



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Déardaoin, 13 Meitheamh 2019

Thursday, 13 June 2019

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

Paidir.

Prayer.

Ceisteanna - Questions

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Acting Chairman (Deputy Eugene Murphy): I remind Deputies that they have 30 seconds to introduce their questions, the Minister has two minutes to respond, Deputies have one minute to ask a supplementary question, the Minister has one minute to respond, Deputies have a final minute to ask a supplementary question, and the Minister has a final minute to reply. I ask everybody to stick with those time guidelines.

Defence Forces Remuneration

1. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence when proposals will be brought forward to improve pay and working conditions for members of the Defence Forces; if he is satisfied that the recommendations of the Public Service Pay Commission relating to the Defence Forces are sufficient in this regard; and if he will make a statement on the matter. [24685/19]

Deputy Jack Chambers: When will the Minister of State at the Department of Defence bring forward proposals to improve the pay and working conditions for members of the Defence Forces, is he satisfied that the recommendations of the Public Service Pay Commission relating to the Defence Forces are sufficient in this regard, and will he make a statement on the matter?

Minister of State at the Department of Defence (Deputy Paul Kehoe): The Government tasked the Public Service Pay Commission to conduct a comprehensive examination and analysis of underlying difficulties in recruitment and retention in those sectors and employment streams identified in the defence sector. While there has been much recent reporting in the media and commentary through social media, it would not be appropriate to comment on specula-

tion. I will wait until the report is brought to Government by the Minister for Finance and for Public Expenditure and Reform, Deputy Donohoe, and published before making comment.

Members of the Permanent Defence Force continue to receive the pay increases in accordance with national pay agreements. The restoration of pay scales and the unwinding of the financial emergency measures in the public interest, FEMPI, legislation is being done in an affordable and sustainable manner. The focus of increases is weighted in favour of those on lower pay. Increases due to date under the Public Service Stability Agreement 2018-2020 have been paid to the personnel of the Permanent Defence Force. Further increases in pay are scheduled for later in 2019 and 2020. By the end of the current public service pay agreement, the pay scales of all public servants, including members of the Permanent Defence Force, earning under €70,000 per annum, will be restored to pre-FEMPI levels.

Pay is just one matter that we are addressing. There are a range of other factors that also influence a person's decision to remain in the Defence Forces. These include career progression opportunities, personal development opportunities, work-life balance, job stimulation and work environment. There are significant opportunities for career progression and development within the Defence Forces and there were more than 800 promotions in the PDF in 2018. Each promotion brings extra responsibility but also brings a pay rise. Earlier this year, 24 enlisted personnel completed a potential officers course and were commissioned as officers. Further potential officers courses will be undertaken in 2021 and 2024. There are ongoing opportunities to undertake career development courses and the Defence Forces have made significant inroads in ensuring that major courses acquire external accreditation.

Additional information not given on the floor of the House

There is an ongoing programme of HR development within the Defence Forces, of which part is aimed at ensuring that there is an appropriate work-life balance. The Government is committed to ensuring that the provisions of the working time directive are applied to the Defence Forces. The Department of Defence - civil and military personnel - are in discussions with the Permanent Defence Force representative associations regarding the implementation of the directive in the Defence Forces.

There are no quick fixes to the current challenges facing the Defence Forces, which are also being experienced by other military organisations internationally. The Government will consider fully the recommendations arising from the Public Service Pay Commission.

Deputy Jack Chambers: On the Public Service Pay Commission, as the Minister of State will be aware, some reports have been leaked. It appears the Government flew a kite before the local elections and it has gone down like a lead balloon. If reports are accurate, a private with up to three years' experience stands to benefit to the tune of 96 cent per day on the military service allowance, and that is even before tax.

Before the local and European elections, the Government published billions of euro worth of announcements, whether as part of the national development plan, as the national broadband plan or for the beef sector. The one area of policy that was very much not announced was the area of defence policy and the serious recruitment and retention issues that we have.

Why is the Minister of State blatantly ignoring the recommendations from military management and when will he publish this report? Where is it at right now? Has the Minister, Deputy Donohoe, received it? Has the Minister of State read the report and will he provide more in-

formation on its contents? There are serious issues with morale of which the Minister of State, Deputy Kehoe, will be aware, much worse than the HR issues that he mentioned last night in this House. There are serious morale issues and a total hopelessness and Deputy Kehoe has a duty, as Minister of State, to reassure members of the Defence Forces that he is doing his level best to address the issues.

Deputy Paul Kehoe: The Deputy can be assured that I am doing my best to bring these issues to the fore. I have received a copy of the pay commission report but it is not my memorandum to bring to Government. It is the memorandum of the Minister for Public Expenditure and Reform, Deputy Donohoe. As Deputy Chambers, his party and its finance spokesman will be well aware, public sector pay is a matter for Deputy Donohoe, as Minister for Public Expenditure and Reform and for Finance. I expect the Minister, Deputy Donohoe, to bring that report to Cabinet over the next short while.

