in the North and aspects of the Single Market in relation to services, our view is that it is the least-worst option for Ireland and is a deal that must be honoured if we are to minimise the impact of Brexit. There is an extension of the Article 50 process, as per last week's agreement of the European Council. The extension buys us time and gives six months more to try to pass an agreement. The most important thing is what happens over the next six months and if Westminster and British politics can arrive at some sort of consensus to pass the agreement and something else, whether a customs arrangement or otherwise.

What cannot be allowed happen is for hard Brexiteers and those opposed to the withdrawal agreement and its protections for Ireland be given an opportunity over the next six months to rehash all the old arguments which have been put to bed by the European Council, the European Parliament and by European negotiators. We in Ireland and the EU must remain steadfast that the withdrawal agreement and the Irish protocol or backstop must be honoured and cannot be renegotiated or picked apart in any way. We made this case that the backstop must be honoured to Theresa May and to Jeremy Corbyn last week when our party leaders met with them. It is the only realistic deal, which mitigates some of the worst aspects of Brexit for Ireland. Our party leader outlined this to the Speaker of the US House of Representatives, Nancy Pelosi, this morning. We welcome her steadfast support for the Good Friday Agreement and ruling out any post-Brexit trade deal for Britain if Brexit weakens the Good Friday Agreement.

Despite the vast majority of people on this island, North and South, across all 32 counties, nationalist, unionist and otherwise, who support the backstop and protections for Ireland, we cannot take anything for granted. There is still the possibility that six months down the line that a no-deal scenario will present itself again. We must be mindful of what will happen. Hopefully, it will not come to pass but in the event it does, we will remind the Taoiseach that this constitutional issue must be put to the people. It is time for the Irish Government and Fianna Fáil to get serious about the unity of our country. There is nothing to be feared in relation to Irish unity, it is a legitimate political aspiration. It can only be achieved through democratic means. No one should be afraid of the ballot box or a referendum. The two larger parties in this State do not seem to understand that but it is a matter for them.

Local and possibly European Parliament elections are coming up in the North in coming weeks. I welcome that for the first time Fianna Fáil will be part of truly national politics and

17 April 2019

will field candidates with the SDLP. We will see its outcome. I put my faith in the people. Let us see what they say about candidates from Sinn Féin and Fianna Fáil-SDLP.

Deputy Micheál Martin: The Deputy has changed his story from last week.

Deputy David Cullinane: I did not interrupt the Deputy and he had a fair run. For the first time there will be Fianna Fáil-SDLP candidates. It does not surprise me that the Fianna Fáil leader says he cannot understand how people in the North accept and welcome the fact that we do not have institutions. That is not the case. Certainly, Sinn Féin acknowledges that the institutions should be in place. If the Fianna Fáil leader was talking to people in the North and was on the ground, as I was last night, campaigning in the North and talking to people, he would understand where people in the North are coming from and would have a greater understanding of Northern politics. He would know that it is not about blaming anybody but how the issues are resolved. We know what the issues are and they were resolved through negotiation last year but the DUP walked away from it. That is a fact. We stand ready to talk to any political party, including the DUP, on the basis of getting the institutions restored, but on a sustainable basis. That is what the people in the North want. As I said, we will have elections in the North in the next number of weeks. That will tell us again, clearly, who represents Northern nationalists. Is it people in here who pretend they do, who continuously speak for them, who speak over them, and who talk down their representatives in this Chamber in trying to present some sense that we do not represent them truly or we do not understand where nationalists are? Let us also see what the outcome of those elections will be. I look forward to having that debate with the leader of Fianna Fáil after the next election.

There are many other issues that emerged and are important in terms of the future of Europe. Brexit has brought that into sharp focus. I have always been a Euro-critical person. I believe in the European Union and that Ireland's place is in the European Union but I believe that we should at all times be critical of aspects of the European Union. I believe in a social Europe and in a democratic Europe but I do not believe in an increased militarised Europe. I do not, and cannot, support a European army. It is something that is being promoted by federalists in the European Union. There are people in Europe who want an ever closer Union, who want a deeper political union and a deeper economic union. That is a legitimate political viewpoint to hold. I have no difficulty with people holding those views. In my view, it is not the dominant view in this State and on this island. People want us to be a member of the European Union. In the context of Brexit, they want to see the entire island of Ireland stay in the European Union. However, they want us there as equal partners, and in a more democratic Europe. They certainly are very concerned about the increased militarisation, which I spoke to the Taoiseach about in the pre-Council statements. Where we have a fight in this Chamber almost every week in relation to scarce resources, with funding needed for health, housing and childcare, people will not be happy with more taxpayers' money, in this State or, indeed, across the European Union, being spent on an increased militarised Europe.

The only way we will fight the far right and make sure that it does not get a foothold in this State, and, indeed, fight the far right across the European Union, is to make Europe a more social and democratic Europe so that on issues, such as workers' rights and public services, people see that Europe will deliver for them. They do not want an increased militarised Europe. They do not want a European super state. They do not want what some of the federalists are arguing for, some of which, I think, has given succour to the far-right in Europe.

We also need to be careful that we do not have a situation where we allow politicians, in this

State or elsewhere, to pitch immigrants against those who are at the margins of society here who are victims of very bad policies by the Government and other right-wing Governments across Europe which deprive public services of investment and which create situations such as the housing crisis. I refer to people, such as those in the Taoiseach's constituency and in Dublin, who pay exorbitant rents so that significant amounts of their income are gone on living, and for whom the cost of living is very high. That is what I hear from people. They want to see the Government reduce their cost of living. We cannot allow the debate on immigration to be framed in the context of scarce resources, and almost allowing people to scapegoat immigrants for what is the problem - I would argue the fault - of right-wing politics. That is where the far right is gaining traction in some parts of Europe. The best way we can ensure we do not have the rise of the far right in this State is to provide for our citizens, to invest in public services, to defend workers' rights, to make sure that people have a home, to make sure that people do not wait longer than 15 months to see a consultant or that we do not have record numbers of people on trolleys or homeless, and all the obvious problems that face people. We need to make sure, through State investment and fair taxation, that people are cared for from the cradle to the grave. That is what I would like to see happen.

We have still a long way to go, as I said, in relation to Brexit. My party certainly has been supportive of an Irish position of getting a backstop. We have that, we have to protect and maintain it, and we have to be vigilant in the time ahead. Let us hope over the next six months that common sense will prevail, that some consensus will emerge in Europe, and that the British parliament will support the withdrawal agreement and possibly something better in terms of a customs arrangement which, I believe, is in the best interests of not only the people of Ireland but also the people of Britain and Europe.

Deputy Brendan Howlin: The ESRI recently published the finding of its macroeconomic study into the possible impact of Brexit, deal or no deal. It is a valuable contribution to our understanding of what might happen to our economy, both in the immediate future and ten years later. It is yet more evidence of the harm that Brexit, whatever form of Brexit ensues, will be for Ireland. The ESRI model finds that unemployment will rise in any Brexit scenario and participation in the labour market will also decline. Participation in the labour market declining is a very important factor. When these two effects are added together in today's terms, that could mean between 55,000 and 105,000 fewer jobs created in Ireland over the next ten years due to lower economic growth. That is only one projection, but I remain extremely cautious about the stability of employment, given all the other possible negative influences on our economy, such as housing costs. I would urge that the Government do more to consider new initiatives to prepare for a potential spike in unemployment in the years ahead. The effects of Brexit will be acutely felt in those sectors most exposed to the British economy, such as agriculture, food, tourism and hospitality. I want to see the Government confirm what studies it has commissioned into the possible employment effects in the sectors I mentioned and what preparations are being taken to alleviate any sudden rise in unemployment, not only in those sectors but also in the geographical areas the ESRI has pointed out.

This is the shadow that hangs over Ireland, and the public interest is clearly to prevent any Brexit occurring, if that is possible. I believe it is. The certain harm to Ireland should inform how we interpret the result of this European Council meeting and how we seek to influence what happens next in so far as we can.

Last week's European summit was extraordinary in every sense of the word. The sole purpose of the summit was to deal with the fallout from the third rejection of the withdrawal

17 April 2019

agreement in the British Parliament and the failure to find majority support in parliament for any alternative.

The summit was extraordinary in that it showed the strain on European leaders, as they sought to find consensus on the European response to the request for a further extension by the British Prime Minister, Mrs. Theresa May. What Europe does best is find compromises in these situations, and the offer of a flexible extension to the end of October provides a plausible middle way between competing demands for nearer or more distant exit dates.

That compromise also shows that patience is wearing thin, and I heard it in Brussels on Wednesday last, as did the Taoiseach. This week, the German foreign Minister, Mr. Heiko Maas, warned that if Britain seeks yet another extension, this will be interpreted as a desire to remain in the Union after all. This is despite the fact the German Chancellor, Dr. Merkel, was among the advocates for a longer extension.

While finding compromise among 27 European countries is no mean task, it is not always the case that the middle road is the best road. I have argued that we should offer the UK a five-year extension - that sounded extreme when I said it. I hold to that position, which I discussed with the meeting of Socialist and Social Democratic Prime Ministers and leaders in advance of the Council last week. A five-year extension would avoid the likely scenario that we could be seeing another request for a further extension in less than 200 days' time. Something that has bedevilled us is this deadline, contrived crisis, hype and then deflation with constant uncertainty.

An October request for more time could be rejected. There is a view - the Taoiseach would know better - that any extension beyond October could be rejected. The six-month extension is the lesser of a number of ones that impact badly for Ireland. Immeasurable harm would have been done if the UK crashed out on Friday last but great harm will also be done if the UK still has not found consensus, or at least a majority in its own Parliament, on its own Brexit strategy by the autumn. Every month of uncertainty damages investment in this economy and there is a real risk that the British Government will be still unable to command majority support for any Brexit policy at any time during the next six months. That is a real prospect. What then? There is just about time for the UK to hold a general election and for a new Government to be formed but the Fixed-term Parliaments Act makes it very difficult to call a snap election. There is just about enough time for the UK to hold a new public vote but there is not a majority yet in the British Parliament demanding such a vote.

Theresa May is under intense political pressure to call off her talks with the Labour Party in Britain. At any rate, there is no evidence so far that these talks will produce a new Brexit policy that can command a majority in the UK Parliament. Neither Theresa May nor Jeremy Corbyn can guarantee the backing of their respective parties for the ongoing negotiations and I believe that is why they have not come to a conclusion.

If the British political system cannot provide the answer, perhaps Europe should offer the United Kingdom more time. It is in Ireland's public interest for the UK to remain fully engaged in the European project. It is also in our interest for the European Union to change some of its core policies on fiscal policy, inflation targets and State investment in the economy. For example, keeping investment to less than 2% has suppressed job growth whereas a more realistic mandate for the European Central Bank would be for a target of between 2% and 3% inflation with an explicit duty to seek lower unemployment. Such changes would boost job growth in

the European economy in a way that would deal with some of the root causes of Brexit and the rise of populism.

I regret the tone of President Macron's recent public remarks on Brexit, some of which were doubtlessly aimed at a domestic market. He painted a bleak and false picture of British isolationism. The British media then portrayed him as a new Charles de Gaulle, denying the British entry to the European project, a frankly preposterous notion.

A great many people in Britain and British politicians are pro-European and passionately want to remain part of the future of Europe. An even greater number, certainly a majority, could be persuaded to remain in a reformed European Union. European Council President Tusk has talked of the possibility of the UK thinking again. I do not believe we can be silent on that. We have an opportunity between now and October to present a plan for European reform that is so compelling that it will entice British public opinion strongly to support remaining within the EU.

In his public remarks last week, the Taoiseach hinted that he and perhaps others could be open to offering the UK a seat at the table for future discussions on trade policy if it remained inside the Single Market and customs union but no longer a member of the EU. That would create a messy situation whereby we institutionalise a half-in, half-out membership of European institutions. It would adversely affect the ability of full members to move forward with shared initiatives as nearly every area of policy will overlap in some way with the Single Market and trade and giving the UK a say in these matters when it is outside the Union could be very problematic indeed.

A better course of action would be to make clear that the European Union is open to serious and far-reaching reform. That would mean reform of the European Central Bank to foster growth and focus on employment, reform of the fiscal rules to allow for a greater level of State investment, reducing the role of European institutions where they are not adding value and allowing greater experimentation in trade policy and national economic policies, for example in biotechnology and other technologies in which the UK has felt restricted by the slow approval processes within the current European institutions.

Europe would benefit, and Ireland certainly would, from the continued membership of the UK. The British people would undoubtedly be better off in a reformed Europe. We would not simply do this unless we are able to put concrete proposals on the table. We should seize this opportunity to forge a common position across the EU 27 to drive an ambitious reform agenda for a fairer, better Europe that will win the support of the majority of British people in any people's vote that might be held before October or afterwards.

The European elections provide the ideal opportunity to set out our reform agenda and to seek agreement in principle with this goal across the main political groupings.

Deputy Clare Daly: Deputy Boyd Barrett is not coming.

Acting Chairman (Deputy Eugene Murphy): Deputies Clare Daly and Wallace will be taking his ten minutes.

Deputy Mick Wallace: Yes.

Acting Chairman (Deputy Eugene Murphy): Is that agreed? Agreed.

17 April 2019

Deputy Brendan Howlin: I wish Deputy Wallace *bonne chance*.

Deputy Mick Wallace: I hope Deputy Howlin will not miss me in Wexford if I am lucky enough to get elected to Europe.

Deputy Brendan Howlin: I will miss Deputy Wallace terribly.

Deputy Mick Wallace: It will not be the same without me.

There are many challenges facing Europe, many of which are connected. Two of those are the manner in which so many aspects of terrorism are carried out and global warming. There are many terrible things happening in the world in pursuit of oil. One does not need to be a rocket scientist to work out that the trouble in the Middle East has, from the beginning, been strongly linked to the pursuit of oil and the control of the price of it.

There have been terrible atrocities in Yemen, especially since 2015 although trouble began when, in 2011, the Yemeni people said no to their leadership because they did not like the neoliberal policies that President Ali Abdullah Saleh was trying to implement on behalf of the Saudis and the US. Sadly, former President Obama, the Saudis and the UN engaged in an effort at regime change by putting the unelected President Abdrabbuh Mansur Hadi in power in place of Saleh, whom the Yemeni had rejected. The Yemeni went on to reject Hadi and that led to the war which began in March 2015.

We are told by independent sources that there are now over 13 million people at risk of starvation which is a huge indictment not just on the countries involved in the conflict, which include France and the UK, but also of the European Union. Its failure to challenge seriously what has gone on in Yemen is nothing short of a total disgrace.

There is a chase for the resources of Yemen and that is what it is all about in the same way much terrorism around the world has been linked to oil. In 2016 alone, the EU gave licence to the export of €28 billion worth of arms to the Middle East area. France alone got licence to export almost €4 billion worth of arms to that area.

Terrible things have happened in Libya lately. Those troubles began not with Gaddafi but with his overthrow in 2011 and the NATO bombing which destroyed the country. France has played a poor role of late. It was bad enough that France, the UK and the US led the bombing in 2011, caused untold destruction, ended up killing approximately 40,000 people and have done much more damage since but, of late, France has been active in its support of Khalifa Haftar, who is a brutal, military thug. Sadly, he was protected by the US and he moved to and lived in Virginia, not far from CIA headquarters. He went back to Libya when the bombs started falling and took control of Benghazi in 2017 thanks to French support. It is terrible that the European Union does not have the wherewithal to prevent France behaving like this. It would be great if we could call France to account. It would be very difficult for a small country like Ireland to stop France from behaving as it does. However, the least we should do is challenge its behaviour and call it out because Libya is descending into further chaos and France has played a poor role in that regard. I asked the Tánaiste yesterday about his views on the role France has played but he refused to answer my question. I would like an answer of some sort from the Government regarding what it thinks of the role France is playing in Libya.

The pursuit of oil is also directly linked to what is happening in Venezuela. While I did not like to upset the party here today for Nancy Pelosi, I was very tempted to come in carrying

a Venezuelan flag and wearing a Julian Assange t-shirt. Given that it was not an official Dáil sitting, out of respect to the Ceann Comhairle, I decided to give it a miss. The recognition of Juan Guaidó as the interim President of Venezuela is a total breach of international law just as the US economic sanctions, which are designed to impoverish and cripple Venezuela, are also unlawful but nobody seems to give a damn about international law any more. The pursuit of oil in Venezuela is paramount in the US approach. I was really saddened that European countries, including Ireland, decided to recognise Juan Guaidó, a far-right thug from a very well-off background who does not have 5% of the support of the people of Venezuela. Recognising him was a terrible insult to international law and any form of democracy. John Bolton was arrogant enough to go on television and state that he could not wait for Venezuelan oil to be under the control of US companies. In fairness to him, he was hiding it anyway. Like Cuba did for so long, we have watched Venezuela fight the indomitable economic and military might of the US in order to try to survive. Any interest the US has in Venezuela has nothing to do with the interests of the people of that country. I wish Europe would wake up to that, start to work for mediation between the Venezuelan Government and the opposition and cut the US out of the equation. Let us come up with something that makes sense.

US sanctions against Iran constitute more madness. An investigation by Seymour Hersh has revealed that terrorist groups in Iran have been funded by the US and Israel. It also revealed that the Bush Administration had been funding covert operations in Iran that were designed to destabilise the country's leadership since 2005. In the interim, a number of leaders of terrorist organisations have revealed their links to US and Israeli finance, weapons and training. The US recently designated Iran's Islamic Revolutionary Guard Corps as a terrorist organisation and nobody batted an eyelid. It is frightening.

Regarding the link between terrorism and climate change, we are staring at climate breakdown head on. The majority of governments pay lip service to taking action to tackle the crisis. The EU says nothing while the most powerful countries in the world lie, invade, fight and kill over the fossil fuels that should stay in the ground. If we are to have any chance in hell of stopping the worst of climate breakdown, this must stop.

I will conclude on the madness that is Julian Assange's arrest. I think people need to understand that the arrest of Julian Assange is a threat to good journalists the world over. In fairness, the Swedish prosecutor went to the Ecuadorian Embassy, interviewed Assange and dropped the charges a few months later. The Department of Justice in the US never sent representatives to interview Assange but now even Pelosi's crowd, the Democrats, have joined forces with the most reactionary of Trump's crowd in demonising him. This is nonsense. Great Britain has keeled over and bowed down to the US desire to have Assange arrested and possibly extradited to face so-called US justice. If he ends up before the US federal justice system, he might never be seen again. Great Britain once had an empire so large that it boasted that the sun never set on it. Where is Great Britain now? It is a pawn of the US - how sad.

Deputy Clare Daly: As Deputy Wallace stated, the violation of international law and the erosion of human rights on a global scale are truly frightening. Last Thursday, the day after the European Council met for yet another interminable debate on Brexit, Julian Assange was dragged out of the Ecuadorian Embassy in London and taken into custody. The reason for this is, obviously, a change of government in Ecuador and an IMF bailout. Mr. Assange was basically given up by those who granted asylum in the first instance. As he had warned, an extradition request from the US rapidly followed.

17 April 2019

Almost simultaneously, at the behest of the US, Moreno's Government took the extraordinary step of arresting Swedish programmer and digital privacy activist Ola Bini on the ridiculous and fabricated charge of attempting to destabilise it by collaborating with Julian Assange and Wikileaks. This is the stuff of fascism. We should be very scared and bothered about where this is going. Ola Bini is a globally respected figure in the free software community and a renowned activist for the digital right to privacy. In 2010, *Computer World* named him Sweden's sixth best developer. He is a member of various European and international networks for free software and privacy and participates in projects at the highest level, some of which were sponsored by the European Commission. He has never expressed any views that would be in any way a threat to the Ecuadorian Embassy and yet, without notice and with no evidence and no bail hearing, he was detained for 17 hours without food or legal advice. He was arrested for collaborating with Julian Assange. He has had no connection to Wikileaks but obviously had, like Deputy Wallace and me, visited Julian Assange on a number of occasions

Julian Assange's arrest last week treated us to the bizarre spectacle of left and liberal journalists cheering and jeering when, in reality, a fellow journalist and publisher was dragged into a police van and served with a warrant for extradition to the US to face punishment for his work. This is a frightening stance. This is the individual who exposed the most serious crimes by the US in what *The Guardian* called one of the greatest journalistic scoops for the past 30 years. The fact that people would mock him as if he was being evicted from an episode of "Big Brother" in circumstances where he potentially faces a lifetime a super-max prison in the US is gut-wrenching. I find it utterly sickening. The reality is that he is being mocked for telling stories that the world and the US establishment did not want heard. Let us be clear about this. We attempted to raise this case on many occasions in the House and nobody really wanted to know. The reason we did so was because Mr. Assange was arbitrarily detained. The UN stated that this was an arbitrary detention. For the past seven years, his crime was upsetting the US. That is what it was. For all of the smears, jibes and personal rubbish spoken about him, at the heart of this is a serious violation of human rights. It is sad that he was painted over the years as a paranoid fugitive who was only making up this stuff about the US but what he warned about has come to pass. A case was being prepared for him. Chelsea Manning is tied up with that. She has been rearrested. Again, this is an appalling vista.

He was arrested for doing incredibly good investigative journalism, and there is a chilling effect from this by the United States Government, which does not want its secrets exposed. It wants to prove to everyone who undermines its authority that its security state has a global reach and that anyone who upsets the United States can be seized. That is the message being sent to us all. It is about crushing dissent rather than enforcing the law. It is about dissuading future Julian Assanges or Ola Binis from sticking their heads above the parapet and challenging power. It is incredibly dangerous, and I would like to know what the Government is doing about it. Ola Bini, for example, is the subject of a 90-day pre-trial detention in Ecuador, despite having committed no crime whatsoever, something the UN special rapporteur has condemned. I would like to know whether our Government will do anything about this and the dangerous precedents it sets for journalists.

On the subject of arbitrary pre-trial detention, we also have the appalling vista of the Catalans who are going through what is basically a show trial. I highlight, in particular, the cases of Jordi Cuixart and Jordi Sànchez, leaders of civil and cultural organisations who did nothing other than facilitate or call for the idea that people should have a democratic right to a referendum on Catalan independence. They did not express any view on independence. They did not

say they were pro-independence or anything like that, just that people might have a say, and for this they have been in prison for more than a year, are currently going through a show trial and could face 17 years' detention for sedition. This is happening on mainland Europe and no one is batting an eyelid or giving out about what the Spanish Government is doing. It is an incredible threat to democracy. The same people who sit in the middle ground are getting all upset now about the rise of the far right in Europe. We should be upset about, and afraid of, this, but the reason the far right has gained ground is that the centre has not held, has given way to that type of view and has let down ordinary people the length and breadth of Europe, and we will pay a heavy price for that.

The last point I will make is about our continuing sitting on the fence regarding Venezuela and the appalling situation there, particularly the recent attempts by the European Parliament to involve Cuba in this regard. I note the statement put out by the Cuban ambassador this afternoon condemning the stance of the European Parliament, which has escalated the situation in Venezuela with its recent statement alleging the presence of Cuban security forces in Venezuela and attempting to undermine Cuba as well as Venezuela. The European Parliament pointed out that there are 20,000 Cubans in Venezuela. There are, and they are there in healthcare, education and social care. They will continue to work with their neighbours in South America and Latin America in a spirit of co-operation and adherence to international law and in support of the democratically and legitimately elected government of Venezuela. The Venezuelan people demand the right to elect their own government without foreign interference. What is going on in Venezuela is completely unacceptable.

I refer to attempts to make the economy scream, as was done previously, and to turn people against the government by imposing vicious austerity through sanctions, manipulation of the electricity grid and so on. This cannot be a solution. The only way out for Venezuela is through dialogue. As we did last week, I urge our Government, as a neutral state at the heart of Europe, to demand that our European colleagues demand that all sides in Venezuela sit around the table and engage in dialogue because only through dialogue will we resolve this. However, there cannot be dialogue if people are being starved into submission. In order to allow the Venezuelan people access to medicine and the economic resources they need, the government must be allowed to trade and do business, and we need a loosening of the sanctions in this regard. I would like to know what the Government is doing about this and why we continue to back this puppet who does not have the support of anyone and is just there as part of a United States coup attempt. Specifically, the Government should speak out against the efforts of the US to bring in Cuba and Nicaragua as part of this. It is having an undermining effect and making the situation unacceptable for those states as well.

I thank the Acting Chairman for facilitating us. It is very sad that we have to raise these cases and it is even sadder that every week we come here we talk about more cases of people being arbitrarily detained. If people think this does not affect us, I say this: first they came for Julian Assange, now it is Ola Bini; who will it be next? That is the direction in which we are heading and we would want to do something about it before there is no one left.

Acting Chairman (Deputy Eugene Murphy): The next slot is the Rural Independent Group's. I see Deputy Mattie McGrath-----

Deputy Mattie McGrath: And Deputy Danny Healy-Rae.

Acting Chairman (Deputy Eugene Murphy): -----and one of the Healy-Raes.

17 April 2019

Deputy Mattie McGrath: Ceann amháin.

Acting Chairman (Deputy Eugene Murphy): Is Deputy Danny Healy-Rae togging out for Deputy Michael Healy-Rae as well? It is the one slot.

Deputy Mattie McGrath: Yes. We are dividing the time in two.

Acting Chairman (Deputy Eugene Murphy): Following the Rural Independent Group's slot, there will be an opportunity for anyone else who has not already spoken to come in. There will be some time left.

Deputy Mattie McGrath: Déanfaidh mé mo dhícheall to fill Deputy Michael Healy-Rae's shoes. He is chairing a very important Committee on European Union Affairs meeting with the Portuguese ambassador and other people at present. We also have an invitation to the embassy tonight, which we hope to take up. The committee meeting is very important business. Deputy Michael Healy-Rae sends his apologies that he cannot be here to speak this evening.

I am happy to speak briefly on this matter. I do not mean any offence to the Aire Stáit, the Minister of State, but I am disappointed the Taoiseach is no longer here. I have noticed a pattern in this regard when we have these statements. I understand his not being here when he is out of the country or whatever, but he was here until the Independents behind me, Deputies Daly and Wallace, started to speak and then he fled like the snow off a ditch. It is bad manners. I and other Independents are also here and we represent people as well. We represent rural people who are badly affected by this. If the Taoiseach could sit in for the Fianna Fáil speech-----

Deputy Helen McEntee: If Deputy McGrath were here when we started and when the Taoiseach spoke, it might have helped.

Deputy Mattie McGrath: Fine, but the Taoiseach has a habit of leaving when we Independents rise to speak. Whether he thinks we do not matter I do not know, but he will find that out some day soon. It is disrespectful, and I hope the Minister of State passes on the message to him. I understand he is a busy man, but it always seems to be when the party leaders are finished that he decides to go.

As we know, the European Council has agreed to an extension to allow for the ratification of the withdrawal agreement by the UK. We in the Rural Independent Group have been co-operative and have facilitated, agreed to and gone along with all of the Taoiseach's and the Tánaiste's requests and briefings to date so we are not aliens in this regard or anything. The conclusions of the Council were extremely clear. Such an extension should last only as long as necessary and, in any event, no longer than 31 October 2019. At the very least we would then have the endgame in sight, and I hope we will because, quite frankly, everyone is fatigued with Brexit, I am sure no one more than the Minister of State, although I will not purport to speak for her. For everyone I speak to, especially those in the farming and business communities and in exports and hauliers, down to every village in rural Ireland, there is a huge feeling of uncertainty - that is the best word to use - and of angst to know when we will get an endgame, if we are going to get one, and what the result will be. There is uncertainty. I meet excellent young businessmen employing up to 30 or 40 people and exporting a lot to England and indeed elsewhere. Their orders are falling and they are very concerned. Some of their staff have been let go already and they are doing their best to keep their remaining staff, but there is huge worry and the uncertainty out there is palpable and very real. The Association of Farm & Forestry Contractors in Ireland, FCI, was here today hoping to meet the Minister, Deputy Bruton, but one could have

an audience with the Pope now before meeting the Minister. Five Deputies from Tipperary cannot meet him about a post office in Thurles, and neither will he meet this national organisation, which is very worried and has huge concerns. The Minister was in the Chamber and around the House today, so it is a case of the Scarlet Pimpernel: he cannot be found. We seek him here, we seek him there, and then he sends out his colleagues to meet us. It is not good enough. Ministers must be held accountable to the people.

As I said, the endgame is in sight. If the withdrawal agreement is ratified by both parties before 31 October 2019, the withdrawal will take place on the first day of the following month. One would nearly want to carry a calendar now to keep track of all the dates and deadlines. It is worse than any messy divorce. We might need arbitration. What must be deeply concerning for the EU is of course the plain fact that if the UK is still a member of the EU from 23 to 26 May 2019 and has not ratified the withdrawal agreement by 22 May 2019, it must hold elections to the European Parliament in accordance with European Union law. This will have an impact on the number of seats we might or might not have. In that vein, I would like to wish my colleagues, Deputies Clare Daly and Wallace, the very best with their late entry into the game. Their decision might be last minute but they will be a fair flush when they get out on the road. I am looking forward to meeting and engaging with them. I wish them well, although I will be lonesome here in the House once they both have been elected to Europe. We will miss them in the Chamber.

An Ceann Comhairle: They might be looking for substitutes.

Deputy Mattie McGrath: They might be but it is too late for that, unless the two Deputies submitted my name and did not tell me. They will not need subs anyway because they are able and capable and will be capable members of the European Parliament. I wish all of the candidates running in the elections well but especially those from the Independent benches. People are tired of party politics. It will also have been a huge relief to have heard that the European Council has reiterated that there can be no reopening of the withdrawal agreement. This underlines again that, at least for now, there is a solid enough commitment to the backstop and the rejection of a reintroduction of a hard border. People, farmers and businesses are simply fed up with the massive and destabilising uncertainty to which this process has given rise, particularly with our trade and export markets. We cannot persist in allowing this kind of damaging and frustrating process to be continually drawn out. That is particularly the case since we know that after even a good Brexit trade deals and new arrangements will take years to become bedded down into the new way of doing our business with each other.

Deputy Danny Healy-Rae: I am glad to get the opportunity to say a few words. Deputy Mattie McGrath seems to be sure that the end game is in sight with Brexit. I am not so sure that it is. Kerry is the county furthest away from Europe and the next stop is New York. The people I represent are tired and fed up with all this talk of Brexit. It is Brexit for breakfast, dinner and supper and if people have anything after that it is once again Brexit before they go to bed. A great deal of uncertainty has come about on foot of Brexit. No more than I or anyone else, the Minister of State does not know what is in the mind of the British Government or what the latter will eventually end up doing.

This uncertainty is having an adverse effect on employers, particularly small employers. Friday evening comes around very quickly for an employer and that is when wages must be ready to be paid to workers in order to keep families going. I know that from my experience as an employer. Money must be ready and there must be a plan to keep employees on board

17 April 2019

because it is difficult to get good people. We appreciate the employees we have and we want to be able to retain them. It is the same for all employers.

The situation with Brexit has given rise to uncertainty and is adversely affecting many sectors. There is a fear in the tourism sector that the revenue from many English tourists will be lost to the economy if the UK leaves the European Union. Small employers exporting abroad are not employing any extra people and are unsure if they will be able to keep their current workforce.

Regarding the farming community, and this is very important, we are very grateful we have an extra window of opportunity. I do not think, however, that the Government, the Department of Agriculture, Food and the Marine or Bord Bia are doing enough to source extra markets for farmers and their produce, whether live exports or processed beef. Much more should be done. This extra time should be used wisely to ensure that farmers are not left stranded because they are already feeling the effects of Brexit. The price of cattle has decreased and costs are not being covered. No suckler or beef farmer is covering his or her costs now and that is the honest, gospel truth. Sourcing more markets would have a dual purpose - it would provide competition for the meat factories as well alternatives if the UK market is lost to us.

The price paid for Irish beef in the UK is already lower than the price paid for beef from UK farmers and other countries. That is not fair and not right and there should be an investigation. I asked for this before, I am asking for it now and I will be asking for it again if it does not happen. There is a better price in the North for the same weight of cattle than there is in the South. Why is that the case? That should not be. I am raising this issue again on behalf of the people I represent. In the same vein, small fishermen are very concerned about how they will be affected if a deal is concluded and the UK leaves the EU. These are just some of the issues we face. I refer again to tourism and the English market. It has been much appreciated by our small hotels, bed and breakfast establishments and all of the facilities we have, especially around the Ring of Kerry and in Killarney. Bord Fáilte needs to source other markets if the English market needs to be replaced.

An Ceann Comhairle: Does Deputy Haughey have a question?

Deputy Seán Haughey: I gather there is now a period for questions and answers.

An Ceann Comhairle: Yes, if necessary.

Deputy Seán Haughey: I thank the Ceann Comhairle. I echo what previous speakers stated and wish those Members contesting elections to the European Parliament every success. The attention of many in this House is now turning to the subsequent by-elections and how that dynamic will play into the political system. That is another day's work, however, and we will wait until the European elections have been completed. This afternoon we had a presentation at our Oireachtas Joint Committee on European Union Affairs on how Ireland needs to create new alliances within the European Union to advance our agenda. That work has been well done by our diplomats. We expressed our gratitude to our diplomatic service on the great work being done pressing the Irish case in the context of Brexit.

I have one particular question for the Minister of State. I hope she knows the answer. If not, perhaps she can find out. Regarding elections to the European Parliament, in the event that the UK contests those elections, what is the exact legal position regarding the Irish seats, particularly the two extra ones? The Taoiseach has been reported as stating that votes may need to be

counted twice on the day of the count. To take Dublin as an example, the votes might need to be counted on the basis of the constituency being a three-seater and also on the basis of it being a four-seater. There seems to be some confusion. It seems likely that the UK will be contesting these elections but who knows. We need some clarity on this issue. I am sure the candidates require clarity as well.

According to media reports, President Macron of France was particularly difficult at the European Council meeting and held out for a much shorter extension to Article 50. There is talk about the French President asserting his authority because the German Chancellor is due to retire. President Macron will become a senior person within the European Union and he is advancing a very integrationist, federal agenda in the context of co-operation on defence. He has issues regarding tax harmonisation, a eurozone budget and so on and Ireland must be very conscious of that. We saw a small example of it at the European Council meeting held last week.

The Taoiseach has spoken of his interest in the UK joining a customs union and the Labour Party there is looking at that also. Does the Government have a view on that? Certainly, the Taoiseach has spoken of the advantages of that approach in resolving the Brexit issue and the question of a hard border on the island of Ireland. Are we advancing the proposition of the UK remaining in some form of customs union to anyone who will listen? Would it resolve the issues we face and are we actively advancing the matter?

Deputy Mick Wallace: Julian Assange languishes in Belmarsh high-security prison near London for the minor crime of jumping bail. He is under threat of extradition to the USA where he is very unlikely to receive a fair trial. I wonder if the Government will consider offering him asylum rather than see him end up rotting in prison in America.

When is the next meeting of the Foreign Affairs Council? Will the Tánaiste, Deputy Cooney, raise at that meeting the need for Europeans to mediate in Venezuela between government and opposition to avoid bloodshed and violence and to bring about a peaceful resolution to the problems facing the country?

Minister of State at the Department of Foreign Affairs and Trade (Deputy Helen McEntee): I thank the Deputies for their statements and questions. I join them in wishing all of our European Parliament election candidates every success in the next few weeks. On the basis of clarification received from the Minister of State at the Department of Housing, Planning and Local Government, Deputy Phelan, I understand the elections will be held on the basis that there will be 13 seats and that there will not be two counts. Candidates will run on that basis. If there is no conclusion by 22 May on the withdrawal agreement and the UK decides to run the election, that number will reduce to 11. In other member states which were due to see an increase in seats, that will reduce also. What is not clear is whether that will be the case. Depending on a possible timeline or when there might, hopefully, be a conclusion to this where we move to phase 2 and the future relationship, that will affect European elections. A discussion is taking place within the EU Parliament on the legal question of what the next steps will be and what will happen with regard to candidates who would have been elected and, depending on the timeline, might be in a position to take up seats in a couple of months. Matters remain a little unclear but when we get further clarity from the EU and the Parliament, we will let the House know.

There was a lengthy discussion last week. It is very rare to have a meeting of the Council of the European Union at which different views and opinions are not expressed, whether on Brexit,

17 April 2019

migration, jobs, growth or competitiveness. It was clear from the moment President Macron responded to journalists as he entered the Council that we are united and need to remain united as a European Union. That had not changed by the end of the meeting. Of course, there were differing views as to whether the timeline should be long or short. From our point of view, it is not so much a question of the length of time as to ensure that whatever time is given is enough to allow the UK to do what it needs to, namely, agree with the withdrawal agreement, if that is what it chooses to do. The Taoiseach outlined clearly what the UK's three options now are. It can agree the withdrawal agreement and move forward, revoke Article 50 or look at something else, whether an election or a second referendum. We await the outcome there while continuing to make preparations at home. If the UK does not agree the withdrawal agreement by 22 May and fails to run European elections, the end date will move forward immediately to 1 June, most likely without an agreement. We hope it does not come to that.

We have always said that if the UK were to change its red lines on leaving the Single Market or customs union, we would very much welcome that. A great deal of what we have been doing, in particular on the backstop, has aimed to accommodate and work around those red lines. If the UK were to remain within the customs union, that would resolve many, albeit not all, of the concerns. If the UK were not to remain within the customs union but to continue in some form of shared customs space, what would that look like? The Taoiseach's comments were an attempt to be helpful on a possible solution, in particular given the negotiations ongoing between the Conservative and Labour Parties. In saying all this, we can only respond to a request from the UK and the Prime Minister but, as of yet, they have not requested the customs union or an alternative customs arrangement. We will of course respond to any request as positively as we can.

Julian Assange's case is a judicial and police matter. The Government can wait to see what the outcome is and then take matters from there. There is very little we can do at the moment.

Deputy Wallace also spoke about Libya and asked a question about France. We are all concerned about Libya and in particular about the situation in Tripoli which is especially unstable. We must ensure political dialogue resumes as quickly as possible. A declaration was agreed on Thursday last week by all member states calling for all military operations to cease in Tripoli and that all forces would withdraw, including those of General Haftar. France was also a signatory of that declaration and, as such, there is complete unity on the matter.

I was asked about Yemen and I do not disagree that the humanitarian crisis there is one of if not the worst of the world's crises at the moment. That is why Ireland has pledged a further €5 million this year to bring the total since 2012 to €23 million. While the EU as a whole has pledged €700 million, it is obviously not good enough to continue simply to pledge support. What we want to see is the implementation of the agreement reached in Stockholm in December 2018. The quicker that happens the better. Until then, we will continue to provide support and advocate for a peaceful solution.

I was asked about the overall situation in Venezuela, which Deputy Wallace has raised before. We support the EU's international contact group and are engaging with it. The group is engaging with all sides in Venezuela. It is engaging with Mr. Juan Guaido but also with Maduro, opposition parties, civil society groups, the church and UN organisations and it believes it has found a way to move forward via free and fair elections. The reason we are supporting Mr. Guaido as an interim president is that he can call for and provide for those free and fair elections. The EU group is engaging with all sides, however. I note also that the first tranche of

humanitarian aid has made its way through, which we obviously support. We agree absolutely with Deputy Wallace that dialogue, not force, is the only way forward. We will continue to work on the matter. While I do not know the date of the next Foreign Affairs Council, I will certainly raise the Deputy's question with the Tánaiste who I know will be discussing the matter with the Council again.

An Ceann Comhairle: I thank all Members, including the Minister of State, Deputy McEntee, who partook in that important debate.

Saincheisteanna Tráthúla - Topical Issue Debate

Archaeological Sites

Deputy John Lahart: As the Ceann Comhairle knows, this matter was deferred to today. In a parliamentary question to the Minister in March, I asked about the archaeological significance and importance of the find at the excavation of lands at Scholarstown. They are known as the lands where the late former Taoiseach, Liam Cosgrave, lived. I obtained a brief response to that question and an even briefer response to a subsequent parliamentary question that I submitted in recent weeks. Essentially, it stated, "The Department's National Monuments Service will receive a full report of the excavation findings in due course."

I am raising this matter, which is of some significance, because the only available material that public representatives and the public have is the archaeological report compiled by the archaeology firm employed by the site's developer. A planning application has been submitted for the demolition of the house on that land and for enabling works. The closing date for that application is approaching quickly. All of the archaeological details have been compiled and submitted to South Dublin County Council, yet it was the Department that granted the excavation licence to, and worked with, the company carrying out the archaeological dig. Despite parliamentary questions submitted by me on the relative significance or otherwise of any archaeological find on the site, no details have been provided. To the best of my knowledge, the Department as a third party has not made a submission on the planning application either.

We know that, between 5 and 13 August last year, geographical test trenching confirmed that there was a ring fort on the site. On 7 August, human remains were exhumed. The initial findings showed 37 grave cuts, with 25 containing skeletal remains. Substantially more skeletal remains were found subsequently. The remains are dated to between 617 AD and 688 AD. The site is believed to have been an enclosed settlement and cemetery. On 26 September, a discussion on the impact of construction on the site and human remains took place with the Department. I understand that excavations were to be finished by 5 April. Three quarters of the enclosure and 71 burials had been excavated by that stage, leaving just a couple of burials to be excavated.

My understanding of the situation is based on the developer's archaeologist's submission. While ring forts are the most common archaeological finds, this site has been listed as being of medium to high significance due to the number of burials found. We know that the greatest

17 April 2019

threat to archaeological sites is during a construction phase. There is a plan for the demolition of the existing house, foul drainage works within the site boundary, etc. According to the archaeological report, power lines and other connections will cut through the ring fort and cemetery and there will be movement of machines and storage of materials in sensitive areas. The insertion of service lines would require creating a trench 4 m wide and an adjacent works corridor. Also according to the report, the National Monuments Service discussed mitigation measures with the developer.

Will the Department make some comment on the significance or otherwise of the finds on this site? Will the Department make a submission at some stage, be it as a third party or directly, to South Dublin County Council in the context of the planning application?

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): I understand that the Deputy wanted to raise this matter yesterday. As he knows, I was launching the International Dublin Gay Theatre Festival and was not in a position to be in two places at once. I apologise for that. I know that he wanted me present today.

An archaeological assessment was carried out in this case as part of the normal pre-planning process for the new development. This assessment, comprising a geophysical survey and archaeological test excavations, identified the presence of subsurface archaeological remains. Given the nature of the evidence, I approved the excavation of the site. The archaeological excavations have been carried out under an excavation licence granted by my Department under the National Monuments Acts and in accordance with the method statement approved by the Department as part of the licensing process. The objective of an archaeological assessment is to verify that the approaches to preservation *in situ* and preservation by record of archaeological material are applied appropriately to any particular development. All excavation licences are issued on the basis that the investigations are for the purpose of searching for archaeological features and to provide for their subsequent recording or protection. A standard licence condition requires a report to be submitted to the Department on the results of each investigation. The Department's National Monuments Service will receive this full report of the excavation findings in due course. Hence, I am not in a position currently to comment in any detail on what may have been discovered. I understand that the excavation at the site has recently been completed. It is intended that the full record of the excavations at the site will be made available and it is expected that the archaeologist who directed the excavation will publish a full account of the results in a suitable archaeological publication.

A referral in respect of enabling works that are currently subject to a live planning application has not yet been received by my Department from South Dublin County Council. The Department will comment as appropriate, assuming such a referral is received and in light of what is contained in the archaeological report. When the Department receives planning applications as a statutory consultee, they are considered in terms of their archaeological implications and appropriate recommendations are made to the planning authority where necessary. In applicable cases, this may result in the planning authority requesting further information from a developer in the form of a report on archaeological test excavations or the carrying out of such test excavations as a condition of grant of planning permission by the planning authority. These conditions are imposed by the planning authority and may be based on recommendations from the Department. In appropriate cases, the full archaeological excavation of archaeological deposits impacted by the development will be required as a condition of the grant of planning permission.

The site in question came to light in the course of an archaeological assessment comprising a geophysical survey and test excavation, which were commissioned by the developer as part of preparing plans to develop the lands. In the absence of such an assessment, the site might never have come to light. It consists of an enclosed ditch, with burials in parts of it. On the basis of test excavations, it appeared to date from early medieval times. No surface features existed and the site was completely unknown prior to the archaeological assessment. As such, it was not subject to any legal protection under the National Monuments Acts. Having regard to the absence of any visible surface feature and the difficulty in preserving such a site on lands likely to be developed in some form in the future, including where a use is found for the site that is consistent with its preservation, the National Monuments Service agreed with the developer that the site could be fully archaeologically excavated by a professional archaeologist, working under licence from me as per the Acts.

Deputy John Lahart: I am grateful for the Minister's response. I did not get a copy of her script, so I would be grateful for that too. I received a two-line reply from the Minister to a parliamentary question on this issue yesterday. She has given a much more comprehensive reply today.

There is an urgency about the situation. While I take the Minister's point that none of this would have been discovered had someone not bought the site, sought to develop it and sent in an archaeological team, there is a report already. A full and comprehensive archaeologist's report has been submitted as part of the planning application. I wonder where the Department stands on this. The urgency arises from the fact that an application has been submitted to demolish the house and clear the site with a view to developing it. To illustrate the scale of development on the site and why we need to assess its significance or otherwise, the developers sought to build 626 residential units, mainly in apartment blocks, in a submission to South Dublin County Council. As the Minister will be aware, campaigns for the local elections are under way and, therefore, it is a live issue in Scholarstown, Knocklyon, where my two colleagues, Councillors Emma Murphy and Deirdre O'Donovan, have been asked many questions about the matter. People are conscious that a decision on the planning application is imminent. I do not seek to get in anybody's way but we must bear in mind the nature of some previous archaeological discoveries. There were some lucrative archaeological discoveries only two miles away, at the site of the Hellfire Club. Given that a full archaeological report has been submitted to the county council, the absence of any meaningful response from the Department until today in respect of what role it can play in what will be a rather overwhelming planning permission application on the site is disappointing. Planning applications move quickly.

I would like the Minister's commitment, as the Minister with responsibility for heritage and the preservation of such sites, that she and her Department will keep a close eye on ensuring that the interests of the local community, of our heritage and of our history are preserved in the context of any planning application that proceeds in the future.

Deputy Josepha Madigan: Suffice it to say, the Department is monitoring the matter closely and today was in touch with the archaeologist who is the licence holder for the Scholarstown site. As I stated, I understand that the excavation is complete, although I await a report on it, which is required to be submitted under the terms of the licence in any event. We have requested, and received, an interim report on the findings thus far and the results are consistent with the view of the site that emerged from the initial assessment, namely, that the site is likely to represent a form of medieval settlement enclosure that was subsequently used for burial. I understand that although it is of archaeological interest and the results of the excavation are

17 April 2019

important, it is not a unique or unusual site but instead is quite common. Now that the excavation has been completed, all the archaeological deposits have been carefully and scientifically removed. As a result, the site is no longer of significant archaeological interest and there is no basis for making it subject to legal protection under the National Monuments Acts. The focus should be on ensuring that a full and detailed report on the findings is prepared and made available to all who are interested. The National Monuments Service will focus on this in liaison with the holder of the excavation licence, who is legally bound to prepare such a report.

The Deputy mentioned a ring fort but my understanding is that it does not exist. Rather, there are remnants of ditches; it is not a ring fort at all, and there is nothing above the ground. He also referred to skeletal remains but all the bones have been removed and will be carbon-dated and examined by an osteoarchaeologist. They have been taken into care in perpetuity by the National Museum of Ireland.

DEIS Status

Deputy Donnchadh Ó Laoghaire: Táim buíoch don Aire as a bheith anseo. Tá áthas orm go bhfuil sé anseo chun é seo a chloisteáil agus chun na díospóireachta seo a bheith againn. Tá súil agam go mbeidh sé in ann smaoinemh air i ndiaidh na díospóireachta.

I expect that the Minister will provide a lengthier version of a reply to a parliamentary question, or something along the lines of what I received from him a week or two ago. Among other things, the reply stated:

[...] my Department has introduced an objective, statistics based model for assessing which schools merit inclusion in the DEIS Programme, so that all stakeholders can have confidence that we are targeting extra resources at those schools with the highest levels of concentrated disadvantage [...] Following an initial application of this new methodology, 79 new schools, including 66 primary schools, were brought into the DEIS programme in 2017 with a further 30 primary schools being upgraded from Band 2 to Band 1 status. These schools were assessed as having the highest levels of concentrated disadvantage.

It further stated that until there is further analysis, for which there is a proposal, it is not intended to expand the DEIS programme to further schools.

The specific matter I raise relates to DEIS urban band 2, which is a category that contains a substantial number of schools. No new schools were added to the category during the previous DEIS announcement in 2017. Will the Minister consider that and whether it might be worth taking the initiative? Given that the resources involved are not the same, it would be less expensive than designating schools from having no DEIS categorisation to band 1, or from band 2 to band 1. There would be a number of advantages to this. I expect that many schools could benefit from this but two examples are Togher boys' and girls' national schools in Cork city. The family centre in Togher carried out a study of the composition of families whose children attend Togher national schools. All the findings are relevant to the DEIS criteria because they are the kinds of data that are taken into account. A total of 17.9% of respondents were one-parent families, 18.7% were housed in local authority housing, 10.4% had five or more children, 54.9% had third level education, 25% were Travellers or Roma, 34.7% did not speak English as a first language, 46% received social welfare, while 53% were entitled to a medical card.

While those statistics are approximately two years old, my understanding is the trends have not changed substantially and that between 25% and 40% of students in most of the classes do not have English as a first language. Several of the small areas under the Pobal small area population statistic maps qualify as disadvantaged or very disadvantaged. Put simply, the area is included in the revitalising areas by planning, investment and development, RAPID, programme. It is not a new development but rather was designated under various disadvantage schemes, dating back to the programmes of the former Minister of State, Chris Flood.

I have spoken to the principals. The schools should be designated as band 1 because it is justified by the level of disadvantage that many of the students experience, but the Department does not agree. So be it; perhaps we can have that debate another day. Had DEIS band 2 been opened, the schools would have qualified. I am quite certain of that and the Department must not have been short of band 1 schools. The schools and their families need additional help. I am sure many schools throughout the country are in a similar category but they are not receiving additional help based on that disadvantage. Under DEIS band 2, they could benefit from measures such as home-school liaison, access to the school completion programme and a school completion officer, and they do not receive the same level of support from an educational welfare officer. Will the Minister consider that and whether DEIS band 2 will be opened to schools such as the national schools in Togher and countless others which could benefit from it?

Minister for Education and Skills (Deputy Joe McHugh): Gabhaim buíochas leis an Teachta fá choinne an seans labhartha ar an ábhar iontach tábhachtach seo. Nuair a tugadh aitheantas do roinnt scoileanna sna blianta a chuaigh thart, bhí díospóireacht mhór timpeall na tíre fadúda na scoileanna a bheadh aitheanta. Bhí inní orthu ag an am sin ach anois tá na scoileanna uilig ag iarraidh stádas DEIS. Tá an bearna ag éirí níos lú. In 2001 bhí bearna de 17% idir na scoileanna a bhí stádas DEIS acu agus na scoileanna nach raibh an stádas sin acu. Anois tá bearna de 8% ann. Tá an bearna ag éirí níos lú. Níl muid ann faoi láthair ach táimid ar an bhealach ceart. Is é an rud is mó atá i gceist ná acmhainní. I mbliana bhí €124 milliún i gceist sa bhuiséad fá choinne DEIS. Tá comhrá agus díospóireacht anois ann faoi stádas na tíreolaíochta agus an stair. Táim ag amharc ar na míbhuntáistí, na bearnaí, agus na rudaí atá lag sna scoileanna nach bhfuil stádas DEIS acu. Sin an bealach ina mbeimid ag obair. Tá na sonraí ag an Teachta sa fhreagra ar an seancheist. Is é sin an bealach a bheimid ann. Tá an freagra ag an Teachta ón tseancheist agus tá cúpla sonra aige.