I have engaged with the Minister, Deputy Donohoe, on this issue since I received the report. It would be wrong of me if I did not. As soon as the Minister brings the report to Cabinet, it will be published.

Deputy Jack Chambers: It is interesting that the Minister of State is engaging with the Minister for Public Expenditure and Reform on a report that the Minister of State has read. Clearly, there are issues with that report and its contents. The retention and the recruitment crisis is at a systemic level. Is the Minister of State satisfied with the report he has read? What will be the outcome of it? Will the Minister, Deputy Donohoe, refer it back to the Public Service Pay Commission? Has the Minister of State consulted military management on its contents to see if its members are happy that the recommendations they submitted to the Minister of State's Department have been acknowledged within that report?

The Minister of State should deal with the serious anger and upset prevalent throughout the Defence Forces about the anaemic weak attempt to address the serious morale issues. There is a unique nature to our Defence Forces in that their members cannot strike or join a union and they need to be treated properly and with the respect and dignity that they deserve. I want the Minister of State to answer those questions about the content of the report. Why has there been such a long delay in respect of it?

Deputy Paul Kehoe: It is not my report to discuss with anybody else. It is the report of the Minister for Public Expenditure and Reform. I do not know if the Deputy was listening to what Deputy Heydon said during the debate on a motion on the Defence Forces last night. During the course of the negotiations on renewing the confidence and supply agreement with respect to public sector pay-----

Deputy Jack Chambers: The Minister of State butchered their recommendations.

Deputy Paul Kehoe: -----the Deputy's party spokesperson never once mentioned Defence Forces' pay, retention or recruitment.

Deputy Jack Chambers: The Minister of State butchered their recommendations.

Acting Chairman (Deputy Eugene Murphy): Allow the Minister of State to continue without interruption.

Deputy Paul Kehoe: Not once did the Fianna Fáil party spokesperson mention that during

those negotiations.

Deputy Jack Chambers: The Minister of State totally undermined the Chief of Staff.

Acting Chairman (Deputy Eugene Murphy): Deputy, please desist.

Deputy Paul Kehoe: I would like to be shown the same respect as the Deputy opposite has been shown.

Acting Chairman (Deputy Eugene Murphy): If the Minister of State was to address his remarks through the Chair, I am sure he would get that.

Deputy Paul Kehoe: During the recent negotiations on the confidence and supply agreement, the Fianna Fáil spokesperson, Deputy Michael McGrath, never once mentioned Defence Forces pay, retention or recruitment.

Deputy Jack Chambers: The Minister of State was not there.

Deputy Paul Kehoe: Acting Chairman-----

Acting Chairman (Deputy Eugene Murphy): Please proceed. The Minister of State's time is almost up.

Deputy Paul Kehoe: I spoke to someone who was there and he put that on the record of the Dáil last night.

Deputy Jack Chambers: The Minister of State has shown no regard.

Deputy Paul Kehoe: That shows the Deputy and his party's intent on this issue given that they had-----

Deputy Jack Chambers: The Minister of State has undermined military management.

Deputy Paul Kehoe: -----an opportunity to address this important issue-----

Acting Chairman (Deputy Eugene Murphy): The time for this question has concluded. I am moving on to Question No. 2.

Deputy Paul Kehoe: -----and failed to do so.

Acting Chairman (Deputy Eugene Murphy): Gentlemen, please.

Deputy Jack Chambers: The Minister of State has ignored the Chief of Staff. It is a disgrace.

Acting Chairman (Deputy Eugene Murphy): I am sure what the Army personnel and their families want is to have the matter resolved. They do not want rows back and forth. I allow everybody to put their point of view but I ask Members to address their comments through the Chair and not to get into a barging match across the Chamber as it will not solve anything.

Question No. 2 is in the name of Deputy Ó Snodaigh. I take it Deputy Buckley is introducing that question.

Deputy Pat Buckley: I am.

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Acting Chairman (Deputy Eugene Murphy): I presume we have the agreement of the House on that. That is agreed.

Visit of Lebanese Delegation

Acting Chairman (Deputy Eugene Murphy): Before I call Deputy Buckley, I wish on my own behalf and on behalf of the Members of Dáil Éireann to offer a céad míle fáilte, a hundred thousand welcomes, and a most sincere welcome to the Minister of Foreign Affairs and Emigrants of Lebanon, His Excellency Mr. Gebran Bassil, who is on a visit to Ireland to discuss issues of common concern. The Minister is most welcome to Dáil Éireann, as are his colleagues. Ireland and Lebanon have long held close connections and I hope his visit with us proves useful and to our mutual benefit.