The Deputy has the answer from the parliamentary question he asked but I will add to it with a few statistics. He referenced urban DEIS and band 1 and band 2. For the 2018-2019 school year, 896 schools that serve more than 183,000 pupils are included in the DEIS programme. Within this cohort there are 232 urban band 1 schools and 107 urban band 2 schools. Among the 359 rural schools and 198 post-primary schools are 79 schools that have the highest concentrated level of disadvantage. They were added to the DEIS programme for the first time from September 2017.

We know DEIS is working and that the gap is getting closer in terms of progression to leaving certificate. In 2001 the gap was 17% and it has decreased to approximately 8%. We still have a long way to go. The Deputy highlighted schools which have the advantage of having home school liaison officers. This makes a massive difference. The resources and pupil-teacher ratio make an incredible difference.

The Deputy referred to urban band 2 and how we could add to what we have already. I want to get accurate data on this, which is why we are doing a statistical analysis of socioeconomic

indicators. We have compiled the data and we want to analyse it. The traditional methodology of measuring socioeconomic disadvantage was to do so on a geographical basis. The world is changing as is the country and this is no longer the method used. There is disadvantage in some areas which have been perceived as non-geographically disadvantaged. There are also challenges in urban and rural areas. I want to work with the Deputy. I am open to ideas as to what is the best way to do this. The change has to be on a gradual basis but also done in a very targeted way.

Deputy Donnchadh Ó Laoghaire: Aontaím leis an Aire go n-oibríonn DEIS. Bhí an meánscoil i bPáirc na bhFianna i gcathair Chorcaí, mar shampla, i measc na scoileanna is fearr feabhais anuraidh ó thaobh torthaí na hardteistiméarachta de. Téann nach mór de leath de dhaltáí na scoile go dtí an ollscoil anois. Cúpla bliain ó shin, chuaigh níos lú ná 20% de dhaltáí na scoile go dtí an ollscoil. Léiríonn sé sin go n-oibríonn DEIS, agus aontaím leis an Aire sa mhéid sin. Tá go leor scoileanna eile a d'fhéadfadh buntáiste a bhaint as DEIS, ach nach bhfuil ag baint buntáiste as. Tá mé tar éis sampla a thabhairt don Aire. Tá mé den tuairim gur chóir go bhfaighfeadh siad na tacaíochtaí iomlána, más féidir. Aithním go bhfuil difríochtaí idir leibhéil éagsúla míbhuntáiste. Níl scoileanna áirithe le riachtanais mar an gcéanna le scoileanna le riachtanais níos mó.

There is a need for a graduated approach. Some areas and schools need more support than others but there are schools that need supports that do not receive additional supports. I accept what the Minister stated with regard to analysing issues. The nature of disadvantage is changing. There are a lot of pockets of hidden disadvantage in affluent areas. I agree 100% with the Minister on this. While analysis must be done we should not delay unnecessarily.

I have the permission of the principal to extend to the Minister, if he is in Cork in the coming months or year, an invitation to visit the school in Togher and understand the challenges there. There are many children who have additional needs, who come from a disadvantaged background and who do not have English as a first language. There is discussion on an overall package of support. Ratios are important and, overall, they need to be reduced. I am sure the Minister is aware of people raising the issue. The school completion programme makes a huge difference to people but many schools, particularly the one to which I refer, do not have access to it. Home school liaison officers do amazing work. Even if schools were to be part of a cluster that could access home school liaison officers, it would make a huge difference. Will the Minister take up the invitation and consider these points also?

Deputy Joe McHugh: Beidh díospóireacht chuimsitheach de dhíth sa Teach seo. Tá an ceangal, an caidreamh agus an comhoibriú idir na príomhoidí agus na múinteoirí uilig iontach tábhachtach fosta. Agus é sin ráite, tá na scoileanna ag athrú. Tá siad faoi bhrú i measc an pobail maidir le míbhuntáistí agus acmhainní. B'fhéidir go bhfuil bealach níos fearr ann chun cuidiú leanúnach a chur ar fáil idir an bhunscoil agus an mheánscoil, agus go háirithe idir an mheánscoil agus an ollscoil nó na printíseachtaí. Tá an bhearna ag éirí níos cóngaraí. Tá obair de dhíth ar son na scoileanna nach bhfuil aitheantas DEIS acu. Is é sin an fáth go bhfuilimid ag treabhadh ar aghaidh. Tá suas le €124 milliún i gceist. Tá mé cinnte go mbeidh cinnithe maidir le cúrsaí buiséide ag teastáil i gcomhthéacs an mhéid airgid atá de dhíth. Tá an ceart ag an Teachta maidir leis an scéim home-school liaison. Tá an caidreamh idir an scoil agus an pobal iontach tábhachtach.

I again thank the Deputy for raising this question. I completely agree that the issue needs to be analysed. My objective is to continue to look at a way that will be graduated but also

targeted to ensure we get the right resources to those most in need. The feedback I get is that classes are becoming more complex. There are difficulties and pressures but we need to respond to this. The only political way we can do so is working together. I am grateful to the Deputy for the question.

Commercial Rates

Deputy Kate O’Connell: I am fully aware as a ratepayer and business owner that revaluation has been happening over a number of years. In many cases, it has added fairness to existing rates but it has come to my attention recently, and the case is not based on my constituency, that the new way of evaluating rates for petrol stations and service stations, which is based on their turnover rather than the previous method, has caused these businesses to receive astronomical rates bills. In some cases, they are 500% of what they were paying originally. A particular case is in Cahir, County Tipperary. The rates bill for a business has increased from €20,433 to €97,300 and the business has not grown substantially in the intervening period.

When I looked into this I saw that turnover was being used as a variable in the equation. As a business person, I questioned how anyone could have let it be part of the equation because, as we say, turnover is vanity and profit is sanity. Here we are with a metric being used that does not necessarily reflect the profit margins of a business.

Petrol stations deal with a high cost but low margin item that is required by people to get about in their daily lives. In rural areas, the petrol station is also often the local shop. I find it very concerning that a rates bill could increase fivefold. I understand there is an appeal process but it is a bit late if we are looking at a small business, particularly in rural Ireland, where there might be bigger stations with probably similar turnover but low profitability. No business could sustain an €80,000 increase. It would be looking at staff cuts.

I question the wisdom of how this was decided and how it could not have been flagged in advance. We are now in a situation where I am looking at a rates bill for a particular business - it is in black and white in front of me - of nearly €100,000. This seems to be an anomaly. Maybe it was intended but it appears to be grossly unfair. It puts a huge strain on businesses that may assume this rate will continue as is and, therefore, there is no way their businesses will be sustainable. I would welcome the Minister of State’s comments and perhaps any solutions he might have for these people.

An Ceann Comhairle: The Minister of State, Deputy Phelan, always has solutions. Is that not correct?

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): Indeed. I thank the Ceann Comhairle.

Deputy O’Connell raises a very topical issue, if you will pardon the pun. The Commissioner of Valuation is independent and the setting of valuations is the responsibility of that officeholder. It is the same categorisation as the Revenue Commissioners with regard to independence from Government. The Valuation Office is currently engaged in a national revaluation programme under the provisions of the Valuation Acts 2001 to 2015. A revaluation of all rateable property within a rating authority area reflects changes in value due to economic factors such as business turnover, differential movements in property values or other external

17 April 2019

factors and changes in the local business environment.

Under the current phase of the revaluation programme, 32,000 proposed valuation certificates, PVCs, were issued on 15 March 2019 to ratepayers in the Cavan, Fingal, Louth, Meath, Monaghan, Tipperary, Wexford and Wicklow rating authority areas. The Valuation Office held 50 walk-in clinics across the eight local authority areas. On 29 March 2019, the Valuation Office issued a further 3,500 certificates mainly relating to licensed premises, hotels, service stations and nursing homes. In advance of that issue, the Valuation Office provided specimen PVC documents to various bodies, including the Irish Petrol Retailers Association and offered to provide briefing sessions to its members, which are now under way.

During a revaluation, such as is currently taking place, the Valuation Office analyses the relevant market rental transactions for all rateable properties, including service stations, in accordance with: the legislation; best practice internationally as set out in published practice guidance notes; well-established valuation principles; and case law arising from the independent valuation tribunal and the higher courts.

The Valuation Office is satisfied that the valuation approach adopted in relation to service stations is reflective of open market rents paid by service station operators for that class of property and is compatible with the statutory requirements of Part 5 of the Valuation Act.

The levying and collection of rates are matters for each individual local authority. The annual rate on valuation, ARV, is decided by the elected local authority members in the annual budget, which is a reserved function. Rates income makes an important contribution to local businesses and communities, and it meets, for example, the cost of roads, public lighting, development and public realms in villages, towns and cities across the State. I believe that almost €1.5 billion is collected annually in commercial rates.

Having up-to-date and consistent valuations, reflecting current market conditions, is critical to ensure that the levying of commercial rates is fair, equitable and consistent across all economic sectors and different parts of the country.

The process of revaluation has been ongoing since the early part of this century. I am not sure how it was arrived at, which was the specific question asked by Deputy O'Connell. It is hoped - and this is where the solutions come in as referred to by the Ceann Comhairle - to have a valuations Bill before the Oireachtas before the summer recess. This would deal with specific issues around the areas currently being revalued.

I am acutely aware of the importance of service stations, especially in rural villages where they may be the only commercial premises in some areas, as the Deputy has correctly pointed out. This Bill may provide us with an opportunity. The Valuation Office is given its instructions under the legislation, which we approve, but we have the responsibility from time to time of looking at that.

The Deputy referred to the service station sector, which is a very low-margin business, and to the significance each of those commercial businesses has in those towns and villages. I believe there is a strong argument for looking at that again. I hope we will be able to do that over the next few months.

Deputy Kate O'Connell: I am fully aware of what the Minister of State said in his response. I know the process and how rates valuations work. Anyone who pays rates knows all

of what the Minister of State said in his response. A briefing session for the man in Cahir is not much good. It will not give him the €80,000 he needs to pay his rates bill. The Valuation Office says the valuation is “reflective”. Of course, the office would say that. The office designed it. It is clear to me, and I would imagine it is clear to anybody who knows how to do an equation, that this is not fair and that it is unsustainable for these businesses.

I question how it actually got to this point. Nobody really likes to pay rates but we all pay them because, as businesses, we know why we pay the bill. We have been paying water rates for years. We pay for our streets to be cleaned, although some of us get better street cleaning than others. Businesses know the total take but when a business ends up with a fivefold rates increase, it is very concerning for that business. Small businesses throughout the country that provide essential services for people, and products that people need, are trying to survive. One cannot drive to the local big town to fill a tank with diesel if one does not have diesel in the tank. I believe we are looking at an unfair valuation that has slipped through the net and it is now manifesting as a fivefold bill for people who are trying to keep a business afloat. Let us not forget that many of those businesses have just about kept their heads above water for the last ten years. They may just be about to get into the green from the red and this is the last thing they need.

In the revaluation some businesses got nominal or marginal increases, and these were deserved due to past calculation errors, for example. In this case, for these particular businesses, it seems like an anomaly. It is unfair. I acknowledge that the Valuation Office is independent of the Minister of State’s Department but we have a job in here. I am blue in the face saying that we are Teachtaí Dála, we are the messengers of the people. I am here to give the Minister of State the message that this is not fair, it is not sustainable and it is a worry for businesses. I hope the Minister of State will address the issue and that we can address it in this House to a satisfactory ending, so that we do not have businesses throughout the State stressed out and worried about a bill they cannot afford to pay.

Deputy John Paul Phelan: As I said, I hope we will get to it during this Dáil session. It is the intention that we would do so. I fully accept the arguments that have been made. I would point out that the revaluation process has been going on for more than a decade and some people did not survive it. Our system needs to be updated, particularly in the sector we are discussing. There are also certain aspects of rates’ legislation that run counter to other Government policy objectives, and in this context I am thinking of those rural towns and villages where people are sometimes encouraged to have large shops. I know of one elderly couple who run a large shop, and who have been advised that they should partition off half of the shop. This would effectively leave a chunk of the main street with a semi-idle premises. Yet, the local authority and the Minister for Rural and Community Development, Deputy Ring’s Department-----

Deputy Kate O’Connell: Like the set aside.

Deputy John Paul Phelan: Like set aside. There are a number of things that need to be looked at again. This is one of them.

Child and Adolescent Mental Health Services

An Leas-Cheann Comhairle: We move to the final Topical Issue matter from Deputy Adams. We await the Minister for Health.

17 April 2019

Deputy John Paul Phelan: I will be in his place for this matter.

An Leas-Cheann Comhairle: The Minister of State, Deputy Phelan, is the Minister for Health in this case.

Deputy Gerry Adams: Maith go leor. Tá mé buíoch den Leas-Cheann Comhairle fá choinne deis a thabhairt dom labhairt ar an ábhar tábhachtach seo. Tá mé sásta an tAire, an Teachta Phelan, a fheiceáil anseo, ach tá mé míshásta nach bhfuil an tAire ceart i láthair.

This Topical Issue matter is about the consistent failure by the Government to deliver adequate and effective community mental health services in north Louth, and especially child and adolescent mental health services, CAMHS.

In October 2016, I visited the Ladywell mental health centre in Dundalk which should provide these services for north Louth, but despite the heroic commitment of the staff, it cannot deliver the services because the building is crumbling. The Ladywell centre was built 70 years ago as accommodation for nurses working in the Louth county hospital. It was never intended, and is not suitable, for the delivery of community mental health services. Thirteen years after the publication of A Vision for Change child and adolescent mental health services in my constituency are in crisis. Figures released last week show that 345 young people in CHO 8, which covers my constituency, are awaiting CAMHS services. Of these, 140, one-third, have been waiting for more than three months. Other figures released to my colleague, Deputy Louise O'Reilly, show that the staffing deficit in CAMHS is such that at least €40 million is needed to address it. In this regard, there are just over half, 54%, the number of the staff which A Vision for Change said was necessary. There is no consultant child and adolescent psychiatrist in this area and five senior medical social worker positions, two senior psychologist positions and a range of other senior positions remain unfilled. This means that thousands of children and young people are not receiving the mental health supports they need within the appropriate timeframes. What steps is the Government planning to take to address this issue and what additional funding will be made available for staff?

The Minister of State, Deputy Jim Daly, is reported to have said recently that A Vision for Change is being “refreshed”. What does that mean and when will the new version be published? Thirteen years ago, Louth mental health services were allocated additional staff. Even if they all arrived tomorrow, there is no building from which they can operate. People from the north of the county, from Carlingford, Omeath, Faughart, Shelagh, Dundalk, Dromiskin, and many other places have to travel as far Ardee or Drogheda to access community mental health services. This places an unfair burden of travel on vulnerable individuals and families, some of them dependent on declining public bus services.

Last August, when I asked about the lack of suitable premises I was told that community health services would be provided within the new primary care centre in Dundalk, which was first advertised in 2008 but has not yet moved off the drawing board. In November 2016 I was advised in response to a parliamentary question that it was hoped that the operational lease process for the primary care centre in Dundalk would be completed in the first quarter of 2017. Last August, the HSE stated that the planning application would be submitted by the end of 2018, that work would commence in 2019 and the centre would be open early in 2020. None of these deadlines has been or will be met. I would like an update on this process. I hope the Minister of State, Deputy John Paul Phelan, who I acknowledge is standing for the Minister of State, Deputy Daly, this evening will be able to respond to my questions.

Deputy John Paul Phelan: I thank the Deputy for raising this matter which I am taking on behalf of Minister of State, Deputy Daly, who is unavailable this evening. I will relay the points made by the Deputy directly to him because mental health services and funding thereof are serious issues that need to be dealt with.

Significant additional Government funding since 2012 has provided for approximately 1,700 new development posts for mental health services, including the child and adolescent mental health services, CAMHS. Budget 2019 provided an additional €55 million to progress new developments in mental health this year, bringing overall HSE mental health funding to approximately €1 billion. This, in turn, will allow for continued improvement to all aspects of mental health care services across the nine HSE community healthcare organisations, including CHO 8, which incorporates County Louth.

Enhancement of the specialist CAMHS service, including improved access and reducing waiting lists, remains a priority for Government and the HSE. The total number of children on the HSE CAMHS waiting list was approximately 2,580 in February 2019, inclusive of just over 300 who are waiting over 12 months. Cases assessed as urgent are seen as a matter of priority. As of February 2019, approximately 80% of young people were offered a first appointment within 12 weeks in community CAMHS settings. At that time, 98% of young people were seen within 12 months by community CAMHS services. There are now 70 CAMHS teams, three paediatric liaison teams and 74 CAMHS inpatient beds in four acute units nationally, with additional beds planned in the new children's hospital and at the new national forensic mental health complex now being built at Portrane. In CHO 8, there were 345 people on the CAMHS waiting list, which is down from 358 in the same period last year. Waiting lists in CAMHS above 12 months posed a significant challenge during 2018. However, since the recent commencement of a sixth CAMHS team this issue has been actively addressed by the HSE to the extent that within nine months the waiting list for those over 12 months dropped from 57 children to seven.

Currently, a CAMHS service for north Louth is provided from the child and family centre in Drogheda. Louth-Meath mental health services are currently examining a new town centre location in Dundalk with a view to providing improved CAMHS to north Louth. The HSE is hopeful that this will come on stream towards the end of this year. Staffing in CAMHS teams in Louth is above the national average. One of the CAMHS teams has a consultant vacancy, which as the Deputy mentioned is currently filled by a locum. The post has been approved by the HSE and it will be filled as soon as possible.

Louth-Meath mental health services continue to improve the level and quality of service being delivered and the environs in which this is done. It supports clients in their recovery and rehabilitation as close as possible to their homes and communities. All of this is being done within the resources available. The recently agreed HSE service plan for 2019 outlines the priorities and actions to enhance mental health care nationally this year. This relates also to CHO 8 and County Louth and encompasses a range of services covering acute or community-based CAMHS, general adult services and psychiatry-of-late-life. In addition, the Minister of State, Deputy Daly, has progressed a number of mental e-health initiatives aimed at boosting the supply of services at primary care level. While the service plan also acknowledges widely accepted challenges to developing services, including increasing demands and difficulties around staff recruitment and retention, the objective of the Minister of State, Deputy Daly, and the HSE, is to deliver overall service improvements for Louth this year.

Deputy Gerry Adams: In the information provided to Teachta Louise O'Reilly three weeks

17 April 2019

ago Dundalk primary care centre was not mentioned. In my opening statement I outlined the number of times that promises have been made, some of which date back to 2016, but others date back to 2008. The response today states:

Louth-Meath mental health services are currently looking at a new town centre location in Dundalk with a view to providing improved CAMHS to north Louth. The HSE is hopeful that this will come on stream towards the end of this year.

There is no reference to a primary care centre. While that new facility will be welcome if it comes on-stream, it is not the primary care centre that is needed in the area.

As I said earlier, the Ladywell centre was built 70 years ago to accommodate nurses. It was never meant to be a place where people with mental health issues could be treated. The Leas-Cheann Comhairle was in the Chair when I raised issues earlier about answers from Ministers. I acknowledge that the Minister of State, Deputy Phelan, is standing in for the Minister of State, Deputy Daly, but this reply is entirely and absolutely inadequate. A consultant child and adolescent psychiatrist, five senior medical workers and two senior psychologist posts remain to be filled. That is the reality.

I do not want to be giving out to the Minister of State about the fact that citizens have to put up with this. We are dealing with elderly people who need psychiatric help. There is a lack of services for children who need such help. It is just out of order. If I may say so, when the Minister of State is asked to step into this position to give an answer, he should refuse to do so. It will not help the people of Louth. It certainly does not help me, but that is not the main issue. These people deserve services that they have been promised for decades but are still not getting.

Deputy John Paul Phelan: The Deputy's points are well noted. I will ask the Minister of State, Deputy Jim Daly, to revert directly to him strictly on the staffing positions to which he referred in his concluding remarks. The other matters-----

Deputy Gerry Adams: Go raibh maith agat. Sin é.

Deputy John Paul Phelan: Sin é.

An Leas-Cheann Comhairle: Is Deputy Adams satisfied?

Deputy John Paul Phelan: No.

Deputy Gerry Adams: In certain respects.

An Leas-Cheann Comhairle: I am quite sure the Minister of State will ensure that Deputy Adams gets a quick response from the Minister of State, Deputy Jim Daly, and other Ministers as he has requested.

Public Transport: Motion [Private Members]

Deputy Eamon Ryan: I move:

That Dáil Éireann:

notes that:

— 92 per cent of the members of the Citizens' Assembly recommended that the State should prioritise the expansion of public transport spending over new road infrastructure spending at a ratio of no less than 2:1 to facilitate the broader availability and uptake of public transport options with attention to rural areas;

— vitally important public transport projects such as the Western Rail Corridor, the Dublin-Navan railway line and the Dublin Area Rapid Transit (DART) Interconnector, which a decade ago were close to being implemented, were stopped by the Government;

— the National Development Plan 2018-2020 envisages total expenditure on land transport infrastructure of €20.6 billion up to 2027, with €8.6 billion of that going to public transport, and when non-national roads are taken into account, the anticipated ratio of public transport spending to new roads infrastructure is significantly lower than 1:2;

— in some jurisdictions, towns or villages which meet population thresholds are entitled to guaranteed public transport service based on population size, linking them into the overall public transport network, e.g. in the Canton of Zurich, every village with 300 residents, jobs or educational places is entitled to a service connecting to the network on an hourly basis;

— the rail network in Ireland is less than half of its historic greatest extent, with some counties now having no rail service at all;

— Ireland has the lowest percentage of its rail network electrified of any European country, with 3 per cent electrified compared to an European Union average of 54 per cent;

— underinvestment in rail infrastructure is continuing, reducing the quality of service on all lines and undermining the viability of some;

— the Dáil, on 17th January last, called on the Government to ensure that 10 per cent of transport funding is allocated to cycling;

— there is an inherent complementarity between providing good public transport and making good provision for walking and cycling at each end of the public transport trip, including providing cycle parking;

— the annual cost of congestion in the Greater Dublin Area has been estimated at €358 million in 2012, predicted to rise to €2 billion per annum in 2033;

— attempts to address congestion by increasing road capacity are futile because they induce more traffic;

— the average distance to work has increased from 11 kilometres to 18 kilometres between 1991 and 2016;

— over 10 per cent of trips to work, school or college are in excess of one hour in length;

17 April 2019

— the extension and improvement of public transport in both urban and rural areas improves social equity and enables people on low incomes to avail of economic, social and environmental opportunities;

— extending and improving public transport enables and encourages reduction in private car use, with consequent benefits for air quality and greenhouse gas emissions;

— greenhouse gas emissions from road transport increased by 140 per cent between 1990 and 2017;

— greenhouse gas emissions from transport continue to increase rapidly and are projected to grow by 18 per cent over the period 2017-2020 and by 20 per cent over the period 2017-2030;

— the impact of Project Ireland 2040 on greenhouse gas emissions from transport has not been assessed;

— climate modelling of the National Development Plan 2018-2027 shows that we are only on track to achieve one third of the emissions reductions we have committed to make by 2030;

— the inherent spatial efficiency of public transport means that transferring trips from cars to public transport frees space to be allocated for other uses, improving the liveability of cities and towns; and

— due to the increased physical activity involved with using public transport compared to private motor vehicles, improved public transport has a significant positive impact on public health;

adopts the recommendation of the Citizens' Assembly in this regard;

and calls on the Government to:

— prioritise the expansion of public transport spending over new road infrastructure spending at a ratio of no less than 2:1 to facilitate the broader availability and uptake of public transport options with special attention to rural areas;

— ensure that all public transport routes operate as part of an integrated, interconnected national public transport system;

— ensure that all public transport services are accessible and useable by all;

— establish specifications for rural public transport to connect populations to the national public transport system based on population size;

— investigate innovative rural public transport options, including combining public transport services with the transport needed to deliver other public services, and learn from existing rural transport pilot projects;

— include the assessment of implications for greenhouse gas emissions in all assessments and evaluations of transport expenditure;

- revise Project Ireland 2040 accordingly;
- ask the National Transport Authority to revise the Greater Dublin Area Transport Strategy accordingly;
- consider the following for inclusion in the National Development Plan 2018-2027:
 - completion of the restoration of the Western Rail Corridor;
 - Cork Luas, reopening of suburban rail stations in Cork, river buses, and a more extensive bus and cycleway network than currently envisaged;
 - Galway Light Rail and a more extensive bus network in Galway;
 - development of a local rail service on the four railway lines serving Limerick;
 - a comprehensive local bus network for Waterford;
 - completion of the restoration of the Dublin-Navan railway line;
 - the DART Interconnector;
 - Metro West; and
 - a national greenway network;
- consider the restoration or opening of other rail lines for inclusion in the National Development Plan 2018-2027;
- bring forward a plan for large-scale investment in urban, interurban and rural bus systems;
 - bring forward a plan for major modernisation and improvement of the rail network, including electrification of main lines, with goals of modernisation of all lines, increasing frequencies and reducing journey times below two hours for trips between Cork, Belfast, Limerick, Waterford, Sligo and Dublin, and below one hour and thirty minutes between Galway and Dublin;
 - ensure good quality access to public transport by foot and bicycle; and
 - expand the bicycle sharing systems in Dublin, Cork, Galway and Limerick, and establish new systems in other cities and towns, especially centred on rail and bus stations.