Ceisteanna (Atógáil) - Questions (Resumed)

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

Defence Forces Medicinal Products

2. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence the action he has taken to implement the Dáil Éireann motion (details supplied) passed on 28 June 2017 to draw up a plan of action to help alleviate and address the ongoing concerns regarding the anti-malaria drug Lariam issued to military personnel serving on overseas missions in sub-Saharan Africa in the past other than fighting legal cases of victims of Lariam. [24568/19]

Deputy Pat Buckley: What action has the Minister for Defence taken to implement the motion regarding Lariam passed in this House on 28 June 2017?

Minister of State at the Department of Defence (Deputy Paul Kehoe): As I indicated to Deputy Ó Snodaigh in response to the Private Members' motion of 28 June 2017 regarding the anti-malarial drug Lariam, the use of anti-malarial drugs is a medical matter that should be decided by qualified medical professionals. In the Defence Forces, these are matters for highly qualified medical officers having regard to the specific circumstances of the mission and the individual member of the Defence Forces.

As Deputy Buckley will be aware, the Lariam report implementation group, LRIG, was established following the completion of the report of the malaria chemoprophylaxis working group in 2017, which set out a number of recommendations.

This group has met on a number of occasions and is progressing its work through the formation of a structured plan to implement these recommendations, as outlined in the terms of reference. These recommendations include planning, training and education-information sharing, as well as the establishment of a medical advisory group that will formalise the provision of ongoing expert medical advice, including external expert medical advice, to the Defence Forces on a range of medical matters, including malaria chemoprophylaxis.

I would also like to point out that there is a range of support services, both medical and non-medical, available to the Defence Forces personnel. These include access to Defence Forces medical officers, psychiatric, psychological, social work and personnel support services. A strictly confidential 24-hour careline, manned by trained counsellors, is also available to Defence Forces personnel.

The Deputy will be aware that the State Claims Agency manages personal injury claims, including personal injury claims relating to the consumption of Lariam taken by current and former members of the Defence Forces. The next case is listed for hearing in the High Court on 21 June 2019. Given that there is litigation pending in relation to these matters, the Deputy will appreciate that it would be inappropriate for me to comment further on this issue.

Deputy Pat Buckley: I thank the Minister of State for his reply. The working group that was established to deal with this issue has completed two reports, neither of which has been published. Why has that not happened? The Minister of State advised that the routine anti-malarial drug that has been prescribed to personnel serving Mali is Lariam. This was confirmed to my colleague, Deputy Ó Snodaigh, a few weeks ago. There are reports in the media that the Minister intends to deploy a contingent of the Army Ranger Wing to Mali. Will they also be prescribed Lariam?

The side effects of Lariam have been well rehearsed in this House. The Members of the House made their position clear on these issues two years ago and we have not heard anything further since then. It is baffling that the drug is still being prescribed to Defence Forces personnel. Will the Minister of State outline the actions that have been taken on foot of the motion that was passed in the House two years ago?

Deputy Paul Kehoe: As the Deputy will understand, the working group report was prepared in the context of litigation and it will not be published for that reason. I have stated that in the House previously. I am sure everybody will understand the reasons that will not be published.

As I have stated, I am not a medical expert. I am not a trained doctor and it would be totally inappropriate for me or for any Member of this House to recommend what anti-malarial drug would be used in sub-Saharan Africa or on some of the missions in which our personnel are participating. That is a matter for the health experts within the Defence Forces. They are the people who make the recommendation. They have responsibility for this area. They consider the mission our personnel will participate in and take into consideration the individual members who will be deployed on a mission and their medical circumstances at that time.

Deputy Pat Buckley: I thank the Minister for his frank response. I am not a doctor either but it has been well documented that the side effects of Lariam are very advanced and adverse. We know of many other countries that have stopped prescribing this anti-malarial drug. We also know that many countries have apologised to their defence forces for having prescribed it. What solace or guarantees will the Defence Forces get from this process? If Lariam is a cheap version of an anti-malarial drug for soldiers, will officers be prescribed a better brand? We mentioned in the debate on the motion on the Defence Forces in the House yesterday that the use of this drug causes major stress within in the family unit among the wives and partners of the members of the Defence Forces. We do not have to be medical experts to know that Lariam is not a good product. We certainly should not be prescribing it to the members of our Defence Forces. Would it be possible for us to have access to those reports or would Deputy Ó Snodaigh be entitled to have sight of them?

Deputy Paul Kehoe: I hope the Deputy understands that a number of litigation cases are going through at the moment. I made it quite clear in previous discussions in the House and through oral and written parliamentary questions on this general matter that, fundamentally, the use of anti-malarial drugs is a medical matter that should be decided by qualified medical professionals. Those are decisions for highly qualified medical officers having regard to the specific circumstances of the mission and of the individual member of the Defence Forces.

I accept the concerns raised by the Deputy and I hope he understands that the report carried out in the Department was in preparation for the litigation cases. Accordingly, it would be wrong of me to publish the report that has been prepared prior to the cases being heard. It would also be wrong of me to comment on any of the cases.

Deputy Buckley referred to the decision made by the Cabinet on Tuesday last about the Army ranger wing's participation in the Multidimensional Integrated Stabilization Mission in Mali, MINUSMA, and the use of Lariam there. That is a matter for the medical branch of the Defence Forces. The branch will take into account the mission, the local conditions in Mali, which is sub-Saharan, and the personnel participating in the mission.

Defence Forces Deployment

3. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence the number of personnel from the Army, Naval Service and Air Corps that took part in protection duties for the recent visit of the President of the United States of America; the average length of the service provided by each member involved; the average allowance paid for this service to each member of the Defence Forces involved; and if he will make a statement on the matter. [24686/19]

Deputy Jack Chambers: I wish to ask the Minister for Defence the total number of personnel from the Army, Naval Service and Air Corps that took part in protection duties for the recent visit of the President of the United States, Mr. Donald Trump; the average length of the service provided by each member involved; the average allowance paid for this service to each member of the Defence Forces involved; and if he will make a statement on the matter.

Deputy Paul Kehoe: The Department of Justice and Equality and An Garda Síochána have primary responsibility for the internal security of the State. Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of aid to the civil power, ATCP, which in practice means to assist An Garda Síochána when requested to do so.

The Garda requested ATCP assistance from the Defence Forces in support of the recent visit of the US President and the number of Defence Forces personnel deployed in response to this request was 497. With regard to the length of service performed by each of these personnel, I have been informed by the military authorities that the average length of service provided by each member involved is specific to their respective role and that this information cannot be released for security purposes.

Unlike other areas of the public service and due to the nature of the duties performed, overtime is not available to members of the Defence Forces. In addition to basic pay, the Defence Forces have a wide range of allowances, which are unique to their duties. A military service allowance, MSA, is paid to all ranks up to the level of colonel. The military service allowance is designed to compensate for the special conditions associated with military life. Those include

unsocial hours of duty, exposure to danger, and the restrictions inherent in military discipline. For privates, corporals and sergeants with more than three years in service, the MSA is worth €115.43 per week, per person. The rate is €122.87 per week for senior NCOs .

In line with any other occasion when the Defence Forces are requested to operate in an aid to the civil power capacity, Defence Force members on duty in support of An Garda Síochána during the visit of the US President will receive the security duty allowance, SDA. The current rate of SDA is €23.81 for each day on duty for less than 24 hours. The rate is increased to €47.59 for a 24-hour duty. The security duty allowance is paid to all enlisted personnel and to officers up to and including the rank of commandant who are not in receipt of an Army ranger wing allowance or a patrol duty allowance. The assistance provided by the Defence Forces for the duration of the recent visit of the US President is greatly appreciated and acknowledged by my colleagues and I in government.

Deputy Jack Chambers: It is fair to say the recent visit of President Trump showed the total disparity in pay and conditions between An Garda Síochána, for whom I have great respect in terms of the work its members do - they are entitled to overtime – and the Defence Forces. It shows the wedge over which the Minister of State is presiding. Personnel from the Army, Naval Service and Air Corps were involved in protection duties for the visit. The Minister of State mentioned 497 members who provided aid to the civil power. They were paid €20 after tax for a 24-hour shift. That is just not sustainable when one compares it to the multiples of that amount paid to other public servants providing protection duty. It is not sustainable in terms of morale or hopelessness that we continue to stand over such a significant gap for people providing protection in the State. A member of An Garda Síochána could be paid up to €1,000 for that duty, potentially more than 50 times the amount received by a member of the Defence Forces. It is unacceptable that we allow that to occur. That is the reason we need to resolve the issue through the Public Service Pay Commission, yet that is something the Minister of State continues to ignore and even delays. He has the report and he needs to deal with it.

Deputy Paul Kehoe: I am not sure if that is the Deputy's personal opinion or that of his party. If it is his party's opinion, Fianna Fáil had 15 years to change the allowance for overtime.

Deputy Jack Chambers: I am getting a history lesson again.

Deputy Paul Kehoe: Fianna Fáil did not do that. The party had the opportunity to do it a number of months ago as well.

Soldiers operate and work in a very different environment from An Garda Síochána and are assigned different roles and tasks. Jobs differ greatly across the public service and it can be difficult to make direct comparisons between various sectors across the full range of duties. Members of the Defence Forces and An Garda Síochána fill different roles and have different terms and conditions of service and pay structures. The vast majority of military personnel and gardaí engage in duties on a day-to-day basis that are dissimilar. Defence Forces pay and allowances are set, among other things, by reference to, and in consideration of, relative levels of pay across a broad range of duties and roles across various sectors. It is important to note that the basic pay is just an element of the overall remuneration package for members of the PDF. In addition to the pay range, they have additional allowances, which respect the nature of the work they do.