The motive for this motion comes from the deliberations of the Citizens' Assembly on the topic of climate action. Over 90% of the members of the assembly voted in support of a recommendation to switch the transport budget from its current emphasis of 2:1 in favour of roads rather than public transport, to a new ratio of 2:1 in favour of public transport rather than roads. I would like to qualify that by pointing out that our first priority should be to invest in walking. We should allocate at least 10% of the budget to walking and a further 10% to cycling. That would meet the OECD recommendation on what should be spent on active travel by a country such as Ireland. We would split the remainder of the transport budget on the basis of a 2:1 ratio in favour of public transport rather than new road building.

17 April 2019

Our second motive for this motion relates to the work of the Joint Committee on Climate Action, which delivered a really good report. It was clear at that committee that the biggest problem we have in the climate area relates to our transport policy. Representatives of every agriculture organisation turned up at the launch the other day, but there was no one there from transport. When the committee had to choose whether to support the recommendation of the Citizens' Assembly, 16 members of the committee voted against doing so. Just four of us voted in favour of the recommendation. I remind the House that emissions in the transport sector increased by 140% between 1990 and 2017 and are continuing to increase. When officials from the Department of Transport, Tourism and Sport came before the committee and were asked to set out their emissions projections for 2030, it was shocking to find that they could not answer the question. The Department has no particular plans for meeting our wider target of a 30% reduction in emissions. When it was pointed out that the Environmental Protection Agency has shown that, according to the best analysis available, transport emissions will increase by 20% by 2030, rather than falling, the officials from the Department had no answer. We have a real crisis in our transport sector when it comes to climate.

I would like to say to those who are not concerned about this issue, on the basis that we will develop electric vehicles, hydrogen, biogas and so on, that there is a second reason they should support this motion. The approach we are taking to transport planning is causing gridlock and leading to significant inefficiencies. It is disadvantaging our citizens who are increasingly unable to move because of being stuck in traffic. The statistics are clear. According to the household transport survey, 74% of all trips in Dublin and 80% of all trips outside Dublin are made by car. Just 18% of all trips are made by walking. Public transport accounts for 5% of all trips. Just 3% of trips involve cycling. That goes against everything we have been saying in policy terms for the past 30 years. We understand that this split is not working and is leading to substantial costs, but we are doing absolutely nothing to redress it.

I would like to refer to the international expertise. Mr. David O'Connor of Technological University Dublin spoke at an interesting session in the audiovisual room today. He mentioned that in 2006 - this still applies today - the European Environmental Agency referred to Ireland as the worst case scenario in terms of transport planning. When the new accession countries joined the EU, they were told to avoid making the mistakes that Ireland was continuing to make on transport policy. According to another international survey, Dublin has the second worst morning peak gridlock problem on the planet. The only city to beat Dublin was Mexico City. Belfast was just behind Dublin. The national planning framework addressed this problem by recognising that complete change is needed. It set out the right strategy, which involves bringing development back to the centre, switching away from a road-based transport system and engaging in decarbonisation. However, this strategy was completely and utterly ignored in the national development plan. Under the plan, half of all new housing will be outside urban areas, where the car will again be the only proper option to which people will be able to turn when seeking to get to work, school or sports grounds.

Professor Edgar Morgenroth, an economist who works in Dublin City University, was very influential in the drafting of the national planning framework. He has spoken scathingly about the national development plan. He has made the point that if we want to develop our cities, particularly Cork, Waterford, Limerick and Galway, we have to invest in them. It is not enough to invest in the interconnection points between the cities, as advocated in the national development plan, because all that facilitates is further sprawl. The reality of the national development plan is even worse than that. Various public transport projects are mentioned in the plan. We

all know they will be stuck in planning because of the lack of political support for the sorts of actions that are needed. Projects involving 51 motorways or national roads are currently being built or are about to be built. No public transport project is under construction at present. No infrastructural projects of any scale involving public transport or cycling were built last year. Not a single public transport project will be delivered this year or next year, or any time in the immediate future under this Government. It is a disgrace. Our insane transport policy is tying us into high emissions. The social cost of this anti-social system is so real.

Dr. Lorraine D'Arcy of Technological University Dublin made the case at today's meeting that the lack of investment in active travel is damaging our society. An open letter that was presented to the Taoiseach today on behalf of the Irish Heart Foundation, *cyclist.ie* and Irish Doctors for the Environment shows that consistent benefits would accrue if we were to switch away from a roads-based transport system. Dr. Donal O'Shea, who is responsible in the HSE for obesity policy, has lamented the lack of action and joined-up thinking in transport planning. He has stated that the best way to solve the massive explosion in obesity would be to pursue active transport options every day. The average age of the patients who are suffering with obesity with whom he deals is 45, but many of them have the gait speed of an 80 year old. They cannot cross the road. The recommendation from the medical experts is not to go to the gym - it is to integrate into our everyday lives physical activities like walking or cycling to the bus or the train, or walking and cycling in their own right. Cycling and public transport account for just 3% and 5% of all journeys, respectively. We should be using such modes of transport to tackle our health crisis.

Seven out of ten Irish people do not get the recommended daily amount of exercise. Just 20% of primary school students get the correct level of physical exercise. We have an obesity crisis as a result. The climate issue is connected to these dietary issues. It has been suggested that the inflammatory state of the planet is similar to the inflammatory conditions we are creating for human beings. We have been told that 78% of solutions are environmental. It is not just a question of what we eat; it is also a question of how we move around. This Government is driving us into a future in which all we can do is drive. Its failure to invest in or plan for public transport, walking or cycling will mean we have no other options or possible alternatives. Dr. D'Arcy has made the point that the promotion of active travel would have an anti-inflammatory effect because such travel is really good for people's health and is an antidepressant. All the surveys show that those who do the daily recommended amount of exercise are twice as happy as those who do not. It provides for social interaction. It creates social spaces where people see each other and can stop and talk to each other. The sense one gets on a bus of being with people is not experienced in the traffic gridlock that has been created by Fine Gael and the Independent Alliance, which are running our transport system.

Active travel increases strength and enhances flexibility, endurance and bone density. It is an anti-ageing technique. It decreases the prevalence of dementia. If the Government's only metric is an economic one, it should note that active travel cuts absenteeism by 20%. We live in a society in which one never knows how long it will take to get from A to B. Increasingly, people are spending hours in gridlock. Some 200,000 Irish people spend more than two hours per day on their daily commute. What does that do to the quality of life? Commuting times will increase even further as all the motorways and roads are built and as people live ever further from urban centres. With this trend and with house prices so expensive closer to the centres, we are condemning young people to a commuting hell. When people return from other countries, one of their main dislikes about Ireland is the lack of availability of the transport alternatives

that exist in every other developing country.

There is a phenomenon known as peak car. Other countries have reached peak car and have decoupled economic development and housing development from commuting by car. It was interesting that the assistant secretary in the Department of Transport, Tourism and Sport said when the Department did not have an answer to the questions on where we are going and how things will change that we may be at peak car. We know we are. We know from all the statistics and surveys that Dublin is gridlocked and that Galway, Cork, Limerick and Waterford are even worse. We are not responding by building alternatives. What we are doing is responding by building even more roads.

Dublin is the most egregious example. Transport Infrastructure Ireland, TII, representatives attended an Oireachtas committee a year ago and had to answer the question as to how TII would tackle gridlock in Dublin. Their solution was to widen the N7 between Naas and Newbridge and the N11 at Kilmacanogue, in addition to widening the N2, N3, N4 and N6. Pretty much every approach road to Dublin is being widened, and they join an M50 that is completely at capacity. In the city, within the M50, we are planning to take out the gardens and trees to cater for traffic.

This is the insanity of the transport planning in the national development plan. The joint committee members asked whether there was any climate assessment of the plan when it was signed off last June. In a world in which we know we are committing to climate targets, was there any climate modelling of the outcomes? Deputy Thomas Pringle will have heard what occurred. It was incredible. There was not one bit of modelling. It was done after the fact, partly because our committee embarrassed those concerned into doing so. The assessment was that even if we did everything in the national development plan, including all the good stuff, such as retrofitting and developing the metro and BusConnects, we would get only one third of the way towards meeting the emissions reductions targets to which we have committed for 2030. There is a 70% gap, and transport has to change.

Agriculture will change. It is clear that it will be better for farmers. They are starting to realise that. We have choices. We will promote a better type of forestry and we will re-wet our boglands. We are going to change farming for the better. Energy also has a path. It is clear we have a comparative competitive advantage in renewable power, and we have everything to gain from promoting energy efficiency. Options are becoming available. In the area of transport, there is nothing. There are no plans and there is no ambition. There is no changing of ways and no reassessment of the national development plan. Under the national development plan, projects were assessed according to the flawed model of saying roads would save a certain amount of time in making inter-urban journeys, with no regard to the traffic that would arise and the certain gridlock to come. All the inter-urban motorways to provide for long-distance commuting will result only in motorists getting stuck on the outskirts of Cork, Limerick, Galway and Waterford.

Galway must be the worst example. I refer to the Galway transport plan. We happened to have our convention in Galway last month. I could not believe how bad the plan was. I could not believe how out of date it was. Thirty years ago, I would have said it was out of date. It is now spectacular that any city authority could believe it represents the future of transport. It depicts a road-based system providing for long-distance commutes.

We are going to have a difficult job building public transport but we need it. In my closing

remarks, I will set out some of the examples of what we could do. It requires political commitment. To have commitment, one needs projects to get behind. One needs to get behind the BusConnects project in Dublin and change it for the better but we need to create a public transport network that works here. Where are the options for Cork, Limerick, Waterford and Galway? Cork is a great doughnut, a hollowed-out city. Everyone has left for Douglas, Carrigaline, Ballincollig and beyond. In Galway, everyone is coming from a long distance and getting stuck at the industrial estate roundabouts. In Limerick, only 3% of people live within the historic city. There are four rail lines, unused for most of the day, that we could turn into commuting routes if there were some vision or imagination.

Transport planning needs to change now. The national development plan needs to be completely revised and changed. We would start by setting targets: walking, 10%; cycling, 10%; and the remainder divided two to one in favour of public transport. The Automobile Association, AA, is stating that this is what we need to do. Businesses know it is what we have to do because the current system is not working. More than anything else, for the health of our people, mental and physical, we need to change. We ask people to support this motion to send a signal of intent in that regard.

Deputy Catherine Martin: Is cúis áthais dúinn an rún seo a chur os comhair na Dála anocht. The Green Party is tabling this motion because the way that we live and travel today is not sustainable for our families, our future, our quality of life or our planet. Recommendation No. 10 of the Citizens' Assembly was that "92% of the Members recommended that the State should prioritise the expansion of public transport spending over new road infrastructure spending at a ratio of no less than 2-to-1 to facilitate the broader availability and uptake of public transport options with attention to rural areas." The need for serious and substantial investment in public transport infrastructure across the country - making public transport a real option for everyone, rural and urban - was recognised by the Citizen's Assembly as necessary to bring down our transport emissions. Emissions from transport make up 20% of our overall greenhouse gas emissions, having risen by 140% between 1990 and 2016. Public transport infrastructure is vital for our planet and there is no time to lose, yet there has been little to no movement by the Government towards investing in it at the scale necessary.

The Government's expenditure on roads still greatly exceeds the public transport budget. Project Ireland 2040, the vaunted national development plan, is primarily focused on roads. As Deputy Eamon Ryan said, no public transport projects were completed last year and none will be completed this year and next year. Investing in public transport is about saving the planet, reducing our greenhouse gas emissions and tackling climate change. It is about more than that, however; it is about restoring our quality of life. Public transport is an active mode of transport. To get to and from public transport, no matter how short the trip, requires activity. Walking and cycling are the most active modes of transport. As Dr. Lorraine D'Arcy and David O'Connor of the Technological University Dublin stated earlier in the audiovisual room, when it comes to transport the focus most of the time is on commuting and commuting data. We do not seem to consider, as we should in designing our cities, towns and villages, that travel should be for health, social interaction and a variety of purposes in addition to just getting from A to B and then back to A again.

Yesterday, research released by motor data company INRIX showed that commuters in Dublin spent a total of 246 hours - ten days and six hours - in their cars in 2018. Only in Bogota and Rome, cities many times the size of Dublin, do commuters spend longer in their cars. It is a cost to our quality of life as time stuck in traffic costs mothers and fathers time with their

children and all people time with their families. It isolates and divides and it creates enormous uncertainty and anxiety around travel times for those trying to get to work, school, college, social events, the shops, their places of worship and community. A major investment in public transport infrastructure across the country does not just change how we travel, it changes how we live as a community.

Public transport can connect communities. It can connect communities with other communities, and it can create stronger bonds within communities. By allowing public transport as a viable option and taking cars off the road we make our air cleaner, we make walking and cycling safer for our children, we reduce the amount of time people spend stuck in traffic in their cars, and we allow them to spend more time in their communities, getting to know their neighbours.

Six out of ten primary school children are driven to school, and the statistics are not much better for second level. According to the CSO, more girls are driving to school than are cycling. It is shocking. No wonder there is a crisis in childhood obesity. More investment in public transport would make them more independent. When we say goodbye to our children in the morning, we can know they have the safe option of travelling to school by bus, train or tram. We should know they have the option to walk or cycle to school if we invest in walking and cycling infrastructure, to make it safe and accessible. For many people in rural Ireland public transport simply is not an option. The infrastructure just is not there. This motion is calling for the Government to invest in rural Ireland and to put that infrastructure in place. The Government must give people the option to take a bus. Why should they have to take the car? They must be given the option of real public transport which brings them where they need to go.

We need to guarantee that every village, town or city is entitled to a certain level of public transport infrastructure based on its population size, and everything is linked into the overall public transport network. This is not a fantasy, this is the way public transport operates in countries which take it seriously, like Switzerland. This motion is calling on the Government to be ambitious for our planet and for our communities. Real investment in public transport will make a radical difference to quality of life for many people right across the country and I urge the Government to support the motion before us tonight.

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I move amendment No. 1:

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

“notes:

— the ambition of Project Ireland 2040 in, *inter alia*, supporting compact growth, enhanced regional accessibility, strengthened rural economies and communities, sustainable mobility and the transition to a low carbon economy;

— the integral role of sustainable mobility in both urban and rural areas in supporting that ambition;

— the more strategic and long-term approach toward public transport planning which has evolved in recent years due to improved legislative and policy frameworks;

— the significantly enhanced levels of investment planned in sustainable mobility

over the next ten years and the 29 per cent increase in investment between 2017 and 2019 in the major public transport capital investment programmes;

— that the levels of funding now provided toward the maintenance and renewal of the heavy rail network mean it is now funded at the ‘steady state’ level;

— the on-going development of a number of important policies and strategies, including the forthcoming All of Government Plan on Climate Disruption, the draft Cork Metropolitan Area Transport Strategy, the recently commenced Limerick – Shannon

Metropolitan Area Transport Strategy, the impending Waterford Metropolitan Area Transport Strategy and the review of the Transport Strategy for the Greater Dublin Area which is scheduled to commence in 2020; and

— that investment levels will increase further in future years, within overall budgetary parameters, to support the implementation of these finalised policies and strategies; and

calls on the Government to:

— prioritise the implementation of those published projects and programmes as contained within Project Ireland 2040; and

— continue to examine, within the statutory, policy and budgetary frameworks as now established, the potential of other projects and programmes to contribute further toward the continual development of improved public transport networks and services.

My amendment is short and to the point. First, it seeks to prioritise the implementation of the public transport projects as published in Project Ireland 2040. Second, it calls on the Government to continue examining the potential of other projects which might further improve our public transport system. There should not be a single Deputy in this House who disagrees with either of those statements.

I am surprised that the motion, as put forward by the Green Party, as well as the amendments put forward by Fianna Fáil, fail to explicitly set out wholehearted support for the public transport projects which are detailed within Project Ireland 2040. These projects will transform public transport across the country, benefit hundreds of millions of passenger journeys each year and play an important part in meeting our climate action challenge. I fully support the transformative change this Government is funding across our public transport system. This change will develop segregated bus lanes and dedicated cycle lanes and tracks in all our major cities. Everyone in this House should support that. It will roll out massively expanded commuter rail services across counties Dublin, Kildare, Louth and Wicklow. Everyone in this House should support that. It will deliver a new metro service running from north to south across Dublin and integrating with that expanded commuter rail service at key points. Everyone in this House should support that. We are now able to say that the heavy rail network is funded at the steady state level needed to improve the passengers’ journey experience in both urban and rural areas. Everyone in this House should support that.

I have said before we need to move away from transport project by press release and move forward with proper, long-term and strategic planning of what our transport requirements are and how best to meet them in the short, medium and long terms. We need proper analysis to

support well-developed policies and strategies based on facts not soundbites. It would note that the Swiss Canton of Zurich, as referenced in the Green Party motion, has a population density of over 800 people per square kilometre as compared to Ireland's 70 and that the statement "underinvestment in the rail network is continuing" is simply untrue. It would reveal the vast majority of expenditure on roads relates to maintenance and renewal of the existing road network, a network of vital importance for our bus services, particularly in our rural areas where we have been increasing bus services through both public service obligation and LocalLink. It would conclude there already exists a transport authority in the greater Dublin area as called for in the Fianna Fáil amendments.

Over the last decade or so, successive Governments have sought to move towards a more evidence-based approach towards transport planning which is the right approach. In the greater Dublin area, we now have a specific, statutory, long-term approach toward strategic transport planning. The National Transport Authority, NTA, is required by law to develop a 20-year transport strategy. It is required by law to consult widely in the development of that strategy before it is submitted for ministerial approval and to review that strategy every six years to ensure it remains valid or to amend it if required. Importantly, it is also a requirement of law that all relevant land-use planning strategies in the greater Dublin area are consistent with the transport strategy. This is a statutory framework that was long sought and hard fought which represents international best practice but it is a framework that I am afraid this Green Party motion seeks to up-end. I have no problem with next year's review of the greater Dublin area transport strategy looking at issues such as the Navan rail line, expanded metro or the DART interconnector. In fact, I encourage the Green Party and Fianna Fáil to put forward their analysis supporting the development of any or all of those projects as part of that review. However, I do have an issue with undermining the existing statutory framework, a framework whose very introduction was championed by many as the way forward in ensuring proper and sustainable transport planning.

This plan-led approach towards transport planning is something we are seeking to replicate across the country. That is why the NTA has already worked with the local authorities in Galway in developing the Galway transport strategy and Exchequer funding to support its implementation is available. It is why the NTA is working with local authorities in Cork, Limerick and Waterford to develop metropolitan area transport strategies in each of those cities which will all provide a 20-year horizon to improving public transport in each city.

Each of these transport strategies will provide the evidence base to plan for the future and ensure that we have an appropriate strategic backdrop to the significantly increased levels of funding we have available. At a policy level, we are looking to move forward with reviewing our existing public transport policy. It has been ten years since the publication of Smarter Travel - A Sustainable Transport Future. In those ten years, a lot has changed. It was a policy published just as the country entered a period of economic and financial crisis. A period which meant that successive Governments were not in a position to invest as we all would have liked to. Obviously, that meant some transport projects were not implemented as originally intended ten years ago. However, important progress has been made in areas and that should be recognised as well. Of course, it is always a good idea to look at policy frameworks and refresh them in light of changed circumstances and the passage of time, therefore in coming months I will launch a public consultation on our public and sustainable transport policy. The purpose of this consultation will be to set out what has happened in the last ten years, what has not happened and to seek people's ideas and views as to what should happen. I look forward to hearing those ideas and views and engaging with Deputies who have a great deal of experience in the last

ten years and longer, during that process as we look to shape our future public transport policy.

We are looking to improve things now and improvements are visible on the ground. They are visible in the revamped bus network in Waterford city with an Exchequer funded new fleet and Exchequer funded expanded services. They are also visible in the expanded PSO bus fleets across the rest of the country and the ongoing steady-state replacement of older, dirtier buses with newer, greener and cleaner ones. They are visible in the bus trials under way in both Dublin and Cork, as we look to see what technology works best for our urban PSO bus fleets when we say goodbye to buying diesel-only buses from this year. They are visible in the ten-minute DART and expanded off-peak services across the greater Dublin area, GDA, rail network. They are visible in the increased Local Link rural services with the introduction of new regular commuter services, improvements to demand responsive services and the piloting of new evening services. They are visible in the increased funding being made available to support improvements in accessibility across bus and rail, such as the new single-deck buses for mid-range regional PSO routes which will enter service this year. They are visible in the increased levels of funding available to support cycling infrastructure and the number of major cycling projects under construction or due to start this year. Improvements are happening on the ground and those improvements are bearing fruit, as can be seen by the increasing numbers of people using sustainable transport options.

We need more, and that is why I reiterate that Government's priority is to deliver upon the ambition of Project Ireland 2040 and see through the implementation of the public transport mega projects - BusConnects, MetroLink and DART expansion. We simply cannot debate public transport, or climate action responses in the public transport sector, without being clear about our support for these projects.

Of course, I recognise that we cannot merely build those three projects and rest on our laurels. We need to continually examine what our transport requirements are and how best to meet them, but that examination must respect the existing statutory and policy frameworks. In the GDA, the review of the transport strategy will allow for other options to be considered. In Cork, Limerick and Waterford, the development of the transport strategies for each will look into their transport needs over the next 20 years.

At a policy level, our review of public transport policy will similarly look to the future to see what our objectives should be. All that work will allow us feed into the mid-term review of the NDP in 2022, which means we can appropriately reflect any additional projects and programmes in the budgetary framework.

That is the core of my amendment before the House, which calls on Government to deliver on what we have said we would do and deliver these transformative projects which will benefit hundreds of millions of passenger journeys each year, and to keep our minds open as to what future projects and programmes we might need to consider. If Deputies believe in improving public transport, I see no grounds to disagree. I, therefore, commend the Government's amendment to the House.

An Leas-Cheann Comhairle: We will move on to the Fianna Fáil slot. I call on Deputy Troy, who, I understand, is sharing with colleagues.

Deputy Robert Troy: I am sharing with Deputies Cassells, Lawless, Niamh Smyth and Murphy O'Mahony.

17 April 2019

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

Deputy Robert Troy: I welcome the opportunity to contribute to this debate. It is an opportunity to take stock of the transport network in Ireland.

Talk in here is cheap. People listening in to this debate this evening, those who are caught sitting on the M4 every morning coming into town or those who are caught in a congested city, or any of my colleagues, Councillors Cormac Devlin, Kate Feeney or Daithí de Róiste, will speak of standing at bus stops every morning and queues of over-full buses passing by them as they cannot stop to pick up passengers. While I agree with many of the aspirations in the motion put, we need to take stock of where we are, what we can do and what actions are needed in the short term.

When the Minister speaks, he always speaks about long-term plans for what will happen and reassuring commuters that in eight or ten years everything will be all right and their journey time will be reduced. When he talks about policy by press release, that is rich coming from a Minister who contradicted himself so many times regarding the route of the metro, even in here in reply to parliamentary questions and Topical Issue debates.

When we talk about the long-term plans, what is abundantly clear is that the Government needs to establish a national infrastructure committee to ensure that large-scale infrastructural projects are delivered in a cost effective and efficient manner. That is needed now more than ever.

When we are talking about long-term projects, we need to ask the Government why it scrapped the DART underground, a project that was identified by the NTA as the key to unlocking the potential of the existing Dublin network. The Minister has never once answered fully why that was scrapped.

He mentioned the number of years in which there was no investment and that it could not happen because of the restrictions on the public finances. I acknowledge there were restrictions in the public finances but there were restrictions on other countries' public finances but they used every opportunity they could through funding from Europe which is something that the Government has failed miserably on.

We need to look at how we can get people out of their cars and onto public transport. The only way we will do that is if we provide a good alternative that is reliable and efficient. Certain things can happen within a six to 12-month period. We can look at identifying park-and-ride facilities outside the M50 to encourage people to leave their cars there and travel into the city on buses. There is a bus route identified under BusConnects from the N4 into town. Only 15 properties are needed to be engaged with to ensure a continuous route from outside Liffey Valley right into the city centre. If that was done now, not in three or four years, that could release a great deal of traffic from the city centre.

The Minister spoke of BusConnects. There is a great deal of support for BusConnects but there is also a great deal of concern and anxiety about it. That concern and anxiety arises out of the failure by the Department and the NTA to engage meaningfully. I was out with Ms Mary Fitzpatrick the other evening on Botanic Road. There was a public meeting held for the residents of that road, not in the community but in TII headquarters. Ms Deirdre Conroy, a candidate for my party, held a public meeting last night which more than 200 people attended. There is concern and anxiety. If the Minister wants BusConnects to work, he must engage with

the public to ensure that it will work.

He referred to cycling. He is the one who reneged on his promise on the minimum passing distant, and reduced expenditure on cycling from the year he first took up office to last year by €7 million or €8 million.

There is no identification in the Minister's amendment with rural transport, something he stated is key to his belief and what he wants to see delivered. The NTA was before the Joint Committee on Transport, Tourism and Sport more than three months ago promising the roll-out of an effective night-time rural transport service. We are yet to hear where that goes. I will hand over for my colleagues.

The time for talking is over. The time for action is now.

Deputy Shane Cassells: First, I thank Deputies Eamon Ryan and Catherine Martin for bringing forward the motion.

I will focus my comments on an aspect the motion pays attention to, namely the "vitaly important public transport projects such as ... Dublin-Navan railway line". The Minister will be well aware of my continued references to this vitaly important infrastructure. Two weeks ago, I stood on the platform in Navan central where thousands of people should be gathering each morning to allow them to avail of a viable public transport facility between Navan and Dublin. In a town of 40,000 people, I stood there on an empty platform with the pigeons. Three years ago, the Minister promised to come down and stand with me and at least examine the viability of that project. I took him at his word. I am still waiting for him - an hour down the road - to come down and engage with me on that project.