Deputy Jack Chambers: Jobs and terms and conditions differ but respect should unify

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people within the public service. Does the Minister of State agree with PDFORRA, the association that represents personnel in the Defence Forces, that it is unacceptable that its members should be provided with such archaic rates? Is it surprising in the ongoing exodus from the Defence Forces that many members are leaving to join An Garda Síochána? Their concerns about the visit of President Trump were not only about the terms and conditions and pay. Members of the Defence Forces were in sleeping bags in the terminal in Shannon Airport and slept in tents in Doonbeg while other public servants were put up in bed and breakfast accommodation. It was not only about the significant differential in terms of pay and conditions; it was also about the treatment and the respect for members of the Defence Forces. The Minister of State cannot stand over that. During the visit of Pope Francis last August, again, soldiers were treated with disrespect by the Minister of State and the Department. All he is doing is defending it. Could he not deal with the issues and with concerns on pay and conditions? He is now delaying the issue because he has the report and he will not act on it.

Deputy Paul Kehoe: The report was done at the behest of the Minister for Public Expenditure and Reform, Deputy Donohoe. He will bring it to Cabinet shortly. The Deputy is correct that we should examine all of the issues, including allowances. That is the reason I requested the Minister, Deputy Donohoe, to prioritise the Defence Forces as a matter of urgency to deal with recruitment and retention and pay and allowances. For that reason the independent Public Service Pay Commission examined the defence sector. The health sector was examined first and the Defence Forces was the next to be examined. I expect the report to be published shortly. Once it is published, we can move on and implement the recommendations made by the independent commission. We will have an opportunity to consider the recommendations of the commission. I will not discuss the contents of the report until the Minister, Deputy Donohoe, brings the report to the Cabinet. I hope he does so shortly.

Question No. 4 replied to with Written Answers.

11 o'clock

Postal Voting

5. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence if all Defence Forces personnel entitled to postal votes in the recent European and local elections received ballot papers in time to cast their vote; and if he will make a statement on the matter. [24687/19]

Deputy Jack Chambers: Could the Minister of State tell me whether all Defence Forces personnel entitled to postal votes in the recent European and local elections received ballot papers in time to cast their vote? This was the most alarming development in the past number of weeks. Multiple members of the Defence Forces said they were unable to exercise their basic democratic and constitutional right. We know they are treated poorly in terms of pay and conditions but to actually deprive them of their democratic right to vote is very worrying and we need an explanation of the matter.

Deputy Paul Kehoe: The Electoral Act 1992 establishes a postal voters list and those who qualify to be entered in the list. The Act provides that a whole-time member of the Defence Forces shall be entered in the list. Having regard to the nature of military life, this entitlement

ensures the right to vote for members of the Permanent Defence Force.

The Department of Defence provides a link between the franchise section of the Department of Housing, Planning and Local Government and the military authorities. This is to ensure that appropriate timelines for postal voting are agreed. Responsibility for the distribution of postal votes rests with the military authorities. The responsibility for returning the vote by post rests with the individual except in the case of personnel overseas where the military authorities arrange for the votes to be returned. The register of electors is prepared annually by the registration authorities, who prepare the postal voters list. The Defence Forces, through the enlisted personnel management office, liaise with the registration authorities to ensure the list is up to date and correct.

The Defence Forces place a very high level of importance on ensuring that all personnel are provided with the opportunity to register for and receive a postal vote. To that end, personnel are provided with access to registration forms through the chain of command. The commanding officers inform all ranks of the availability of the registration forms. A significant operation then takes place to ensure that those who are registered to vote, at home or overseas, are provided with postal votes to enable them to exercise their right to vote.

Postal votes for Defence Forces personnel were processed and administered by the military authorities in the normal way for the 2019 local and European elections. I am informed that a number of personnel have expressed concern that they did not receive a postal vote. These concerns are being examined by the military authorities in the context of a review of the operation of the postal voting system with a view to ensuring that processes and procedures are optimised. The review is expected to conclude shortly.

I expect the military authorities to take any necessary action on foot of their review to ensure the right of military personnel to exercise their right to vote.

Deputy Jack Chambers: This is another glorious administrative blunder. We saw the two flights that were delayed in the past number of months but the fact that members of the Defence Forces received their postal votes the day before the elections meant they could not exercise their right to vote. Some members who were overseas could not vote. I know that some wives and partners of members of the Defence Forces mentioned that at the count centre, photographs of boxes of ballot boxes were taken on Monday after the elections and were not sent. As the Minister of State is aware, members of the Defence Forces were unable to take part in many of the protests and are not allowed to join a union or strike but one thing they value is their right to democratic accountability in respect of their local and European election candidate. The fact that there is a review, there has been a probable breach of the Electoral Act and the democratic system and people who wanted to exercise their democratic right to vote were prevented from doing so is an alarming development that needs very serious examination by the Minister of State and his Department. It is another blow to morale under the Minister of State's watch in the context of the overall exodus from our Defence Forces.

Deputy Paul Kehoe: That statement clearly indicates that the Deputy does not listen. I said that the Department of Defence only provides the link between the franchise section of the Department of Housing, Planning and Local Government and the military authorities. This is to ensure that timelines for voting are processed. Neither the Department of Defence nor my office have anything to do with sending out and collecting postal votes. It is up to the military authorities to give postal votes to members of the Defence Forces and it is then up to the mem-

bers to post the ballots themselves. If a person is overseas, the military authorities look after the process of that in getting the postal vote to him or her and getting the postal vote back to the specific constituencies. The Department of Defence has no role to play whatsoever. If the Deputy listened to my original reply, he would not have asked the question he asked.

Deputy Jack Chambers: I will make the link because during the Minister of State's tenure, we are seeing the implosion and destruction of our Defence Forces - the Army, the Naval Service and the Air Corps. Does the Minister of State not see the link? Can he not connect the dots? The exodus of personnel means that administration, organisation, capacity and capability are all being fatally undermined. We now see the electoral system being undermined because of the ongoing difficulty regarding the effective strength of our Defence Forces. If the Minister of State cannot create the link, he is just defending his mandarins and Department. The Department was created very easily. There are more layers within its structures with more assistant secretaries general and more appointments but when we see the exodus from our Defence Forces, the Minister of State should create the link in terms of the implosion, destruction and demoralisation that are there. They are the net effects, which are now creeping into our democratic system. People who have such morale could not even vote on the Minister of State's watch.

Deputy Paul Kehoe: The Deputy is wrong. Managing this issue is the responsibility of the military authorities. I know the Deputy wants to broaden this out to encompass other areas but I am content that the postal voting system is a matter for the military authorities. The Department of Defence only liaises with the franchise section of the Department of Housing, Planning and Local Government to give the dates on which members of the Defence Forces will get their postal votes and the date by which such votes must be returned. I understand that a review of this matter is being carried out by the military authorities but this is the responsibility of the military authorities.

Ceisteanna Eile - Other Questions

Defence Forces Strength

6. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence if the actual operational strength of the Defence Forces or strength in station is lower than the official figure of 8,800 when personnel in training, those on leave of absence and those on overseas service are taken into account and if he will make a statement on the matter. [24567/19]

Deputy Pat Buckley: Could the Minister of State advise regarding the actual operational strength of the Defence Forces as reported and whether it takes into account those in training or on leave of absence and overseas service?

Deputy Paul Kehoe: The White Paper on Defence of 2015 commits to maintaining the strength of the Permanent Defence Force at 9,500 personnel. This strength provision includes those in training and there is no separate training establishment for recruits to the Permanent Defence Force. This strength provides for all roles assigned to the Defence Forces, at home and overseas. The strength of the Permanent Defence Force on 30 April 2019 stood at 8,828 personnel. This strength figure excludes those on a career break or seconded.

The Permanent Defence Force is actively deployed on an ongoing basis and Defence Forces units provide personnel for overseas service and deployments at home. Personnel are drawn from units across the organisation and posted on the basis of operational needs. Personnel also engage in training on an ongoing basis and this is a key aspect of maintaining and developing capability. This is not a new development and units have always had personnel posted on such activities.

The suggestion that such individuals should not be considered part of the strength of the Permanent Defence Force would appear to be based on the premise that only the strength of personnel in units in barracks matters. This is not the case. The ongoing deployment of personnel highlights the valued contribution that the Defence Forces make to international peace and security and in a wide variety of roles at home. The training of individuals also represents a continued investment in capability.

As I have previously outlined, particular recruitment and retention challenges exist in the Permanent Defence Force. I understand that many military forces internationally are experiencing difficulties, including with specialists such as pilots, and that this is not unique to Ireland. Despite recent highly negative media and political commentary, it must be highlighted that the Defence Forces offer an interesting, varied and rewarding career. Starting pay for both enlisted personnel and officers is competitive when viewed against other career choices with similar entry requirements. There is also a range of allowances paid in addition to basic pay.

Additional information not given on the floor of the House

There is also significant ongoing work aimed at making the Defence Forces an attractive career for those currently serving. There are ongoing promotion opportunities. The Defence Forces offer significant opportunities for personnel to develop skills and earn qualifications throughout their career, while receiving full pay. There are opportunities to gain unique experiences, including on overseas service. There is also ongoing work to enhance work-life balance.