I met the Irish Rail infrastructure team some weeks ago and was glad to do so. The same very professional people were *in situ* ten years ago. They informed me that they are in the business of building railway lines and want to see those kinds of projects happen with the Government's help. I ask the Minister, on behalf of the people of Navan, Kilmessan, Dunshaughlin and the wider area, to engage with me in respect of that crucial piece of infrastructure.

The Fianna Fáil plan put forward by Deputy Troy prioritises that Dublin-Navan railway line as a crucial piece of infrastructure from an economic as well as a transport point of view. There are thousands of people who depend on that for easy access to the city. There used to be

7 o'clock

an advertisement on radio which boasted that Navan was an hour from Dublin. One would be lucky to get from Navan to Dunshaughlin in that time now.

That is soul destroying for the people and families involved. I am talking about a county that is home to 200,000 people who need to access the city for jobs. The Fianna Fáil development plan will be published in September and the development of that railway line will be a crucial part of it.

I do not doubt the Minister's sincerity or commitment to the availability of good public transport because I know he believes in that. I ask him for action. He often wrote eloquently in the *Sunday Independent* on issues pertaining to Bus Éireann, Irish Rail and many other things. I worked for the Independent Group for over a decade and I know the power of words. However, words are one thing; the Minister needs to match his words with action. I ask that he engage with Members from counties Westmeath, Cavan and Cork and, in particular, the people of Navan and Meath. Aside from the motion, I ask that he does me the decency of honouring the commitment he gave me in autumn 2016 and let us deliver that crucial piece of infrastructure

17 April 2019

for the people of Navan and Meath.

Deputy James Lawless: I thank Deputy Eamon Ryan for proposing the motion and I acknowledge the contributions already made by Deputies Troy and Cassells.

The Minister is familiar with my face from across the Chamber. I often raise issues of this type and I am one of his regular correspondents. I am particularly interested in the Kildare rail line. I wrote to the Minister when he was a Member of the Upper House because, as a Trinity Senator, he represented me. I have been raising these issues with the Minister for at least a decade but now he is in a position to do something about them and I hope he will.

I read the original Green Party motion in detail and also the Government amendment, with which I am disappointed. As the Minister stated, the amendment is simple and brief but it could be summarised as the Government encouraging itself to keep doing what it is doing. Einstein defined insanity as repeating the same experiment and hoping for a different result and that appears to be what is involved here.

The myriad benefits of public transport, and investment therein, need hardly be restated in the course of this debate but I will briefly recap on some of them. There is an obvious environmental impact in reducing emissions and addressing climate change. We know that heat, energy and transport are the three pillars by which climate change will be addressed. Until recently, Dublin Bus was still buying diesel vehicles for its fleet and that is a part of the problem. Investment in public transport across the board goes some way towards addressing those issues.

There are also quality of life consequences when people are not caught in the traffic congestion my colleagues have already mentioned and people having more reliable, affordable, simple and efficient modes of transport. I would go so far as to say that mental health is improved if one has a reliable system of transport to get to work, employment, or wherever one is going. There are considerable opportunities because public transport, like education, is a social enabler and enabler of opportunity. People can access study, work, travel and more places quickly and affordably without the necessity for private cars and the funds necessary to run them. Many students who have taken up studies in parts of the country other than those from where they come will agree with that. Public transport is an enabler when it is provided and done properly.

The Minister mentioned Project Ireland 2040. I had to do a double take while I was watching the debate on the monitor in my office. The Minister referred to the great rail lines that were to come to Kildare in 2040. I am focusing on Kildare. I printed off the executive summary of Project Ireland 2040 and could not find a reference to those rail lines. I moved on to read different articles in *The Irish Times* and on *thejournal.ie*. I found mention of the long-awaited and long-promised DART expansion. I did not realise that was part of Project Ireland 2040 but many of the projects included have been reheated and carried over from earlier times. That will be welcome, if and when it arrives in the next decade, but it is nowhere near as ambitious or broad as it needs to be and that is only from the perspective of my county. There are many more plans and links missing throughout the country.

I particularly noticed the lack of investment in public transport and the lack of ambitious public transport projects when Project Ireland 2040 was announced and I raised the matter on the Order of Business at the time. The Tánaiste, Deputy Coveney, responded to my criticism of the lack of investment in public transport and heavy and light rail by stating that something was being done with Dublin Bus. That typifies the Government's attitude of disinterest and

disengagement with specifics.

I will turn to the specifics of the experiences I have every day. I came here on the train from Sallins this morning. Our car parks are oversubscribed and it is impossible to get a space after 7 a.m., as the Minister knows well. Carriages on the train are often full to capacity so even if one manages to get a car parking space, by hook or by crook, one often cannot get onto the train thereafter. The tracks are full in the sense that there is no flexibility or scope for timetabling, scheduling of additional services or complementary services because we only have a twin track line most of the way out. We need investment in track work and park-and-ride facilities, not just around train stations but in places such as Goffs which would help to take cars out of circulation further up the chain. We need to invest in a feeder bus network. It would not take a considerable amount of imagination to run shuttle services around provincial towns without railway stations so people could walk to a stop, get on feeder buses that will take them to a train station and allow them to leave their cars at home. That will free up room in the car parks and provide many other benefits.

I could go on because I have a long list but I am conscious that other colleagues want to comment. When the Fianna Fáil-Green Party Government left office in 2011, there was a fine strategy called Transport 21 on the table. It had things like the DART inter-connector, the DART underground, Metro West, circle lines, the Navan rail lines that Deputy Cassells referred to, and many other benefits. It is not a bad plan at all but it has been sitting on a shelf for ten years. It is costed and planned, specifications have been done and it is ready to go. The Minister could do a lot worse than reinstating Transport 21.

Deputy Niamh Smyth: I thank the Minister for his visit to Cavan and Monaghan some months ago. He knows, even though I have only been a Member for a short time, that one of my bugbears is the lack of public transport. The Minister knows from his visit to County Cavan that we have the basic necessary infrastructure in place. There are rail lines which took traffic and carriages from Navan to Kingscourt in their day. That basic infrastructure is there and, like my colleagues, I was disappointed with the Government's Project Ireland 2040. It is not planned to take advantage of that infrastructure over the next 20 years and that is a missed opportunity.

I congratulate Deputy Eamon Ryan for bringing forward this motion because we need to be more proactive and vocal about climate change but the basic essence of climate action is to take our cars off the road. I travel from Cavan to Leinster House daily and I know people are stuck in their cars. It reminds me of the days of the Celtic tiger. There is one person in each car and they are stuck in traffic from Clonee all the way to the city centre.

We have a fabulous motorway but it ends at Whitegate on the Cavan-Meath border. Cavan and Monaghan seem to be completely forgotten when it comes to public transport. We have no motorway and the Government does not appear to be planning for that all-important, east-west link corridor. Transport facilities are essential parts of the economic prosperity of my constituency and I implore the Minister not to overlook the area in any investment and planning for 2040. Brexit is looming and the Border counties will, by their nature, be exposed to that. We have not come out of recession. That is the reality for us and for business in Cavan and Monaghan. We really need investment in infrastructure.

I thank the Minister for his visit to Cavan and Monaghan. I hope it will be the first of many as we carry out more research and plan for investment in a rail line to Kingscourt.

17 April 2019

Deputy Margaret Murphy O'Mahony: I wish to refer specifically to the ongoing issue of rural transport. I know I have been beating this drum for quite so time now. The fact remains that rural Ireland is not serviced by an adequate system not to mention the urgent need for wheelchair-accessible transport or our European and international obligations. Those travelling to Cork city each morning from either the Bantry or the Clonakilty sides of my constituency of Cork South West experience huge volumes of traffic that might be alleviated if we had an adequate transport system, which we do not have.

I have been advised as recently as last Monday that the bus leaving Bantry for the city is full by the time it reaches Bandon. This is only half way. This means those waiting in Bandon have no alternative other than wait for the next scheduled service or get into their cars and drive if they are lucky enough to own a car. A person wishing to travel from Drinagh to Skibbereen would need to take a bus to Bantry and double back. Similarly, a person wishing to travel from Dunmanway to Clonakilty would need to take a bus to Bandon and, again, double back. This makes no sense. It is nonsensical and is simply not fair.

It is imperative that the frequency of buses is increased, particularly at rush hour. Additional routes need to be established to link towns and villages in an appropriate way so that people do not have to double back and often double the length of time it takes to get from one village or town to another in west Cork. We need a significant investment in new buses because there is no point in increasing services if there is no fleet.

Deputy John Brassil: I will diverge slightly from the motion to bring to the Minister's attention something that was brought to my attention at a meeting of the joint policing committee in Kerry on Monday. Addressing the meeting, a senior Garda official informed us that there is no legislation gardaí can use to force pedestrians or cyclists on country roads to wear high-visibility jackets. Will the Minister take note of that issue? I do not know whether he is listening to me or reading something on his phone. He is very strong on road safety. It is something he has tried to highlight. Many of the measures he has taken have been very controversial but if there is no legislation gardaí can use to make pedestrians or cyclists wear high-visibility jackets on country roads, that needs to change.

Deputy Robert Troy: Deputy Brassil voted against our amendment.

Deputy John Brassil: Having in place regulations that are of no use to gardaí will not work. We need something that makes it compulsory for people to be seen. "Be safe, be seen" is our motto and I want the Minister to take that message very seriously.

Deputy Robert Troy: Deputy Brassil voted against a Fianna Fáil amendment.

An Leas-Cheann Comhairle: Hold on now. The Minister will have no opportunity to reply.

Deputy Robert Troy: He will.

Deputy Imelda Munster: I welcome the opportunity to speak on this motion. I welcome all efforts to keep public transport on the political agenda. It is certainly not prioritised by this Government or by the Minister. A good public transport service is a cornerstone of most modern states and cities. Ireland and our cities are way behind in this regard. Our public transport systems are not up to standard and do not provide adequate services in many parts of the State. This is not the fault of those providing the services. I take this opportunity to commend the

three CIÉ companies in particular for their long-standing service to public transport.

The problem involves bad planning and, in recent years, an ideological opposition to the notion of transport being a vital public service like health, education or any other public service. We have a Minister for Transport, Tourism and Sport who has no respect for public services and no interest in improving public transport. He thinks it has nothing to do with him. This means public transport never receives adequate funding and continues to struggle to keep up with increasing demand. We have the highest levels of public transport use on record but funding has not kept up with demand and services are lacking. This is true for both current public service obligation, PSO, spending and capital spending on badly needed improvements in infrastructure. The NTA is tasked with overseeing public transport but it can work only with the budgets allocated to it by the Minister and it works to implement Government policy.

The main policy that has been in train in recent years is the privatisation of our public bus routes. A total of 10% of Dublin Bus and Bus Éireann routes were put out to tender in recent years. A further 10% of Bus Éireann routes are up for grabs. A foreign profit-making company has won most of these tenders. It is questionable what a for-profit company can bring to the table. What existing public transport services need is increased funding. The Government needs to significantly increase funding for CIÉ companies to allow them to expand and improve their services. This will mean more buses and trains and more services. It would also mean safer, more efficient and cheaper services. It would go a long way towards reducing reliance on cars and improve social cohesion. Instead the Government chooses to privatise.

In recent years, two major issues have become very visible, namely, the lack of rural transport and our emissions obligations. The Government has abandoned the people of rural Ireland. That much is very clear. This is not rocket science. We do not need to reinvent the wheel. There is an obvious solution to the problems faced by people in rural areas. We need improved rural bus services. Bus Éireann is perfectly positioned to provide this service but the budget is not there for it to offer increased services and better frequency on existing routes. The same goes for rail services. In Sinn Féin's alternative budget, we increased PSO funding by 25% for 2019. The second issue is transport emissions, which constitute the second biggest source of emissions in this State. This is not surprising given that many people have no option but to use their cars. The best way to ensure a significant reduction in car use and transport emissions is to provide affordable reliable good-quality public transport, both buses and trains. Until this happens, we are failing rural Ireland and our environmental obligations. Fine Gael's record on both matters has been appalling.

Sinn Féin supports the call in this motion for increased spending on public transport. However, we have some concerns about the exact figures quoted in this motion. We had similar concerns at the Oireachtas Joint Committee on Climate Action about this particular recommendation from the Citizens' Assembly. We are 100% behind the concept of increasing spending on public transport and public transport projects. However, when we budget using ratios and percentages, it can be problematic. Having looked at the national development plan figures, we are concerned that the figures quoted in this motion include maintenance and other road budgetary items. This Citizens' Assembly called for a 2:1 ratio regarding spending on public transport versus new road projects. Spending on new road projects is much lower than the figures quoted in this motion. We should seek a much more ambitious spending target for public transport, starting with PSO spending to quickly and efficiently improve rural transport services in particular.

17 April 2019

A number of projects are in the planning phase, all of which cater to Dublin. I hope that BusConnects will be successful. However, we have concerns about the future accessibility of public transport and the feasibility of some parts of the BusConnects plan. My party and I also support metro north. We continue to call on the Government not to completely abandon the southern part of that project. We need major improvements in transport provision, and metro south should be an important part of that.

I would also caution against privatising new services. Culling projects for political reasons has led us to where we are today, and it does not inspire confidence that it continues to happen. The State should not build new public transport services only to hand them over to foreign businesses to make profit from them. This neoliberal model is ridiculously poor value for money and we need to move away from it.

As a Deputy representing County Louth, the county with the two largest towns in Ireland, and east Meath, I welcome plans to extend the DART to Drogheda. I hope this project can be completed in a timely manner, in particular given the large number of workers living in Louth who have to commute to Dublin every day.

I support the motion's call for increased services, in particular rail services, in other cities. The Government claims to be in favour of balanced regional development, but all evidence shows that in reality this does not happen. All roads lead to Dublin, and this is having a devastating effect on communities across the State, in particular those on the western seaboard.

I also support the call in the motion for increased active travel. We have seen a significant increase in the number of cyclists in our cities in the past ten years. The numbers cycling to work would balloon if cyclists could be assured that they could cycle safely in our cities. This means not having to share space with buses or other traffic. Our cycling infrastructure needs to be upgraded to increase safety for cyclists and to shift the emphasis in our cities from cars, traffic and congestion to a safer, cleaner environment for everyone.

Deputy Brendan Ryan: I thank the Green Party and Deputies Eamon Ryan and Catherine Martin for bringing forward the motion. We welcome it and fully support its provisions. It is another timely and welcome motion covering a large swathe of transport deficiencies. Labour was the first party to propose the Citizens' Assembly and is supportive of both the citizens' recommendations and many of the calls within this motion. I will focus on a number of elements of the motion, in particular the way in which a lack of investment in transport adversely affects rural areas.

I represent a constituency which has a large urban population but I also represent large areas of north County Dublin that are isolated from any bus, rail or other transport alternative. Public transport is not just about commuting; it is also vital to the health and well-being of our rural and urban communities. The environmental cost of our failure to invest in adequate public transport has been well stated, but there are less recognisable social costs that need to be addressed as well. Loneliness and social isolation are an ever-growing epidemic in Ireland. It is estimated that about 400,000 people in Ireland suffer from loneliness, with more than 37% of people aged 50 or over reporting feeling lonely. These figures are particularly pronounced in rural Ireland, where there has been a complete absence of investment in public transport where it should be a priority. In 2013 Labour introduced the rural hackney scheme to serve isolated rural villages. Since then, however, no concrete action has been taken to promote, resource and expand this scheme. A simplified and reinforced version of the scheme would provide

subsidies for operators in isolated rural areas and ensure tenders and start-up grants where no service currently exists. These services would combine with Local Link services in rural towns and provide a vital link to a range of public and private services as well as allowing an outlet for socialising.

A school bus guarantee should be also given to every child in Ireland to end the madness of the daily commute by car. We also need to reimagine our provision of services and how they relate to public transport. For instance, 159 post offices are due to close in rural Ireland. This means people must drive longer distances to post a letter or to perform other transactions. This comes not only at a personal cost, but also at a cost to the environment. In Sweden, Germany and Austria successful “post bus” services are in operation, whereby journeys combine rural postal collections and deliveries with a local transport service. Ireland had its own “post bus” in Ennis, County Clare, until 2004 and it served both locals and tourists. It is precisely these kinds of initiatives in which we need to invest if we are to achieve environmental, economic and social objectives.

We also need to invest in our rural towns to provide a counterweight to our overwhelmed capital. Dublin is currently the third most congested city in the world after Bogotá and Rome, which is an incredible statistic. Commuters are spending almost 250 hours stuck in cars travelling at less than 10 km/h. This statistic is shocking but we rarely see the person behind it. For example, this may be a parent not making it home to put his or her young child to bed as he or she is stuck in traffic. Again, this is not only a transport issue, it is also a social issue. What are we doing to resolve these issues? Rather than reducing the need to commute to the city for work by creating other regional employment hubs across Ireland, we are spending billions on widening access routes onto an already clogged M50. We therefore support the call in the motion to establish specifications for rural public transport to connect populations to the national public transport system based on population size. Labour’s restoration of town councils Bill would be a necessary step in the right direction. Our proposal aims to restore town councils to at least 80 towns across the country which have 1,000 or more dwellings occupied by at least 5,000 residents, therefore having a clearly defined urban centre. This would give real power and autonomy back to towns around the country and could be also combined with a rural transport guarantee. This would allow councils to provide local transport services, pedestrianised streets, biking infrastructure and local bus and hackney services, which would enhance the prosperity and well-being of their towns and the surrounding areas.

Urban planning measures are needed to deliver what we need to do in this city and every other city and town throughout the country. I refer to dedicated and segregated cycle lanes, particularly on the main arteries into and out of our urban centres. This may involve difficult decisions, and while the motion calls for these segregated lanes, its proposers and supporters need to follow up this when politically unpopular decisions may need to be made. Progress in the delivery of cycle lanes requires politically difficult planning choices. Segregated lanes need land, so parks, paths, gardens and roads may all come into play. Labour fully supports the provision of cycling infrastructure. We led on the delivery of the Dublinbikes scheme, which continues to go from strength to strength. A bike sharing scheme has been piloted in Fingal and will, I hope, also be expanded. We need to see such a scheme expanded to all Irish cities, big towns and major suburbs. In Labour’s alternative budget we proposed a 20 cent subvention for every journey on the public bike schemes to help finance further expansion. We believe in investing, building and delivering. A revised and improved bike-to-work scheme with further political impetus and pressure would be of great benefit and I believe uptake of it would be very

17 April 2019

strong. There are currently considerable risks to cyclists who use shared roads due to the interaction between cyclists and motor vehicles. In 2017, 15 people died as a result of collisions between motor vehicles and bicycles and hundreds more were injured. This was a 50% increase on the figure for 2016. Future deaths can be prevented if we invest more in cycling. Currently, less than 1% of our transport budget, or around €3 million, is spent on promoting cycling and cycling infrastructure. If we invested more money in certain cycling projects, we could hope to prevent more accidents as well as promoting cycling among Irish citizens. One thing in which we can invest is better cycling infrastructure such as more dedicated cycle tracks that are physically segregated from other road users. Additionally, there is a great need for legislation specifying the minimum distance motor vehicles must maintain when passing cyclists. This is another measure that could help prevent future injuries and deaths caused by collisions between cyclists and motor vehicles.

I fully support the Stayin' Alive at 1.5 campaign and am very proud of the Labour group on Fingal County Council which led the way in delivering a pilot Stayin' Alive at 1.5 scheme in Fingal. Now every large council vehicle has a Stayin' Alive at 1.5 sticker on it and there are popular cycling routes with dedicated 1.5 m signage. This makes a difference and can save lives.

I support the motion and look forward to the remainder of the debate.

Deputy Catherine Connolly: Ba mhaith liom mo bhuíochas a ghabháil leis an gComhantaras Ghlas as ucht an rúin seo a chur os comhair na Dála. Sílim gur fear stuama é an Aire a thuigeann rudaí nuair a dhíríonn sé isteach orthu. Tá sé soiléir go bhfuil easpa tuiscine i measc lucht an Rialtais ó thaobh cé chomh práinneach is atá sé go ndéanfaidís beart de réir a mbriathar ó thaobh athrú aeráide de. Before the Minister leaves, he might remember that I raised the issue of light rail with him in 2017. I have written to him about this matter and I will be in contact again with him. He was very open to the concept of light rail at the time but he said there was no demand. We have shown since that there is demand. Almost 23,000 signatures, 22,500 to be precise, have been collected. The Gluas team also published a report on this issue last month. We are seeking an opportunity to present to the Minister and show him there is a sustainable way to deal with traffic congestion in Galway city. Our plan would also enable the Minister to comply with his obligations regarding climate mitigation and climate change objectives.

Regarding this motion, I am going to focus on Galway not for any parochial reasons but because the city is a microcosm of what is happening in the country. It is a city thriving on one level. It has employment, three hospitals and two universities. I could go on but I have less than four minutes. The point is that the city should not have problems. We should not have a housing problem because we have plenty of land and we should not have a traffic problem because public transport is the solution, or a major part of the solution. In the 20 years since I was elected to the local council in 1999, I have seen more reports than I can count. The latest one was the Galway transport strategy in 2016. Not one of those reports have been implemented in any reasonable way because of the utter reliance on an outer bypass. The first outer bypass ended up as a cul-de-sac and the second one is going to be the most expensive piece of road in the history of road making. It will cost some €600 million, and that is a conservative estimate, for 17 km or over €30 million per kilometre.

The transport strategy in Galway city is utterly premised on that road. A programme to roll it out is still being worked on with the National Transport Authority three years later. As Deputy Eamon Ryan stated, it is already out of date, as is the business plan on which it is based.

There is also no mention of climate change in it. It is equally worrying that it will not solve traffic congestion. The strategy is at odds with the national planning framework which contains sustainability goals throughout, the Citizens' Assembly's 13 recommendations, all of the reports that have been written and with what the people of the country want.

There is a golden opportunity now that fits in with the Minister's Project Ireland 2040 plan. Galway is one of five cities destined to grow within its existing footprint. It makes absolute sense to build up an integrated public transport system. Practical steps can be taken immediately. The frequency of rail services can be increased from the existing stations at Oranmore, Athenry and Ballinasloe. Bus services from Galway to Connemara can be extended and increased. Park-and-ride is in our city development plan since 2005 but nothing has happened. It could be rolled out. Cycleways and greenways can also be rolled out and that will remove school traffic from our roads. Those are just some of the practical, positive suggestions that would allow this Government to comply with sustainable development and, most importantly, deal with climate change.

Deputy Thomas Pringle: The motion before us today is very much focused on Dublin. It is designed to address concentrated urban areas but fails to target towns and villages in rural Ireland. Donegal has no motorways, no railways and no county-wide public transport options for people. The rural link service is starting to address some of these challenges but it needs to be rolled out much more significantly to make a real difference. The truth is that Donegal's transport needs have never been met. The county became largely car-dependent due to chronic underinvestment in the rural transport structure by the current Government as well as past Governments. There are many consequences of this underinvestment.

An effective public transport system would benefit those physically or socially isolated in rural parts of the county and also people with disabilities, if such public transport were wheelchair-friendly. Ms Vicki Matthews was successful last week in her campaign for a wheelchair-friendly bus seat on route 480 from Donegal to Sligo, which is an Expressway route and not a local route. Ms Matthews gathered more than 8,000 signatures to highlight the restrictions the lack of access to public transport in rural areas places on people with disabilities. Bus Éireann, thankfully, responded and set a precedent for other companies to get on board. An activist should not, however, have had to campaign for what is a fundamental need. Ms Matthews required the wheelchair-friendly transport so that she could access IT Sligo from where she lives in Ballyshannon.

The lack of rural transport also means economic growth is consistently stifled. Towns and villages which are better connected experience greater growth, new sustainable jobs and better retention of public services. The Government has neglected rural Ireland and this has resulted in the closure of post offices and Garda stations, the retreat of general practitioners and even the withdrawal of banking facilities. Rural villages were already under pressure without effective transport connectivity before experiencing the effects of these Fine Gael policies directly attacking rural services. The lack of a proper and effective transport system will hinder Donegal's transition to a low-carbon economy and will also jeopardise a just transition for people living in other parts of rural Ireland. Vast amounts of money will be required for Donegal to mitigate climate change and catch up with Dublin and other urban centres across Ireland on climate action. I am not sure the Government is willing to provide that money.

Let us not forget that a just transition for rural Ireland in respect of climate action does not just mean a sustainable future. It is a model that, if properly implemented, could revitalise rural

17 April 2019

towns and villages in Donegal and elsewhere as sustainable mobility, interconnectivity and local sustainable jobs are created. I pushed very hard in the Joint Committee on Climate Action to have my proposal on rural transport inserted in the final report for that very reason. Thanks to my proposal, the Department of Transport, Tourism and Sport now has to undertake a review of policy. That review will have to examine ways to expand the rural transport programme to include all transport modes and provide integrated public transport and shared mobility solutions for all rural areas. It will have to be done in conjunction with local authorities.

If the Government commits to its implementation, this proposal will see an integrated public transport network including Local Link, Bus Éireann and private operators. All ancillary services, such as park-and-ride, bicycle sharing, electric vehicle charging and lift sharing are to be completed no later than 2030. There will also be a review to examine how to provide comprehensive link services for all rural areas. Alternative transport options are not available to people in Donegal and we need to wake up to this fact. We need to stop treating Donegal as if it is on the moon. It is right here in the Republic and it is owed an equal share in Project Ireland 2040. It is a disgrace that funding for the A5 upgrades have been delayed to facilitate Government overspending on the national children's hospital. The Government cannot manage money to save itself. I have repeatedly said that we will see no improvement in rural Ireland as long as Fianna Fáil and Fine Gael remain in power or in a partnership Government. Change will be delivered when that is no longer the case.

Acting Chairman (Deputy Alan Farrell): I call Deputy Michael Collins. I believe he is sharing his time with Deputy Danny Healy-Rae.

Deputy Michael Collins: That is correct. I echo the comments of Deputy Pringle on Donegal. I have the same issues in west Cork, from one peninsula into another. The difficulty is to have a proper transport service. Last week on Leaders' Questions with the Taoiseach I raised the possibility of a park-and-ride system that would run from Clonakilty to Cork train station and Cork Airport and on to Cork city to alleviate the massive use of cars. This park-and-ride system could have buses running from Mizen Head through to Skibbereen from the Sheep's Head, Beara Peninsula and Bantry and on to the park-and-ride facility in Clonakilty.

Cork, Bandon, Innishannon and surrounding areas could be catered for *en route*. Some 30 cars could be taken off the roads for every 40 people who could use the service. It would give great relief to the hard-pressed families with no choice but to have a second vehicle. I appreciate that the Taoiseach acknowledged this as a possibility and that the scheme might work. He stated he would examine it and, in fairness, we have to give everybody a bit of time. I am looking forward to his response in the near future.

It is unbelievable to recall that we had rail services to Schull, Bantry and west Cork in the late 1800s but we have no public transport services linking west Cork to the train station in Cork city in 2019. It is vital that this Government invests and delivers on projects which were close to being implemented a decade ago but are now on hold. An example in Bandon is the proposed northern bypass for the town. It is now proposed to make this a two-phase project and that will bring the bypass into the town and down Kilbroghan Hill which is already a congested bottleneck at the best of times. The solution suggested for this is banning on-street parking in the town. This will cause carnage for businesses and residents. I cannot understand for the life of me how anyone could sign off the change to the plan to allow a bypass to filter cars into an existing bottleneck, adding insult to injury with regard to the unfinished southern bypass, for which money is promised prior to every general election. They have tried to cod the people of

Bandon, but they will not cod them forever. Nothing has happened either on the promised Innishannon bypass. West Cork is at a standstill on funds. Little or no money has been spent on the N71, R586 or R585. Simple passing bays could open up roads from Bandon to Clonakilty to Skibbereen or from Bandon on the northern side to Ballineen, Dunmanway and Drimoleague. The only money the Department has spent has been to repair damaged roads.

It is unfortunate the Minister ran out, but I suppose he saw a few of us across the floor. He does not usually spend much time discussing issues with us here but these issues are very important ones for the people who need proper public transport services, including for people with disabilities. I mentioned Sarah Dullea, who has been fighting for a disabled-access bus from Dunmanway but is unable to get one to enable her to work in Cork city. We are at crisis point. The Local Link service is the only light in a very dark tunnel. We were promised an evening service and an Uber service. We were promised everything but nothing is happening. There is perhaps one service in County Cork. We were promised an Uber service by the Minister of State in west Cork, but absolutely nothing is in place. We find out now that there will be one service or two at most in the whole county of Cork. The Government should stop coddling people and invest in transport services and in west Cork. People will then be able to take their vehicles off the road. Until they can, they will have no choice but to use the ones they have now.

Deputy Danny Healy-Rae: I cannot support the motion. While I have the height of regard and respect for Deputies Eamon Ryan and Catherine Martin of the Green Party, I do not agree with the motion they have put forward. It focuses on Dublin and touches on Galway, Cork and Limerick but there is a lot of territory beyond Limerick and Cork where people need their cars for transport. I agree with having more public transport but it cannot be at the expense of road projects for which we have waited half a century at least in some places. There are bridges and sections of road on the Ring of Kerry on which buses travel perilously every day. We need those buses to take our tourists around the Ring of Kerry, which is one of the products of which we are proud and which brings people to the county. It is one of the things that keeps the county going. The Green Party is saying “Save the planet and to hell with the people.” It says we should get rid of the cars and let people walk, cycle or manage however they can. They say we should not be let cut the hedges either and that we should close the roads, never mind improve them. We are not to be allowed to cut the hedges or to travel safely. We know what we went through at the heritage committee to get an extension for the month of August for hedge cutting.

The Green Party says children should not be transported to school. There are long journeys it is not possible for children to take safely on foot to get to school. They have to be driven there. In 2007, we were advised to change to diesel cars and it has been proved that these cars cause no harm to the environment in rural areas. There has been a great deal of talk about battery-powered electric vehicles. Where are the charging points? There is no place to get rid of the batteries after six or seven years. They cost more to dispose of than to replace, which is €6,000 or €7,000. Even if Ireland were completely emissions free, it would mean only 1.13% of 1% of total global emissions. It is also suggested that we should charge people more carbon tax.

I am sorry the Minister for Transport, Tourism and Sport, Deputy Ross, has left because I wanted to remind him about Rural Link. He introduced the legislation which the Minister of State opposite, Deputy John Paul Phelan, supported and which Deputy Brassil supported by abstaining from the vote on it. Deputy Brassil attempted to confront the Minister by saying he brought those measures in “controversially” but although I begged the Deputy and everyone else not to support the Minister’s Bill, they did. We were promised Rural Link when the Act

17 April 2019

was passed but where is it when it comes to Cloghera More and the Black Valley and one has to come out via Cloghernoosh and Cockow? Where is the transport that was promised? There is no account of it. It was only a case of “live horse until you get grass”. There is talk of more public transport but we are talking about the road from Blackwater Bridge to Sneem where it is not safe for a car to meet a lorry or a bus. There will be a serious accident there. The motion proposes more public transport for Dublin and Galway, while letting the people in Kerry go to hell. That is not good enough for me and I will not subscribe to it.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): The Minister for Transport, Tourism and Sport, Deputy Ross, is not allowed to respond.

Deputy Danny Healy-Rae: He ran.

Deputy John Paul Phelan: He cannot speak twice during a debate and I am responding on his behalf. I thank the Deputies who have contributed. Notwithstanding some contributions, there has been a great deal of agreement on certain issues among the Members who have spoken and that broad agreement should be mirrored in support for the Government’s counter-motion. We have heard differing views on the detail of particular projects and whether one should be prioritised over another. The last two speakers named some of the projects in their own areas. Some have referred to new projects which should be added to those already listed in Project Ireland 2040. Leaving aside differences on detail, we all agree on the need to increase investment in public transport, whether in rural areas or large urban centres. We all agree that an improved, accessible and integrated transport system has an important role to play in helping us to address our climate action challenge. We all agree that improvements to our public transport system must be delivered in a timely fashion and, importantly, the Government is seeking to deliver on each of those points of agreement.

Funding for public transport has increased in recent years under the main public transport capital expenditure programmes and by almost 30% in the last two years. That has meant increased numbers of PSO buses nationally, continued planning and design for a number of important projects and the closing of the funding gap in respect of the steady-state maintenance and renewal of the heavy rail network. Total expenditure under the PSO programme has increased by approximately 37% in the last three years allowing the National Transport Authority and bus operators to introduce new and expanded PSO bus services nationally while we have seen improvements in commuter rail services also. Funding for Local Link services in rural areas has increased by over 50% from €12 million just three years ago in 2016 to €21 million this year. As the Minister, Deputy Ross, stated earlier, the increased funding for Local Link has facilitated the introduction of new regular commuter services, improvements to demand-responsive services and the piloting of new evening services. What is more, the increases of recent years will continue to be seen in the coming years with funding for public and sustainable transport investment programmes scheduled to increase by over €500 million by 2021. We are investing in public transport and will continue to do so in the years ahead.

The Green Party motion highlights the need to ensure we have an accessible public transport system. The Government agrees that we need to improve the accessibility of our public transport in certain areas. That is why the Minister, Deputy Ross, has trebled the amount of money available to retrofit the older parts of the system that need to be brought into line with modern requirements and expectations. That retrofitting programme involves upgrading older infrastructure and facilities, for example, installing accessible bus stops in rural areas, upgrading

train stations to make them wheelchair accessible and introducing more wheelchair-accessible vehicles into the taxi fleet. This year, the Exchequer will also fund a number of other initiatives including: the roll-out by Irish Rail of customer service agents on intercity rail services, which will eliminate the need for advance notice and assist passengers generally; the delivery of new accessible buses for regional, medium-distance PSO services; and the roll-out of audio-visual announcements on all rural and regional Bus Éireann services for approximately 6,000 bus stops nationwide. In addition, the disability representatives that the Minister appointed as directors to the five public transport companies are bringing lived experience of accessibility issues to their boards. Progress is being made in this important area. It goes without saying that, as we develop new infrastructure, the issue of accessibility needs to be built in from the start.

In terms of climate action, we face a challenge in reducing our national emissions. We can all agree that public transport has its part to play in meeting that challenge in terms of offering people a viable alternative to the car through improved and expanded services and networks and demonstrating leadership through decarbonising the fleets and moving away from diesel. On both fronts, a range of initiatives are under way that every Deputy will support. The Minister referred to the significant potential of projects like BusConnects, the DART expansion and MetroLink. These can be transformative and offer sustainable alternatives to many people who might otherwise choose the private car. If we are serious about changing how we travel and how we think about transport, these are the types of project that we need to see rolled out and every Deputy should be vociferous in his or her support and timely delivery.

Other Exchequer-funded projects have their role to play in expanding the reach of sustainable transport. As a representative from a rural community, I am well aware of the importance of the Local Link services in providing sustainable transport options in rural areas. I have already referred to the increased funding that has been made available in recent years. It has allowed for the introduction of 66 new regular services to the Local Link network as well as improvements to the demand-responsive services. New and enhanced services are to be introduced across counties Wicklow, Wexford, Limerick, Galway, Clare and Westmeath. During 2019, improved PSO bus services will be provided in Cork city and county and Limerick and Waterford cities and there will be improved connections to cities, for example, from Connemara to Galway and from Navan and Drogheda to Dublin. There are also well developed plans to introduce improved bus services in a number of other urban centres, such as Drogheda, Sligo and Carlow as well as in Kilkenny City, which Deputy Eamon Ryan's colleague, Councillor Malcolm Noonan, and I sought for many years. These new and expanded services are providing sustainable transport options for many people who previously might have relied on the car.

In terms of leadership, Deputies will all be aware of the commitment to end the purchase of diesel-only buses for the urban PSO bus fleets from this year on. Low-emission bus trials are continuing in Dublin and Cork. The results of these trials will inform future bus purchasing policy and the choice of technology for the medium term. For next year, the NTA has indicated that it will purchase hybrids for the urban PSO bus fleet.

Regarding rail, Iarnród Éireann will this year commence an Exchequer-funded trial of hybrid packs on some diesel trains on the intercity fleet that, if successful, could be rolled out across the rest of the country's intercity fleet in due course. Under the DART expansion programme, the electrified network around the greater Dublin area will be significantly extended and an expanded fleet of approximately 300 diesel electric carriages will be ordered shortly.

Since public transport is not always a viable travel option, a generous range of incentives,

17 April 2019

supports and measures are making the transition to electric vehicles more affordable and attractive. This is being reflected in strongly increased uptake and demand.

I made reference at the outset to what I believed was another point of agreement between all sides. We all want to see improvements made to our public transport system in a timely fashion. The Minister has referred to the statutory and policy frameworks in place. These are designed to ensure that we have a plan-led, strategic approach to the evaluation of transport needs and the response to same. This approach is reflected in Project Ireland 2040, with the national strategic outcomes supported by strategic investment priorities.

Just as the Government's amendment states, we need to ensure delivery of the priorities contained in Project Ireland 2040. That is No. 1, and every Deputy who believes in improving public transport will recognise that those big projects must be delivered. However, Project Ireland is not just about big projects. It contains a wide range of other public transport initiatives, some of which I have listed. The potential of the western rail corridor's phases 2 and 3 are being re-examined and Iarnród Éireann has recently appointed consultants to carry out an evaluation of that proposal. We are also committed to examining the benefits of high-speed rail on our mainline rail network. As stated in Project Ireland 2040, that examination will commence next year. We are funding projects like a new national train control centre, construction of which should commence toward the end of the year. We are increasing investment in our cycling and walking infrastructure, with projects under construction or scheduled to start in urban and rural areas this year.

I reiterate my view that the House broadly agrees on this important topic. That agreement can be reflected in support for the Government's amendment. We need to deliver the multibillion euro investment package outlined in Project Ireland 2040, which will benefit hundreds of millions of passenger journeys every year across this country. We need to plan continually for the future so as to ensure that we are always improving our public transport system. However, it is important that we plan in a structured and strategic way in order to ensure that the right projects are brought forward at the right time and we deliver value for money for the taxpayer. That is the essence of the amendment, which I commend to the House.

Deputy Eamon Ryan: We have set out a vision of what might be possible had we the budget and a sense of ambition. Our first priority should be providing rural public transport services. The Minister has stated that the Government cannot take up our suggestion of following the Swiss model, where villages of a certain size are guaranteed a public transport system. I will make two points in response. First, the Swiss manage to meet that commitment in certain cantons where the population density is low. Second, perhaps one of the reasons we have such a dispersed population and a dominant dependence on the car is that we do not have a public transport service. It is a chicken and egg situation.

I will give an example from Deputy Michael Collins's neck of the woods, which I know well. Let us start at its farthest reach in Barleycove or Crookhaven. There is a sweet spot in cycling distances that everyone who cycles knows works efficiently. It is 6 km, 7 km or 8 km. That is an effective bike journey. Let us cycle from Crookhaven or Barleycove to Goleen. Were it a Swiss village, Goleen would have a guaranteed 12 bus services per day under the Swiss canton system. Going from memory, the 237 route in Goleen has two bus services per day, which does not constitute a quality public transport service. If we provided 12 services and people connected to them from the surrounding area, the towns and villages at every stop from there to Skibbereen - Toormore, Schull, Ballydehob, Lisheen and onwards - would be transformed. I

am told by friends in Schull that there is no one left living on its main street. Schull is a stunning town with a brilliant school. It is a great place to live. Are we going to let our towns and villages, with their lovely 19th century architecture, close down and die? We should do what places like Callan in the Minister of State's constituency are starting to do and revive our 19th century market villages and towns by having people live in their centres, retrofitting them, installing broadband and insulation. More than anything else, providing them with public transport that was centred on high-quality bus routes would turn rural Ireland around. People would then know that they would be able to get all the way to Skibbereen and Cork. The number of services would increase with ever greater frequency as someone travelled to each larger town. Doing that everywhere in every single county is the way to revive rural Ireland. It would allow people to raise families in those towns.

We must consider the economics for the taxpayer. Currently, we are following a sprawl model, where we keep going farther out. That means we must build more and more schools, hospitals, primary care centres and road-based public transport services even though there are already public transport services close to the town centres.

If one lives in Schull, one can walk to school. There was even a small hospital which we could return to being a high quality primary care centre. If density in the town or village starts to increase, it will be successful. That can be done by starting to provide the services that are available in other European countries and that are based on public transport rather than everyone having to drive. One of the reasons to do it is that 25% of the people do not own a car, typically due to being older, less well off, disabled or for a variety of other reasons. Will we leave them behind as we continue the car dominated transport system? Do we have no sense of social justice in respect of transport?

A revolution is taking place, yet I have heard no one in the Chamber answer the fundamental question I am putting, namely, how we will close the 70% gap to meet our 2030 targets, not to mention the larger ambition that by 2050, this will be a net zero carbon economy? That is what the Joint Committee on Climate Action agreed to last week and I am sure the Government will take it up. We cannot set it as a target and not do anything about it. We must make it make it real and think long term. We are going to electrify the transport system, but that should not mean that we just replace 2.5 million fossil fuel cars with 2.5 million electric cars. We must use our brains. We do not make cars and do not necessarily need to buy as many as possible. As we completely redesign the car transport system, could we not switch to a car-sharing model? Most cars are parked 95% of the time. If we were to move to a car-sharing model, we would not have to pay tax, insurance or maintenance, or to have so many car parking spaces. BusConnects would be easier to implement because we would not need as much space. Given that everyone knows the current model is not working, do we have to stick to it?

At the same time as we electrify the transport system, we should electrify the rail network. This is the country with the least electrified rail network by a country mile. I hate to say that because we always seem to be the worst, although we are not and this is a bloody good country. We need to electrify the rail system if we are to move to a zero carbon transport system and a zero carbon economy. While we are doing that, could we follow not just the Swiss but also the Dutch? Trains from Utrecht to Amsterdam depart every ten minutes and the journey times are nothing. People love being on the train. If we want to decarbonise the transport system, we need to electrify the rail line from Galway to Dublin, double the number of tracks and bring the journey times right down. Let us reduce the journey time from Galway to Dublin to one hour, one hour and a half or whatever is possible if there is ambition, rather than planning for

17 April 2019

roads, which is what we are doing. That is not impossible and if we were to do it, it would help to develop Galway more than all of the roads which, ultimately, lead to Dublin, resulting in it growing ahead of all other cities.

It should not just be a rail network to Galway. I agree that we should consider a light rail system for Galway and Cork, where the volume of traffic is increasing at a rate of 10% per annum, according to the latest figures. The Jack Lynch Tunnel, the Dunkettle roundabout and the South Ring Road suffer from the same problems as the M50. Our solution, however, is the same as in Dublin, namely, build more roads. That is what is happening, but it will never work. Will the Government wake up and realise that trying to tackle gridlock with more roads is a road to nowhere, a cul-de-sac, that will kill the country? We will be less efficient, less healthy and less happy and will never meet our climate targets because the road based system forces us to continue building outwards, letting the existing housing stock in those rural towns and cities fall to rack and ruin. Is it not possible to consider doing it a different way?

Last but not least, I return to my central point that active travel is one of the ways to make it happen. We must promote walking and cycling. The hierarchy of transport should start with walking and cycling, then bus and rail services and, finally, the car. We are the exact opposite, however, and have all of the statistics to prove it. Representatives of the Irish pedestrian network spoke in Buswells Hotel and said it was about simple measures such as having a flat pavement in order that an older person would not be fearful of tripping when walking on it, or providing enough time for pedestrians to cross the road in order that an older person would not be terrified that he or she might not get across, unlike the current system which creates spaces dominated by the car. “Carchitecture” was the word I heard today. It is not an attractive environment and does not make the country a beautiful place. It fills our lungs with air pollution and is killing the planet. The planet is on fire and we have to respond.

There is such anger at Fine Gael in the environmental community because the party is all talk about wanting to do something about climate change and all of its members now claim to be interested in it. In dealing with the fundamental, most important, largest problem, with the fastest growing emissions, however, Fine Gael is going entirely in the wrong direction and does not seem to have the imagination, urgency or real intent to tackle climate change in a different way. If it did, it would turn around the Goleens, Tramore, Schull and Skibbereens of this world. As for sense of place and how space is provided, let us consider and celebrate what is working. Urban space was created in Clonakilty, where a good town architect advised that the town should not be dominated by the car and it is thriving as a business place, a tourist venue and a place in which to live, with a strong community. That is what will happen if we move away from the car dominated system which Fine Gael is encouraging and move towards a people-centred, environmentally conscious, walking and cycling world with efficient public transport. That is what we need.

Amendment put.

Acting Chairman (Deputy Alan Farrell): In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 18 April 2019

National Children’s Hospital Costs: Statements

Minister for Health (Deputy Simon Harris): In recent weeks there has been significant

debate and discussion about the development of the new national children's hospital and the increase in the cost of the project. These statements provide another opportunity to discuss the issue following the publication last week of the report of the independent review of the escalation in the national children's hospital costs. Last week we had a good, lengthy discussion, with questions and answers, at the Joint Committee on Health. With the Minister for Public Expenditure and Reform, Deputy Donohoe, I will revert to the Government with proposals to respond to the PricewaterhouseCoopers, PwC. report and implement the recommendations within one month.

I reiterate the extreme disappointment and deep unhappiness the Government and I, as well as all those involved in the project, feel at the cost's escalation over that originally committed to by the Government in 2017. That is why on 18 December, at the same time as the Government approved the construction investment to allow phase B of the hospital to be constructed, the Government also approved the commissioning of an independent review of the cost of the capital project. As Deputies will be aware, the independent, comprehensive review process was carried out to examine the contributory factors and associated responsibilities in order that any potential weakness would be identified and comprehensively and speedily resolved in the interests of the successful completion of the project and the effective management of public funds. The terms of reference also required the review to address major residual risks, control and oversight issues and bring greater oversight of performance and value for money. It was also required to develop recommendations which might identify any area of potential cost savings or reductions consistent with the applicable contractual undertakings and the delivery of the project.

The report on the review process was considered by the Government last week, on 9 April, and published that day. I was always clear that it would inform the next steps by decision makers, including the Government. The Government noted the findings made in the report and, as I stated, the Minister for Public Expenditure and Reform and I will revert to it in one month with an outline of our plan for implementation of the recommendations made in the report. Our two Departments have begun work on this, giving detailed consideration to the findings and recommendations on how best to move forward to ensure, as was the ultimate purpose of the review, and it bears repeating, that any potential weaknesses are identified and comprehensively and speedily resolved in the interests of the successful completion of this much-needed project and the effective management of public funds.

The Government is committed to ensuring the successful completion of this project and let there be no doubt about this. While the views that we all share regarding the cost of this project are legitimate, I know that none of us forgets that the purpose of the project is to deliver transformational change to the delivery of healthcare for children in Ireland. I have said many times before, and I reiterate here again today, that the children and young people of Ireland have been waiting far too long for a modern healthcare facility, and this new children's hospital project will transform the delivery of children's healthcare in our country.

The new children's hospital project will be a game changer in the delivery of services for children. The successful delivery of that game changer is why we need to be very careful in our consideration of the specific and significant recommendations of the PwC report. In all, there are 11 recommendations, of which nine are directly linked to the new children's hospital project and the management and mitigation of the residual risk of potential further cost escalation. The other two are relevant to the delivery of major capital projects generally in Ireland and, as such, come under the remit of the Minister for Public Expenditure and Reform. The Minister

17 April 2019

for Public Expenditure and Reform, Deputy Donohoe, and I will revert to Government in May to outline our implementation plan for the recommendations contained in the report. I do not intend to comment in detail on our response to the report in advance of completion of these deliberations.

On the report's recommendations, the first nine recommendations of the report, namely, those relating to this project, identify steps to be taken by all stakeholders in the project relating to project delivery, control and assurance. These range from a review and, if necessary a revision, of the scope and responsibilities of the advisory firms that constitute the design team to reflect their future roles in the performance monitoring of contractors, to strengthening the capacity and capability of the National Paediatric Hospital Development Board executive, and right through to putting in place a scrutiny process that includes all levels of the governance structures to review all proposals that are focused on reducing the gross maximum price.

As I have said, the Department is working on this implementation plan, mindful that there is not a moment to lose in ensuring that any deficiencies are addressed, including, where necessary, developing and implementing more robust project control and project assurance plans appropriate for a project of this national importance right throughout the remaining construction programme. In doing so, consideration will need to be given to the report's warning of potential loss of corporate knowledge. This is appropriate, now that the focus is on maintaining corporate knowledge and expertise and on strengthening and supporting the project by building further capacity and capability. The recently appointed chair of the National Paediatric Hospital Development Board is very mindful of this and will work with the Department, the HSE and the Department of Public Expenditure and Reform to ensure that the board and the executive are supported while also challenged in their statutory role to deliver the new children's hospital project.

The terms of reference for the independent review required the report to be completed by 29 March. This was extended by a week to enable fact checking to be completed. As Deputies are aware, the independent report concluded that taking any alternative course of action other than continuing with this project would, in all likelihood, have resulted in significant delay and increased costs and the possibility that the hospital would not be built. I was given advice by some in the House to take an alternative course of action, and the PwC report has found the correct judgment call was made at that stage to proceed with completion of the project.

This debate would not be complete without a reminder of the significant progress that has been made on the project. This progress was noted in the report of the independent review. After false starts and failures to build the hospital over many years, as referred to in the PwC report, the completion of enabling and underground works has been dealt with, amid difficult issues such as planning, and the project is now in the major construction phase. Considerable work has already been undertaken on the project, with Phase B above ground works under way at the St James's Hospital site. Works at the urgent care centre at Connolly Hospital are on target for practical completion of the building this month, with works at Tallaght Hospital urgent care centre under way, with a target handover date of July 2020. The facilities at Tallaght and Connolly hospitals, both of which will be open by next year, will see 33,000 additional children's outpatient appointments carried out. This will have a major impact on access to healthcare for children. Many Deputies in the House highlight all too often the fact we have long outpatient waiting lists. A total of 33,000 more children's outpatient appointments will take place between Connolly and Tallaght hospitals, both of which will be open by the middle of next year. However, it is imperative that lessons are learned from this project to date, for the

completion of the project itself and for other capital projects in the State. This will be addressed by the Government in our response next month.

We have an unprecedented opportunity to deliver a very positive change in healthcare for Ireland's children and young people. While we must and will learn from the issues that have arisen in the project thus far, the priority is and continues to be delivering on the vision to improve services for the children and young people of Ireland. The establishment of Children's Health Ireland by legislation passed by the House at the end of last year was a major milestone and historic, and will further assist the ongoing operational integration of the three hospitals in advance of the opening of the new children's hospital and the outpatient and urgent care centres. The outpatient and urgent care centre at Connolly Hospital will start delivering improvements to healthcare for children this year, providing expanded outpatient and urgent care services in modern facilities under the responsibility of Children's Health Ireland. I have said many times, and reiterate here again, that children have been waiting far too long for this facility and the hospital project will transform the delivery of their healthcare. The capital investment will be underpinned and complemented by a new model of care for the delivery of service to children.