Clearly the Government's goal is to meet the strength target of 9,500 personnel. There are ongoing challenges in this regard. The independent Public Service Pay Commission has been tasked with examining such recruitment and retention issues. I expect that the Minister for Finance and for Public Expenditure and Reform will bring its report to the Cabinet in the near future. The Government will consider any recommendations made.

Deputy Pat Buckley: I thank the Minister of State. According to the latest figures we have, to the end of March, the overall extent was 8,847. However, this figure does not appear to take into account those on leave of absence. I believe the Minister of State said that people in training are counted. Is that right? It is misleading, in a sense, as to whether they are all counted. The issue has been raised with us repeatedly through the Defence Forces representatives. Current reported strength, low as it is in comparison with previous times, is not a true representation of the strength on the ground. Those in training cannot be deployed on operations. Is that true? Those on leave of absence are possibly not being replaced. We are told this could be up to 1,000 additional personnel. Is that true?

Deputy Paul Kehoe: As I have stated, the strength of the Defence Forces on 30 April 2019 stood at 8,828 personnel. This strength figure excludes those who are on career break or secondment from the Defence Forces. As the Deputy knows, in an ideal world we would have a strength level of 9,500 personnel. This would cover all aspects of the organisation. I accept we

have many pinch points within the organisation and have acknowledged it on numerous occasions. We are competing against a very buoyant economy. There is funding in place for 9,500 personnel, however. About 12 or 18 months ago, a recommendation from military management was brought to me to the effect that we would be able to backfill and send about 140 or 150 extra personnel to UNIFIL. They will be returning at the end of this year and will be extra personnel back in the system.

Deputy Pat Buckley: Does the Minister of State consider that there is a need to ensure that the data reported reflect the reality and that there may be a case for providing the figures in a way that reflects actual capacity in the Defence Forces in real terms? The Minister of State mentioned the figure of 9,500. The strength figure was previously 10,500. I see we have lowered the bar a bit. Surely collecting more realistic data would give a much more accurate picture and would be reflective of the current retention crisis faced by the Defence Forces. It is helpful information in terms of monitoring the crisis and its impact on the ground. Will the Minister of State look at this and consider how the official strength of the Defence Forces should be calculated in the future?

Deputy Paul Kehoe: In the White Paper on Defence 2015, it was recommended that we would have a Defence Forces strength of 9,500 personnel. That was after the reorganisation. As the Deputy well knows, everybody was very much involved in the preparation of the White Paper on Defence 2015, including all Opposition party Members, many stakeholders, military management and everyone in the Department. A massive amount of work was put into that and it was recommended that we would have a force strength of 9,500. There is ongoing recruitment into the Defence Forces at officer and recruit level. I would absolutely like to see it get back up to 9,500 personnel. I look forward to the publication of the independent pay commission to address some of the challenges we are dealing with at present.

Defence Forces Personnel

7. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence his views on claims by the former head social worker for the Defence Forces that he was ignored repeatedly when he warned the Minister of State's officials regarding increased poverty levels being endured by serving military personnel and their families; and if he will make a statement on the matter. [24478/19]

Deputy Jack Chambers: I ask the Minister of State his views on the worrying claims by the former head social worker for the Defence Forces, which were ignored repeatedly. Officials in the Minister of State's Department were warned regarding the increased poverty levels being endured by serving military personnel and their families. We have recently heard about the state of accommodation within various barracks. Can the Minister of State make a statement on the matter?

Deputy Paul Kehoe: As Minister of State with responsibility for defence I take the welfare of members of the Defence Forces very seriously. The Defence Forces have a range of personnel supports in place to assist individuals who are experiencing difficulties. This includes social workers who provide very valuable supports and services. The circumstances in which personnel find themselves in economic difficulty can vary significantly and the State also provides a range of supports for individuals and families, should this be required. Members of the Defence Forces experiencing difficulties are assisted in accessing these supports.

The salaries of all public servants were reduced in the aftermath of the economic crash. Pay is being restored to members of the Defence Forces and other public servants in accordance with the public service pay agreement. The focus of increases is weighted in favour of those on lower pay. The Public Service Stability Agreement 2018-2020 provides for increases in pay ranging from 6.2% to 7.4% over the lifetime of the agreement. Increases due to date under the agreement have been paid to the personnel of the Permanent Defence Force. Further increases in pay are scheduled for later in 2019 and 2020. By the end of the current public service pay agreement, the pay scales of all public servants, including members of the Permanent Defence Force, earning under €70,000 per annum will be restored to pre-financial emergency measures in the public interest, FEMPI, levels. The restoration of the 5% reduction to allowances cut under FEMPI is also scheduled in the agreement.