I invite Members to go to the St James's Hospital site, or to the Connolly Hospital campus, to see the progress that has been made. Since that invitation was issued at the time of the cost escalation controversy, very few Members have visited this site, met the project team and viewed the project. I suggest it is well worth doing. When they do, they will see that the project is finally, undeniably a reality and is a vital opportunity for children's health. Lessons must be learned and will be learned. The recommendations of the PwC report are accepted by the Government. The Minister, Deputy Donohoe, and I will put in place an implementation plan and we will report to the Government next month. At that stage, I will be very happy to have further debates in the appropriate fora.

Deputy Stephen Donnelly: The Government is breaking new records in healthcare all the time. It is spending a record €17 billion this year on health, which is up a record €3.5 billion in the past three years. A record 80,000 women are waiting for their CervicalCheck results. This figure has increased since the free test was stopped in December. A record 101,000 men, women and children are now waiting more than a year and a half to see a consultant. This figure has gone up from just 13,000 three years ago, a jump of 800%. A record 500,000 people are waiting for an outpatient appointment with a consultant. A record number of children are waiting for special needs help, mental health support and life-saving operations. It has never been harder for people in Ireland to access healthcare than it is today. At the same time, clinicians have never been so demoralised. A record number of doctors are leaving Ireland. Ireland has the record as having the lowest level of consultants *per capita* anywhere in Europe. This year, we have seen a record number of clinicians going on strike.

All of this is happening in spite of vast spending increases, which suggests clearly that taxpayers' money, that is, public money, is being badly managed. Nowhere is this more evident than with the national children's hospital. It is one of the most important capital projects ever undertaken by the State and on this we can all agree. Just three years ago, we were promised by the then Minister, Deputy Varadkar, that the all-in cost would be €650 million. Then we were told it would be €1 billion. Now we are told it is €1.7 billion. Per room, it will be the most expensive hospital built anywhere in the world. It will be twice as expensive per room as the two most expensive hospitals ever built and four times more expensive per room than the children's hospital in Liverpool completed a few years ago and the newly planned children's hospital in Belfast.

17 April 2019

The Government states it accepts responsibility, but when pressed the Taoiseach conceded that the only real responsibility his Government took on was not communicating the situation better. First it was the fault of inflation, then it was the fault of contractors, and then it was the fault of agents of the State. Now it is the fault of quantity surveyors for underestimating the costs. The Government has gone so far as to tell us and the people that €1.7 billion is, in fact, a reasonable price for the hospital. At the same time, paediatric consultants who hope to work in the national children's hospital are telling me their budgets are being squeezed. These are the very budgets that will provide what is needed, which are the actual services in the national children's hospital.

Now we have the PwC report at a cost of more than €500,000. It was meant to identify cost savings but it has not done so. In fact, it excluded 85% of the cost base because it stated it is already contracted, with a "sure what can you do" approach. It made no effort to outline options for redesign, of which there are many. Let us remember that the national children's hospital has been designed as a huge, curved, glass building. It is about as expensive a design as one can think of. There is a reason why none of us live in curved glass doughnut houses. They are incredibly expensive to build and are a very poor use of space, which was critical on the St. James's Hospital site. The design of the building, not the project itself, has become a vanity project for the Government. It is a vanity for which the Irish people and sick children will pay dearly.

The PwC report was meant to identify individuals and individual companies but it did not. This is in spite of an assurance from the Taoiseach that the terms of reference would be changed - which they were - to allow for exactly this sort of identification. The PwC report was supposed to analyse the cost and timing implications of moving sites but it did not. A few days ago I asked the Minister for Health to clarify this. The Dáil had voted overwhelmingly for this analysis to be included in the PwC report and the Minister said he would revert to us on whether the will of the Dáil was passed on to PwC. In reality, most of what is in the PwC report is already covered in the Mazars report, which was available last September and which cost approximately one tenth of what the PwC report will end up costing.

This is not to say that the PwC report is useless; it is not. We have learned something very useful from the PwC report, namely, that the risk of the price going up from €1.7 billion is very real. This is important because it flies directly in the face of what we were told at the Oireachtas Joint Committee on Health, where we were assured that the great advantage of the two-stage process was that it gave the State a so-called guaranteed maximum price. We were told that the financial liability now rested with the contractor. The PwC report states that this is, essentially, complete nonsense. It blows that argument completely out of the water. PwC has identified numerous ways in which the State still holds liability and numerous ways in which the costs can rise very considerably, perhaps to the tune of hundreds of millions of euro. To its credit, the PwC report also provides a useful list of recommendations for controlling and mitigating further potential cost escalations.

There is, however, a problem. At the committee the HSE told us it had no reason to express any deal of no confidence in the National Paediatric Hospital Development Board. The HSE said it had no reason not to have confidence in the board but the Department said that if it was starting the process again, it would proceed as it did the last time and use the two-stage process again. The Government has admitted to no mistakes other than poor communications. This does not sound like a group of stakeholders who have learned serious lessons. That, unfortunately, makes it much less likely that this same group of people will do anything better than they

have done up to this point.

I will conclude on a related note. We were all told that the most important condition for the national children's hospital was that it was co-located with a maternity hospital, which was to be the Coombe Hospital. The then Minister for Health, Deputy Varadkar, told us that the planning and design for the national children's hospital and the moving of the Coombe Hospital to the St. James's site would happen at the same time. He did nothing about the Coombe Hospital and it did not happen. Just a few weeks ago I received a reply to a parliamentary question I had asked the Minister for Health, Deputy Harris. I had asked what stage the project to move the Coombe Hospital was at. The Minister said that it had not started and that the planning and design phase for moving the Coombe had not begun. Last week at the committee I asked what funding the Government had allocated in this entire calendar year to get that process under way. The answer I got was zero euro. This is what we now know. We were told that planning and design for moving the Coombe to the St. James's site would happen at the same time as the children's hospital. We have now found out that the earliest the Government is considering starting the planning and design will be 2020 because no money has been allocated for this year. We can be absolutely sure that the financial mismanagement and cost overrun at the national children's hospital will do two things. It will soak up money that could and should have been used to move the Coombe onto the site and it will terrify anybody thinking of building a second new hospital on the St. James's site.

I imagine that most or all Members of the House have listened to women's testimony on national radio recently of their stories of childbirth and reproductive health. Enormous credit must go to many of our clinicians for their fantastic services but we have all heard what has happened to woman after woman after woman. We are also all aware of the completely unacceptable circumstances and buildings in which the maternity hospitals, women and their new babies find themselves. Women's reproductive health should be one of the absolute top priorities for this and any future Government. Yet here we are with one of the most critical projects in women's reproductive health - the movement and upgrade of the Coombe to the St. James's site - and nothing has happened.

The Minister for Health has, unfortunately, left the Chamber so I will direct my questions to the Minister of State, Deputy John Paul Phelan, who might pass them on to the Minister. Will the Minister commit to allocating new funding immediately to start the process of moving the Coombe to the St. James's site? Will the Minister ask PwC to come back with more creative ideas around reducing the costs? Will the Minister undertake to pursue those individuals and companies found negligent to date in the building of the national children's hospital?

Acting Chairman (Deputy Alan Farrell): Deputies O'Reilly and Jonathan O'Brien will share their time.

Deputy Jonathan O'Brien: The Minister has stepped out of the Chamber but he will be back for the question-and-answer section.

I welcome the fact that the PwC report was published in a timely fashion. This is important because it gave us all an opportunity to have the report and to be able to go through it forensically - especially those of us on the Committee of Public Accounts, who will be dealing with the National Paediatric Hospital Development Board in the next few weeks.

I only have a couple of minutes so I want to focus on just one area, which is the narrative

the Minister is now putting out that he has been vindicated in the decision to go ahead with the construction of the national children's hospital. The Minister fails to actually explain to people that the whole point of the two-stage process was that if we were not happy with the guaranteed minimum price process there was an option to pull out and re-tender. There was a difficulty, however, in that by the time of the decision and by the time the Minister, the Department and the Cabinet had all of that information, that option was no longer an option. I do not believe it is fair for the Minister to say he has been vindicated in the decision to go ahead. He left it so late that he had no option but to go ahead. This is an important point.

I shall now turn to the issue of the steering committee and the project programme committee that were put in to oversee the development board. The PwC report was very critical of the powers of those two groups. The steering group was made up of Department of Health and HSE officials. Among some issues outlined by the report was the point that it was a pretty toothless oversight process. The group could only deal with information that was given to it. There was also a lot of criticism of the board itself. This is a challenge for the Minister. We have a report that is very critical of the role of the board. The Minister has said he will strengthen the board but unfortunately, there is no legislation to allow this unless the Minister removes members of the board. This is contrary to what the Minister said at the health committee last week when he told us he does have the power to put additional members on to the board. I checked the statutory instruments and this is not the case. The maximum number of people on the board is set out in legislation. For the Minister to do what he proposes, and to bring in some expertise to the board, he needs to remove some board members. I do not know when the Minister proposes to do this. I will put that question to him later. The report, which cost more than €500,000 or €4,500 per page, is a costly report. Much of the information contained in it was contained in the Mazars report. The only good thing to come out of it, in addition to what we already knew, is the recommendations, which the Government says it needs time to review but is committed to implementing in full. That remains to be seen. I hope that the Minister will be in the Chamber for the question-and-answer session.

Deputy Louise O'Reilly: The debacle and scandal of the cost overrun at the new national children's hospital will not and cannot end with the PwC report. Holding up this report and claiming it absolves the board or the Government of blame is not just dishonest, it is intellectually lazy. The Minister said in his contribution that we must learn from the issues that were raised. We will be paying for these issues. The word "issues" is a bit of an understatement. There are very serious concerns that have been raised and this report does not in any way, shape or form vindicate the Minister, the Government or the board.

The report lists a litany of failures which were the direct result of Government policy or Government decisions. The insertion of two boards above the National Paediatric Hospital Development Board, the decision to use a two-stage procurement strategy, bad governance and senseless political decisions need to be taken to task. I note that Deputy Donnelly said recently on, I think, Newstalk, that he and his colleagues do not have confidence in the Minister for Health, Deputy Harris. Somebody should telephone Alanis Morissette because it is ironic that it is because of Deputy Donnelly and his colleagues the Minister remains in his job.

The PwC report is detailed. It collates a lot of information which we had not been able to access over a number of weeks as the story was breaking. The report reinforces Sinn Féin's analysis of the failures that led to the cost overrun, most notably the disastrous nature of the procurement strategy, the breakdown and lack of communication from the board, and the complete absence of oversight at ministerial level. It documents a litany of damning failures from

the development board to the Minister's office. At its core, the report shows that this process has been flawed and hamstrung from the beginning. It shows mistakes and failures at every turn of the project and illustrates how the Government pursued a risky and untested two-stage procurement strategy which was known to have grave risks of cost escalation, with its single advantage being a somewhat quicker finish. I have stated many times that this was done so that it could be a Fine Gael Minister cutting the ribbon. It certainly was not done for reasons of good governance or best practice. The two-stage procurement strategy, we can all agree, has abjectly failed. The only thing that it had going for it was that it might result in a quicker finish of the project, but of course it did not.

The report highlights significant issues with governance and oversight and points to the serious matter of non-compliance with the public service spending code which requires immediate Government investigation and action. It outlines how the people tasked by the State with delivering the project could not even deliver value engineering. The report states that inquiries into the value engineering programme revealed considerable challenges in securing savings, and there were instances in which costs actually increased. It goes on to say that adjustments to the design of air handling units were made to reduce cost and this led to the addition of new items for which the rates in the contractual bill of quantities did not apply, exposing the package to current rates, and that the overall impact in this instance was a 27% increase in price. One could not make this up. If it was not so serious, it would be comical. In the midst of all of this and the escalating overspend, the Minister reappointed the entire board. Without any review of the performance of the board, he reappointed it for another term, which was and is a vote of confidence in the board for a job well done. All the while, this project was haemorrhaging money.

While there is much information in the report, it raises a lot of questions about the future of the project and the ability of the development board alongside the Minister for Health, Deputy Harris, to navigate the project through future risks and deliver it within the current expected budget of €1.7 billion. It is my belief that we will be looking at €1.7 billion in the rearview mirror very soon. Unfortunately, these players have all proved to be unable to navigate the risk on this project and they are responsible for the cost overrun. We need to be clear that this is a cost overrun. Nobody buys the underestimation argument which the Government likes to spin. As I have said previously, I have a turbo-charged washing machine at home that could not spin this as a cost underestimation. It is a cost overrun and the public knows that. Nobody is fooled by the underestimation argument. The future delivery of this project within the new parameters needs the oversight and guidance of a Minister who is competent and capable of managing risk.

Will the Government give a commitment that it is confident that it, the Minister and the board can manage the challenges in this project and ensure the project costs will not exceed €1.7 billion and further threaten public finances? That is the question on everybody's lips. The answer continually is that nothing will be delayed and that the cost will be reprofiled, which I will place alongside underestimation. We are told nothing will be delayed, stopped, halted or impacted by this massive cost overrun but other projects will be impacted. The Government needs to be honest with people and tell them and us where the axe will fall and what projects will be impacted, because the additional money cannot be picked out of the sky.

Deputy Alan Kelly: To continue with this debate is pointless because the Minister is not here. I have good time for the Minister of State, Deputy Phelan, but his responsibilities lie in a different Department. The Minister should be here listening to this debate on the largest overspend on a capital project in the history of this State. Should we continue or wait for the Minister to return?

17 April 2019

Acting Chairman (Deputy Alan Farrell): The Deputy should proceed.

Deputy Alan Kelly: Should the Minister be here?

Acting Chairman (Deputy Alan Farrell): It is not for me to comment.

Deputy Alan Kelly: I note the Minister has arrived in the Chamber.

Deputy Simon Harris: I am glad Deputy Kelly could join us. He missed my opening statement.

Acting Chairman (Deputy Alan Farrell): Deputy Kelly, without interruption.

Deputy Alan Kelly: I thank the Minister for being here. We have been around the houses on this issue for a long time. The real issue is the economic competence of the Government. It is obvious from what has happened in regard to the national broadband plan that it cannot manage big projects. The Minister, Deputy Harris, cannot stand over this overspend. In fairness, I do not expect him to do so because it is massive.

I want to focus on how large projects are being managed. To be fair to the Minister, this goes beyond him. The Department of Public Expenditure and Reform is the real focus of my attention in this regard. How it allowed this to happen is beyond me. That an official of that Department, who is a member of National Paediatric Hospital Development Board, has obligations as a civil servant on that board and has an office close to the offices of the Secretary General and the Minister, did not at any time in over two years, during all the management advisory committee, MAC, meetings or in the context of the work that he does, mention that there was an issue in regard to the children's hospital is, frankly, beyond me. We learned recently that when this became an issue, he was called to attend a meeting in regard to the children's hospital, yet when we put questions to the Minister for Public Expenditure and Reform in regard to this official, he responded that it was not part of his role and that he was on the board in an independent capacity. If he was there in an independent capacity, why was he called to a meeting when this issue came to a head? He was either there in an independent capacity, or he was not. If he was there, but he was not called to any meetings, he did not participate and he did not tell anyone in the Department of Public Expenditure and Reform before this became a massive political issue, why was he called to a meeting afterwards? The Minister, Deputy Harris, might ask his colleague, Deputy Donohoe, to explain. Even though he was separate from all of this, he was called to a meeting after it became a public issue. He had no role, yet he now had a role. That does not make sense to me.

As far as I am concerned, the Department of Public Expenditure and Reform is dysfunctional. Having served previously as a Minister, I know that officials in the Department would argue over €5. The Ministers were in Cabinet at the time so they know what went on. The idea that officials from the Department would not have asked questions is beyond comprehension. I ask the Minister, Deputy Harris, to publish a chronology of the Department of Health's timelines on the decisions on this project. It would be very helpful if a chronology of the decisions that were made in the Department of Health were to be published because it would tell people what happened here. We also need a chronology in respect of the Department of Public Expenditure and Reform.

My concerns are elevated by the fact that this Government, which likes to talk about economic competence, set up three boards. To be fair, they were two boards and a committee. Re-

ally, they were three boards. I am not focusing on the Minister when I ask why the Government set up three layers to oversee a project it had no concerns about. Obviously, the Government had concerns about it. Why would it have established a steering committee and another board on top of it unless it had concerns? How in the name of God can it be the case that the most senior procurement officer in the Department of Public Expenditure and Reform knew nothing about this, or did not tell anyone about it? It is beyond comprehension that nobody in any of the three layers said anything about what was happening. Frankly, it is not believable. That is a very big thing to say in this Chamber. It is not credible that nobody in the Department of Public Expenditure and Reform was aware.

I want to be fair to the Minister, Deputy Harris, because my focus here is on the Department of Public Expenditure and Reform. How did the Department fail to answer the emails sent by the Minister and his officials in which they asked questions about this? Can the Minister tell the House why those emails were not answered for months? Is it acceptable, fair or appropriate that one Department can send an email to another Department about the biggest capital project in the history of the State, only to be told that it will be dealt with after the budget or after three months? How is that credible? It was not credible in my time in government, so how is it credible in the Minister's time in government? I ask him to answer those questions.

I remember asking questions at the Joint Committee on Health or the Committee of Public Accounts - I do not know where the questions were asked because I ask so many questions - about how this project got so far. The fourth or fifth recommendation in the report is that there should be a challenging authority. Is that not called the Department of Public Expenditure and Reform? How can a report say that there should be a challenging authority when the Department of Public Expenditure and Reform is looking at this? Is the Department not the challenging authority? This is an absolute joke. Any of the Deputies in this Chamber could have come together to write 90% of this report in five minutes. We all know what happened here. There was not enough oversight and not enough conditions were put on things. How can the Government stand over a report which says that the Department of Public Expenditure and Reform did not do its job? That is what it is saying. This failure happened because there was no challenging authority in government. It can be seen from this project and the broadband project, which are the two largest projects in the State at the moment, that the Department is dysfunctional. Both projects have been dealt with in an absolutely reckless manner. We cannot go on like this.

I want to ask about how the officials in the Department of Health dealt with this matter. Obviously, they had serious concerns. To be fair, they raised them earlier than the Department of Public Expenditure and Reform has acknowledged. On what date did they bring those concerns to the Minister for Health? He has told us the official dates, but surely there must have been some commentary on this project behind the scenes. If there was no such commentary, that is a sign of dysfunctionality in the Department of Health. There were concerns about this project months before the date that has been mentioned by the Minister. To be fair to him, those concerns may not have manifested themselves all the way up the line. On what date did officials in the Department begin to have concerns about this project? Why did those concerns not come up the line? They took an awful long time to come up the line. The Minister should be concerned about this aspect of his Department's handling of the matter.

I will conclude by reiterating the real issues that exist in this regard. The dysfunctionality in the Department of Public Expenditure and Reform is beyond belief and is unacceptable to a massive degree. There are serious issues in the Department of Health. If it were not the case that real concern about this issue had existed for a long time, three boards or layers - for want

17 April 2019

of a better phrase - would not have been created. Why did this not come to the Minister's attention at an earlier stage? How in God's name was the communication between the Department of Health and the Department of Public Expenditure and Reform not better? It does not make sense. Any time there is a major project like this, the Department of Public Expenditure and Reform should be all over it. The idea that it was not all over this project is not credible. The idea that the State chief procurement officer, who was sitting on the board, did not ask questions about this matter within the Department of Public Expenditure and Reform is not credible.

Deputy Catherine Connolly: I have praised the Minister for Health in the past when praise was due to him but I cannot praise him on this occasion. The speech he has read - I do not think he wrote it - is an insult. The Minister has not dealt with any of the issues raised in the report we are discussing, which cost over €500,000, or indeed by PricewaterhouseCoopers in a previous report.

I will come back to the conflict. I suggest that the Minister should read pages 1 to 30 of the Official Report of the meeting of the Committee of Public Accounts on 8 October 2015, which was before my time on the committee. The members of the hospital development board who appeared before the then Chairman of the committee, Deputy McGuinness, pointed out that lessons had been learned. Some €35.5 million had been written off from the previous debacle. Members of the new board, which had been appointed in 2013, told the committee that lessons had been learned. I wish I had time to read all the extraordinary things that were said at the committee, such as the statement: "Unfortunately, we cannot rewrite history, but we have to learn and make sure that in every step we make along the way, in respect of any of perceived weakness in the decision-making processes during the five years, we [will take all] the steps." It goes on and on for 30 pages. The committee was told about the "expertise" of the group board, which was chaired by the then president of NUI Galway. As Deputy Kelly has said, other committees were put in place as well.

The Minister might get an idea of why there is a problem when he hears that the Committee of Public Accounts was told in 2015 that a total of €650 million had been committed, comprising €200 million from the national lottery and €450 million from the Government. In response to a question he was asked, Mr. John Pollock said:

The €650 million is the all-in cost. It includes VAT, inflation, contingency sums and the project cost. There are equipping costs and design fees. There are a whole load of other costs. That is not the construction costs. The construction costs are for both the main children's hospitals [and so on].

It does not really make sense. What I take out of it is that €650 million was the figure. Some Secretary General who appeared before us told us that there will probably be no change out of €2 billion.

Then the Minister made a speech telling us the children deserve a good hospital. We know what children deserve; we do not need to be told. What we want from the Government is an explanation as to how this debacle could have happened.

The Government commissioned PwC to produce a report. Nowhere does the firm tell us it was tasked by the board to produce a review. This came to the fore at a meeting of the Committee of Public Accounts. Before the Minister ever commissioned PwC, PwC gave advice to the board. It is an extraordinary coincidence that, in both cases, it came to the same conclusion

that it was not asked for and that was not in the terms of reference. Page 8 states, “At this point, taking any alternative course of action other than continuing would in all likelihood result in significant delay.” PwC had already concluded this on behalf of the board, well before the Minister commissioned it for over €500,000. It is extraordinary that this conclusion was not envisaged in the terms of reference. The Minister might comment on this. The terms of reference were very specific. PwC was certainly not asked anywhere in the terms of reference to give the conclusion in question. There is absolutely no evidence for the conclusion.

The findings are damning. We see a steering group and ambiguity regarding its role. We see a public spending code not being complied with. We see there were material errors in the business case and we see many more mistakes. Then we see a board reappointed. The board was reappointed by the current Minister, or some other Minister, when all these problems were evident. What jumps out for me is the insufficient scepticism and challenge from a board regarding the information coming before it.

I have a list of reports received by the Committee of Public Accounts in addition to the one that cost €500,000. The Minister is appearing before us tonight telling us the children deserve a hospital. What children deserve is honesty and accountability in this Dáil so other children, such as those who live in Galway and are dependent on the hospital there, will get a good service and so funding will not be cut.

Deputy Mick Wallace: This is nothing personal. Believe it or not, I do not believe the Minister is the one making these mad decisions so I do not hold him to account. I believe, however, that the Government is behaving recklessly in how it is handling this matter. The refusal to re-tender and address the nature of the contract was a serious mistake, and it will cost us close to €500 million. I can only assume the Government will not re-tender because it does not want the project stalled for a period and because it may look bad. There could be an election campaign, during which the work on the hospital would not be proceeding. The view is that if we keep going and spend hundreds of millions of euro more than we should, the project will at least be running. This is all I can conclude. I have asked umpteen questions in here about this. This is our sixth time talking about this. It is mine anyway. I have got very few answers. I put in freedom of information requests and have tabled written questions but I am getting so little information back. I am aware, however, that there are major problems.

I asked why a crowd of accountants were got to do the work. I would have loved to have got close to €600,000 to produce the report. Those concerned even admit the information is not independently verified. How in God’s name can we part with so much money for a report that is not independently verified? I do not understand that. I do not know where to start and I have so little time.

PwC tells us we should not stop as it would not be a good idea. There is no evidence for it. Why was the project not stopped? I have asked why no public benchmarking was done. Nobody is telling me why. I do not understand that. We are told it is clear there are lessons to be learned both in regard to this project and other major projects but the lessons are not being learned. If the Government had learned them, it would be dealing with these issues now. It is said the scope and responsibilities of the advisory firms that constitute the design team should be reviewed to reflect their future roles. The consultants’ role is to advise the executive. The executive makes decisions and it can ignore or follow the advice of the consultants. The executive advises the board. The board can then deal with the executive’s advice. It can take it on board or ignore it. We are not finding out why, what, where and when.

17 April 2019

The report states the understanding of the risk profile associated with the procurement and contracting strategy was poor at all levels of the governance structure. Why? The report does not tell us. Every project has a risk profile. I do not understand what is occurring. Did the legal team get it wrong in advising the executive? Did the executive get it wrong in advising the board? Did the board get it wrong? There are so many questions. I wish to God somebody would answer them. It is heartbreaking. We are told a lack of interest from the market was the primary potential risk to procurement. Why? What was done about it? I do not understand why PwC will not look under the covers and tell us why.

The report states the understanding of the risk profile associated with the procurement strategy was poor at all levels. This is because the risk factors were not considered. If the risk factors were not considered, why not? Is anyone going to tell us why? Is this Government just going to keep on going and pretend it is all grand? This is a disgrace. This is too bad. Hundreds of millions of euro have been spent and the Government is just going to keep going, with no explanations as to what went wrong. No one is being held to account. This is a fucking joke. This is too bad.

Acting Chairman (Deputy Alan Farrell): Deputy, please. That sort of language is not permitted in the House, as you well know.

We are now moving to the second round, which is questions and answers. I call Deputy Donnelly.

Deputy Stephen Donnelly: Is it eight minutes for us all?

Acting Chairman (Deputy Alan Farrell): It is eight minutes each. The Deputy may ask questions and receive answers. It is entirely up to him whether he wishes to ask a question and get an answer.

Deputy Stephen Donnelly: We might just go back and forth, if the Minister agrees.

Deputy Simon Harris: Yes.

Deputy Stephen Donnelly: Let me start with the Coombe. I acknowledge we are here to talk about the PwC report, to which I will come, but the matter of the Coombe is intrinsically related. The Minister had to leave momentarily when I was asking questions. He told me last week no funding has been allocated this year to even begin the design and planning phase for moving the Coombe to the site of the maternity hospital. I believe he and I agree it is essential. The idea that maternity services' co-location is essential was sold to this House. When the Taoiseach, Deputy Varadkar, was the Minister for Health, he gave a commitment indicating the planning and design associated with moving the Coombe and the building of the children's hospital would happen at the same time. If there is no funding available in this year's budget, it means the earliest one could even begin the process is 2020, which is five years after we were told the process was meant to begin.

9 o'clock

We obviously have to be very careful about supplementary allocations but I ask the Minister to immediately allocate additional funding so the design and planning for the Coombe can start right now. Fianna Fáil will support him in this. As he knows, the master of the Coombe was before the Committee of Public Accounts and has been speaking publicly. I do not know how accurate or strong some of the comments are but we will assume the master is an expert and has a fair idea of some of the politics. There were some very worrying remarks. For example, he

made the point that St. James's is naturally seeking to expand all the time and that it might be looking at the three and a half acres with a view to expanding.

Notwithstanding the project itself, the total disaster that is the financial end of the hospital will greatly concern people in terms of building another hospital there. The current project will suck up capital and healthcare funding that would have been used for that new hospital. We have to get moving on this and do so right now. Will the Minister commit, effectively immediately, to getting new money and getting the design and planning phase going straight away?

Deputy Simon Harris: Deputy Donnelly has asked an important question. It is something on which we agree. I want to see all our stand-alone maternity hospitals co-located with acute adult hospitals. It is in the national maternity strategy. The hospital that has a large allocation this year is the National Maternity Hospital Holles Street which is moving to St. Vincent's. It is a project dear to both our hearts and those of our constituents.

The point that I was making at the Select Committee on Health last week was that the priority investment this year is to do some upgrading of existing theatres in the Coombe. I will not be partisan on this. I agree with the Deputy that if we can move ahead with some of the provisional design and planning, and perhaps preparatory phases before that, we should do that this year so that we are ready to move.

Let me be clear. The Coombe is moving to St. James's. It needs to for the purpose of tri-location. I do not disagree with Professor Fitzpatrick, the former master of the Coombe, on that. We are going through our capital planning process now so I will not give a commitment on the floor of the Dáil this evening, but I will engage further with the Deputy on this. He has made a valid point that a very small allocation this year is probably all that is required to go forward with design and planning. I will certainly look at that.

Deputy Stephen Donnelly: On accountability, the terms of reference were changed so that PwC could identify individuals and individual companies. When we started finding out about the cost overruns in January, I asked the HSE and the development board if any sanction of any kind has been imposed on anybody, individually or commercially. Anyone who has worked in the commercial world around big projects knows that if a project such as this overran like this, pretty much everyone involved would be fired. Contracts would be cancelled and there would probably be court cases. None of that has happened. Will the Minister give a commitment that that will not be dropped and that if companies or individuals are involved, they will be held to account? When the PwC report came out, even though we had a debate in this Chamber about changing the terms of reference to identify individuals or, more importantly, companies - this is not a witch hunt - none of this has happened. Will the Minister commit to moving beyond the report and, while we cannot prejudice the outcomes, if there is negligence, that, at a minimum, companies will be pursued in the contracts they have?

Deputy Simon Harris: I can commit to that. As I told the Select Committee on Health last week, companies will have contracts with the National Paediatric Hospital Development Board. Whether the Minister is me, Deputy Donnelly or someone else, those contracts will be legally placed with the National Paediatric Hospital Development Board and the company. As I told the meeting, I intend to meet the chair of the National Paediatric Hospital Development Board as part of our consideration before we go back to Government or the health committee on how best to implement the recommendations. I have very strong views on this. I went as far as I believe is appropriate to do last week without prejudicing the outcome of that. The

17 April 2019

report does name a couple of individual companies, but it will be a matter for the board and it might require legal advice. I am clear that the terms of reference were changed, and they were changed for a reason. The Deputy asked us to change them and I acknowledge that, so PwC had the ability within the terms of reference to identify roles, stakeholders and people who could be accountable. It chose to do so in some cases. I will speak to the board about what its options might be in this regard.

Deputy Stephen Donnelly: At the Select Committee on Health I asked the Minister whether an instruction had been given to PwC, further to the Dáil vote, which included that of his own party, that analysis be done of the cost and timing implications of a site move. The Minister said that he did not know whether he had passed that request on to PwC and he said that he would come back on that. Did the Minister do so? If not, will he still consider so doing?

The most disappointing part of the PwC report was its failure to identify any cost savings. It essentially said that 85% was contracted and that was that. That is not a rigorous commercial approach. If this was a private company and it was looking at its own money, it would be much more creative. It would say that 85% was contracted and ask whether it could be renegotiated or recontracted with the same bidders. It would also ask if there was anything that could be done with the very expensive design to get the cost down while protecting the integrity of the project. Is the Minister willing to pursue that further than PwC's conclusions?

Deputy Simon Harris: I ask for a tiny bit of latitude as I have only 14 seconds available to answer those two questions. I did say that I would come back to the Deputy on the Private Members' motion. I understand that a vote took place on that on 28 March. The Deputy may recall that a Minister of State took the debate for me. The report was due on 29 March and was given a one-week extension for fact checking. Therefore it was not practical to give effect to that. I did outline at the committee my view that this House had given its opinion, not once but twice, on the appropriateness of the site.

On cost saving, I need to be clear that we did ask PwC to identify potential costs. It did say that it was technically possible. I give the Deputy a commitment that I will discuss this with the board. However, PwC also said that it felt that the board's focus should now be on reducing further residual risks in terms of the costs rising. I will discuss with the board the report's suggestion that it may be technically possible. Neither the Deputy nor I would want to say anything that would undermine the clinical benefits of the project. I accept the Deputy's bona fides on that.

An Leas-Cheann Comhairle: That concludes Fianna Fáil's input. We move to Sinn Féin for questions and answers.

Deputy Jonathan O'Brien: Who will be ultimately responsible for ensuring the implementation of the recommendations? Will it be the Department of Health or will it be cross-departmental?

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): The recommendations will go across both my Department and the Department of Health. The PwC report has made two particular recommendations that it says my Department should deal with, namely, recommendations Nos. 10 and 11. They refer to the rules relating to future major public spending capital projects. It also makes a recommendation on how Government can continually challenge during the entire duration of a project being delivered as to whether the project

is meeting the public spending code. I have responsibility for those and others are specific to the Minister for Health.

Deputy Jonathan O'Brien: At the meeting of the health committee last week, the Minister said he had the power to increase the number of people on the board. I have looked at the legislation and the statutory instrument and that is not my reading. My reading is that it is set at a particular number and, if the Minister wishes to bring new people on board, he would have to remove others. Will the Minister confirm whether this is the case or whether his analysis is correct?

Deputy Simon Harris: I confirm that Deputy O'Brien's analysis is correct and I apologise for suggesting the contrary in error last week. I and the Minister, Deputy Donohoe, will bring proposals to Cabinet next month looking at the overall governance structures and how we can strengthen them. I expect there will be changes in those structures. We will take legal advice on whether that will require primary legislation or if there will be scope to do some of that by statutory instrument. However, Deputy O'Brien's interpretation of the statutory instrument is correct.

Deputy Jonathan O'Brien: What is the situation with the oversight bodies and the steering group? Is there scope in the legislation to change the make-up of those oversight bodies or is it the set number for the development board?

Deputy Simon Harris: The boards and committees to which the Deputy referred are administrative so they were set up by way of a Government decision when we decided to proceed with the main construction works. They can be amended by a similar Government decision.

Deputy Jonathan O'Brien: The 2007 IMF recommendations on major Government projects state there should be quarterly progress reports given to the Department of Public Expenditure and Reform and they should be audited. Was that followed? Were there quarterly progress reports given to the Department of Public Expenditure and Reform and were they audited and looked at carefully?

Deputy Paschal Donohoe: The IMF report to which the Deputy is referring, namely, the public investment management assessment, PIMA, report, only came in the latter stages in considering the national children's hospital that we are debating. I have not yet got to the place where we are receiving quarterly reports on key projects. What we will have instead on my Department's website is a capital project tracker which will update the House and citizens on where different projects stand in their life cycle, whether they are at construction, planning or tender stage, indicating, for example, the phase of construction. The tracker is online and available for everybody to see. We hope to launch the tool the week after next and I am aiming to use it as a way of letting people know what is happening on very important projects.

Obviously, there are other recommendations made in the PwC report that, when implemented by the Minister, Deputy Harris, and me, should help to prevent an issue like this from developing again.

An Leas-Cheann Comhairle: As there are no further questions, I will move to Independents4Change.

Deputy Catherine Connolly: I have three or four specific questions for the two Ministers. On page 65, the report states: "The Public Spending Code requires that a revised cost effec-

17 April 2019

tiveness analysis, cost benefit analysis or re-appraisal be undertaken in the event that serious additional costs arise". There were serious additional costs which were brought to the Government's attention. Who was responsible for not ensuring a cost-effectiveness analysis was undertaken?

To return to maternity, Professor Chris Fitzpatrick was before us and I have a copy of his detailed submission. He made a number of proposals. I refer to two of them, namely, that the overall cost of the project include a maternity hospital and that the current site be independently stress-tested to ensure it can accommodate a maternity hospital.

Are the Ministers aware that PwC advised the national children's hospital board in the autumn of 2017 on decisions to be made, in particular, the options to be taken? Were they aware that it had done so?

Deputy Paschal Donohoe: I will deal with the first question as to whether, at the point at which the revised and additional costs came in for the national children's hospital, we commenced a cost-benefit analysis, as recommended in the report. We did not commence a new business case process, but what we did do - I was heavily involved in it - was sit down to look at the different options which included pausing the project where it stood and beginning the process all over again. They were the subject of much debate. The Minister, Deputy Harris, and I decided we would go ahead and complete the project. I believe it was the right decision to make. While it has understandably been the subject of much debate, it is noteworthy that the PwC report referred to the fact that other options available to us would be equally costly and very uncertain. What will happen in the future is, if there are additional costs above and beyond those in a business case on which the Government has signed off-----

Deputy Catherine Connolly: I have one minute only.

Deputy Paschal Donohoe: -----at that point-----

Deputy Catherine Connolly: Will the Minister just answer the question?

Deputy Paschal Donohoe: I am sorry, I just want to finish my answer. At that point, of course, it would be open to the Government-----

Deputy Catherine Connolly: I asked the Minister what happened.

Deputy Paschal Donohoe: -----to look at whether a revised business case was needed.

An Leas-Cheann Comhairle: I will let Deputy Connolly repeat the question.

Deputy Catherine Connolly: I did not ask about what would happen in the future; rather, I asked three specific questions and stayed within the time limit. I ask the Ministers not to work down the clock but to answer the three questions asked.

Deputy Paschal Donohoe: Excuse me.

Deputy Catherine Connolly: Did the Minister carry out a cost-benefit appraisal?

Deputy Paschal Donohoe: I answered the question. The Deputy asked me whether we had conducted a revised cost-benefit analysis when the additional information came in. I stated we did not and what we did in its place and why.

Deputy Simon Harris: I am taking the other two questions the Deputy asked and will be brief because of the time restrictions.

The Deputy asked a question about Professor Chris Fitzpatrick's testimony which I, too, read. He was kind enough to send it to me. I am satisfied that the current site can accommodate the maternity hospital, which was the subject of one of the professor's questions. It has been identified in a site master plan for the St. James's Hospital campus that we have in place. The new national children's hospital design incorporates the required operational links with both maternity and adult hospitals.

Professor Fitzpatrick's second request was that we allocate funding as part of the overall project. That is a decision the Government has not made. We have, obviously, allocated funding in Project Ireland 2040 and the ten-year capital plan for the relocation project, but we currently have no plans to bring forward the capital.

I am satisfied that there is no conflict of interest. The HSE responded, I believe in writing, to the Committee of Public Accounts on this matter last week. I have received reassurances from the HSE that there are no conflicts of interests with regard to the review carried out by PwC. I have been answering this question for a number of weeks.

Deputy Mick Wallace: Did the advisers, McCann FitzGerald, advise the executive or the board? That is my first question.

The report states: "The understanding of the risk profile associated with the procurement and contracting strategy was poor at all levels of the governance structure". Was the risk profile for the particular project misunderstood and, if so, by whom?

I asked previously how it was, in the second stage of the project, that the bill of quantities was based on a preliminary design, not a detailed design. That was a recipe for disaster. I would like to know who made that decision.

From what I can see, the national children's hospital project was approached as a medical project, not so much as a construction project. It is both. Why were they not put together? From what I can see, they were not.

The standard forms are fine in terms of construction discipline, but when one standardises a construction project in one form, one has nothing but problems. That is what has happened in this instance. I do not understand it.

It is a fact that the Government does not know where the final price will land because it is not manageable because of the form of contract in place. That is why I am pleading with the Ministers to change it. They do not want the project to be stopped and delayed, but they would save a great deal of money. If PwC states it is not a good idea, can we have the evidence from PwC to prove that it would not be a good idea because it has not given it to us? There is nothing to back up that statement. If there is, I would like to see it.

Can we see the contract that was executed eventually? Am I entitled to see it? I would love to see it.

Deputy Simon Harris: The Minister, Deputy Donohoe, might comment.

To the question related to McCann FitzGerald I truthfully do not know the answer, but I will

17 April 2019

ask that it be found for the Deputy and given to him directly. It is important to say, though, that PwC did not find that the procurement process, in using the guaranteed maximum price, GMP, process was flawed. Importantly, what it found was that it had been extremely poorly executed. I take seriously and have acknowledged publicly the Deputy's experience of major building projects, on which I defer to him, but PwC put together a team which included building expertise, as noted in the report. It found that it would be the wrong decision to stop and re-tender. It found that it would end up costing more. The Deputy and I will not agree, but that is what the independent report found.

An Leas-Cheann Comhairle: Perhaps the Minister, Deputy Donohoe, might give the Deputy one minute. I will give the Minister one minute or take two minutes from the time allocated for his concluding remarks, if he wants to respond.

Deputy Paschal Donohoe: I will respond. PricewaterhouseCoopers, PwC, has published what it has available. It has published its own conclusion. The Minister for Health, Deputy Harris, and I independently reached the same conclusion where, in advance of this matter becoming as difficult and public as it has, we evaluated the different options available to us. We differ from Deputy Wallace because our view is that if the project had gone out to tender there is no guarantee that the costs would have been any lower and this project would have taken even more years to complete. We would be in front of the Dáil this evening dealing with a difficulty relating to money that has already been spent with no hospital constructed and no certainty regarding costs in the future. Those were the reasons that we believed this was the right decision to make.

An Leas-Cheann Comhairle: We will move on to the Rural Independent Group and a few questions from Deputy Mattie McGrath.

Deputy Mattie McGrath: The PwC report is explicitly clear that-----

Deputy Mick Wallace: Is it possible to see the contract? Can I see the contract?

An Leas-Cheann Comhairle: The Minister will come back to Deputy Wallace.

Deputy Simon Harris: We will discuss it and revert to Deputy Wallace on that.

Deputy Mattie McGrath: That was a good question and I would also like to see the contract.

The PwC report is explicitly clear that, of the nine organisations it interviewed during the process, not one of them included representatives of the Connolly for Kids group, or any of those senior clinicians who have campaigned and forensically deconstructed the arguments for St. James's Hospital for years. PwC did not interview one sick child or a parent of a sick child. Why?

What is most revealing is that PwC, in its recommendation, stated it considered and agreed with recommendations made by Mazars in its reports relating to cost escalation and governance. The recommendations PwC went on to set out were not to replace the recommendations of Mazars. What was the point in throwing good money after bad? We have effectively paid more than €600,000 to find out what we already knew from Mazars.

The PwC report also recommends what it calls ownership as a lesson that should be learned. There has been no ownership whatsoever.

Professor Chris Fitzpatrick was before the Committee of Public Accounts last week and his presentation was absolutely stark and a reminder of the farcical history of this project. He reminded us that, on 7 November 2012, Dr. James Reilly, then Minister for Health, announced that the children's hospital was to be developed on a site in St. James's Hospital. At that time there was no reference to the Coombe Women and Infants University Hospital. It is scary.

We talk about babies in Tuam and Sean Ross Abbey in Tipperary. Professor Fitzpatrick, addressing the committee, referred to the more than 200 critically ill newborn infants who, every year, within hours of birth, are transferred between the Dublin maternity hospitals and the children's hospitals in Crumlin and Temple Street University Hospital for highly specialised emergency interventions. Professor Fitzpatrick went on to say that the mortality in this group of babies ranges between 5% and 18% depending on the complexity of their illness. He further said that this number is set to increase with increased availability of prenatal anomaly scans nationwide and more referrals coming from Northern Ireland. Mothers from around the country are delivered in Dublin to reduce transit times for their babies after delivery and because of the dangers associated with transport after birth. The consequences of delivering without the benefit of a prenatal diagnosis, planned delivery and proximity to tertiary paediatric services are grave.

Professor Fitzpatrick has told the Government that this will happen. I received a reply to a parliamentary question from the Minister.

An Leas-Cheann Comhairle: Does the Deputy have any questions?

Deputy Mattie McGrath: I have questions. Have we any regard for the sick babies that we have been told about by the eminent professor?

I received a reply to a parliamentary question from the Minister for Health today which is full of waffle about co-locating. He stated that a site for the proposed maternity hospital is identified in the St. James's site master plan. It is just an identified site. He went on to state that the design of the new children's hospital has incorporated the required operational links with both the maternity and adult hospitals. He also stated that the construction of the new maternity hospital will not commence until the new children's hospital is completed. Where are the sick babies going to go?

An eminent professor who has not got involved in this campaign at all came into a briefing of mine two months ago and said he had to come in and speak out. Deputy Wallace was also there. The professor said that there are only minutes to intervene when babies are born with profound and life-threatening brain damage. He was asked, by Deputy Wallace or somebody else, how many minutes he meant and the professor said a maximum of 12. We need co-location and it is not happening here. The Minister must know that at this stage.

These are the sickest children and their families. The eminent people from the Connolly for Kids group wanted the site outside the city where we had room. The Government got PwC to give it a rubber stamp to cover up its inadequacies. That was all it was. Finding out things that Mazars stated-----

An Leas-Cheann Comhairle: Has the Deputy asked questions?

Deputy Mattie McGrath: I have asked questions.

17 April 2019

An Leas-Cheann Comhairle: Hold on, please.

Deputy Mattie McGrath: I am nearly finished.

An Leas-Cheann Comhairle: If the Deputy has asked questions-----

Deputy Mattie McGrath: I have four questions.

An Leas-Cheann Comhairle: The Deputy has five minutes so I want to give the Minister a few minutes if there are questions to be answered on-----

Deputy Mattie McGrath: There are. I have asked-----

An Leas-Cheann Comhairle: Hold on, please.

Deputy Mattie McGrath: I have asked the questions.

An Leas-Cheann Comhairle: The Deputy cannot always be right.

Deputy Mattie McGrath: I am not always right.

An Leas-Cheann Comhairle: The Deputy thinks he is always right.

Deputy Mattie McGrath: I do not.

An Leas-Cheann Comhairle: The Deputy thinks that.

Deputy Mattie McGrath: That is not fair to me. This is totally ridiculous.

An Leas-Cheann Comhairle: The Deputy comes in here-----

Deputy Mattie McGrath: I have questions. Is the Leas-Cheann Comhairle trying to cover for the Minister as well?

An Leas-Cheann Comhairle: The Deputy was not here-----

Deputy Mattie McGrath: I was not here because others did not turn up.

An Leas-Cheann Comhairle: The Deputy was not here for his slot.

Deputy Mattie McGrath: That was because others did not turn up and was not my fault. I was told 9.20 p.m.

An Leas-Cheann Comhairle: It is a matter for the Deputy to look after his own interests in this House.

Deputy Mattie McGrath: I will make a complaint about the Leas-Cheann Comhairle because this is ridiculous. He did it again today. I have asked questions.

An Leas-Cheann Comhairle: The Deputy cannot continue abusing the Chair.

Deputy Mattie McGrath: I am not abusing the Chair. The Chair is abusing me.

An Leas-Cheann Comhairle: The Deputy is abusing the Chair.

Deputy Mattie McGrath: No.

An Leas-Cheann Comhairle: I told the Deputy he has four minutes to ask questions. The Ministers must be given an opportunity to answer the questions and they will not get one second longer. The Ministers may answer if there are questions to answer.

Deputy Mattie McGrath: There are questions to answer.

An Leas-Cheann Comhairle: The Ministers will decide that.

Deputy Simon Harris: In response to Deputy Mattie McGrath's statement, I make the point that he has a view to which he is perfectly entitled that the hospital should have been built at a different location. The people's representatives in this House have voted on this three times, once in 2012, once in 2016 or 2017, shortly after I was first appointed Minister for Health, and there was another Private Members' motion which was defeated in this House only a few weeks ago. The people's representatives have spoken on this three times so the location will not change. We are building it and getting on with it.

Deputy Mattie McGrath: What about the children? What about the maternity hospital?

Deputy Simon Harris: I agree with Deputy McGrath, and accept his bona fides on the important and sensitive issue of how we look after some of the sickest babies born in our maternity hospitals. As the Deputy knows from the Government's capital plan and national maternity strategy, we have a plan and, indeed, funding in place to co-locate not just one of our standalone maternity hospitals but indeed all four of them. The Coombe will be co-located to St. James's Hospital.

Deputy Mattie McGrath: I am talking about St. James's Hospital.

An Leas-Cheann Comhairle: The Minister must be allowed to continue without interruption from anybody.

Deputy Simon Harris: We will co-locate all four of the maternity hospitals, the Coombe to St. James's, the Rotunda to Connolly Hospital, the National Maternity Hospital to St. Vincent's, where planning permission and funding are in place, and the Limerick Maternity Hospital to University Hospital Limerick.

Deputy Mattie McGrath: I did not ask that.

Deputy Simon Harris: We will be co-locating. The Deputy asked what we are doing for the sickest children and I am telling him clearly that we will be co-locating all of them with acute adult hospitals-----

Deputy Mattie McGrath: What has the Minister-----

An Leas-Cheann Comhairle: Deputy Mattie McGrath has been in this House long enough to know to abide by the rules. It is a matter for the Minister to answer, not the Deputy. Deputy McGrath can ask one more question.

Deputy Mattie McGrath: What has the Minister to say about Professor Chris Fitzpatrick's profound statements about the serious threat to babies who will be born with a need for immediate intervention? What does he say to that?

The Minister's reply to my parliamentary question tells me that we will not have a co-located maternity hospital which he has promised all the time. Who is coddling who? That is

another question so there are two of them.

An Leas-Cheann Comhairle: I remind Deputies and the Minister that these are statements on the new children's hospital independent review and let us confine it to that.

Deputy Simon Harris: I will indeed. I have already stated, in response to Deputy Connolly, that Professor Chris Fitzpatrick has done incredible work for maternity services. He made a number of valid points before the Committee of Public Accounts last week and I agree with him about the importance of moving the Coombe to the St. James's site. That is in our development plan and there is funding in place to do it. It will not come as news to Deputy McGrath, or anyone in this House, that the sequencing of that was always to build the children's hospital before the maternity hospital.

Deputy Paschal Donohoe: I welcome the report which provides a thorough overview of the escalation of costs in the national children's hospital project. I want, in particular, to focus on recommendations Nos. 10 and 11 which apply to capital projects in general. Recommendation No. 10 states that the rules that govern public sector spending on major capital projects should be strengthened. The standards to which these cases should adhere should be more clearly and robustly defined. This recommendation concerns the strengthening of the rules on spending on major capital projects with clearly defined and enforced standards for business cases. Project Ireland 2040 was launched just over a year ago. It sets out a €116 billion approach over a decade to bring our investment up to 4% of our national income. Part and parcel of all of this is how we deliver projects. We have a construction sector group, a Project Ireland 2040 board, an investment projects and programmes office and a capital projects tracker to which I referred when replying to Deputy Connolly.

Key to the recommendation in the report is how we can continue to reform our capital management system. Within all of this, we are updating the work we do regarding the earlier scrutiny of projects, early clarity on project roles and responsibilities, the early identification of risks and the early engagement on costs. My Department is conducting a review of how cost estimation and management for capital projects could be reviewed. This is all done with a view to looking at how we can better select, design and deliver major capital projects.

Recommendation 11 refers to a central assurance and challenge function to provide consistent challenge to and review of major projects throughout their life cycle. The update of the public spending code will strengthen the review and approval framework for capital projects by setting standards for the level of information required for sanctioning authorities at each review and approval gateway. In addition, the investment projects and programmes office was established in my Department in July 2018. The purpose of this office is to co-ordinate reporting on Project Ireland 2040. As part of doing this, we now provide a technical quality review of business cases for major projects. This work has begun with regard to roads, rail, communications, energy, tourism and housing projects. Work is also under way to prepare for the implementation of modern processes of building information modelling, BIM. This will establish the appropriate levels of detail for each stage of a project's development from a high level of focus at inception stages through to detailed design information requirements at the pre-tender stage.

I conclude by noting that over recent years, Ireland has made much progress in delivering projects on time and within budget. The recommendations laid out in the report, which I will implement, will strengthen our ability to do that in future. Risks and complexities exist. This was shown in the case of the national children's hospital. We are aware of them and are look-

ing to take better measures in the future to ensure important capital projects are delivered in our country.

Message from Select Committee

An Leas-Cheann Comhairle: The Select Committee on Business, Enterprise and Innovation has completed its consideration of the Industrial Relations (Amendment) Bill 2018 and has made no amendments thereto.

The Dáil adjourned at 9.35 p.m. until 9.30 a.m. on Thursday, 18 April 2019.