Pay rates for newly qualified members of the Defence Forces are comparable to other areas within the public service, having regard to entry requirements. A newly qualified three-star private can expect to earn €27,759 gross per annum, including military service allowance but excluding duty allowances. This starting pay is subject to incremental progression and increases to €38,388 per annum at this rank. A range of duty allowances are also payable.

Additional information not given on the floor of the House

A newly qualified school leaver entry officer can expect to earn €35,614 gross per annum, inclusive of military service allowance, after initial training. A graduate entry officer can expect to earn €40,566 gross per annum, inclusive of military service allowance, after initial training. The maximum for the lieutenant pay scale is €50,645 per annum, inclusive of military service allowance.

These earnings relate to Army line ranks. In many cases Air Corps and Naval Service personnel receive additional remuneration per equivalent rank arising from additional allowances for duties performed. Defence Forces personnel also receive tax free payments for certain overseas deployments and duties.

As the Deputy will be aware, the Defence Forces are experiencing recruitment and retention challenges. This is reflective of the economic growth that has been experienced under the current Government and the associated buoyant labour market. The Public Service Pay Commission has been tasked with examining recruitment and retention challenges in the Defence Forces. The Minister for Finance and for Public Expenditure and Reform will bring that report to Government in the near future.

Deputy Jack Chambers: The former head social worker for the Defence Forces stated he was ignored repeatedly when he warned Department officials about the increasing poverty levels being endured by serving military personnel. Mr. Mervyn Ennis, who was head social worker, stated it was obvious to everybody how serious this situation was. The two schools at the Curragh have been classified as DEIS schools by the Department of Education and Skills, as they were deemed to be in serious areas of economic disadvantage. There is a very high concentration of children coming from military families at those schools. Mr. Ennis said that one chap who was a senior NCO was sleeping in a car. He said another lad was sleeping in a barracks and could not get access to his children because they could not come in there. This man was referred to a homeless unit. Mr. Ennis has said that others did not have money for food, and that the chaplaincy knew this too and was saying so. He says he was told by a Department official, “at least they have a job.” He says the Department simply does not care and that

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because the issues are constantly being ignored, morale in the Defence Forces is at an all-time low and is getting lower each day. He says that is why the lads are voting with their feet. It is a shameful account, as is the attitude of the Department. The Minister of State needs to clarify how he feels about those remarks, over which he is presiding.

Deputy Paul Kehoe: In respect of the person to whom the Deputy is referring, I only have hearsay of this in media reports. It is very easy to say something in the media. To my recollection, and I have looked for this, there has been absolutely no correspondence between this person and my Department. This person would actually have no contact with officials in my Department. He would have been dealing with the Defence Forces rather than officials in my Department. There has been no correspondence whatsoever between this guy and my officials, to my recollection. I have been looking for this and there has been no trace of this person. As I have stated, this person was employed in the Defence Forces during the absolute crash for which the Deputy's party was responsible. He was there when there were massive pay cuts. Now we are trying to reverse this by giving pay increases to the lower-paid members of the Defence Forces. It is important to note that they will have full pay restoration by 2020.

I have had no contact with the person in question whatsoever. I also do not believe there is any correspondence between the person and my Department.

Deputy Jack Chambers: I was going to ask the Minister of State for his reaction to the serious issues the person in question outlined. Instead the Minister of State questioned the integrity of what he said. That is an unbelievable reaction from the Minister of State in his bunker of denial when it comes to issues facing our Defence Forces. We all need to learn that it is not about attacking the individual who raises legitimate concerns but acknowledging and trying to deal with those issues.

I am sure Mervyn Ennis can provide information and details about the officials and the departmental correspondence he mentioned in media reports. Why would he make it up for sensationalist reports? I am sure he can document the issues around DEIS and those Defence Forces members sleeping in cars. These issues were also in the University of Limerick climate survey report. Accordingly, some of the remarks in Mervyn Ennis's public iterations are mirrored in other reports presided over by the Minister of State. Does the Minister of State believe what Mervyn Ennis said? The fact the Minister of State is questioning his integrity and what he has put on the public record is not a prudent response. Instead, he should acknowledge it and seek to help the personnel in question.

Deputy Paul Kehoe: The person in question was employed during the financial crash when there were a significant number of pay cuts. When I was appointed in 2016, the University of Limerick climate survey report was one of the first matters put on my desk. It was also carried out during the financial crash when there were no pay increases. We had to recover from this financial crash for which the Deputy's party was responsible. We now have pay restoration for lower-paid members of the Defence Forces.

Deputy Jack Chambers: The Minister of State should publish the pay commission report on Defence Forces pay.

Deputy Paul Kehoe: The independent pay commission report will be published shortly. It is good there are positive developments occurring. While I would like to see them happening faster, we must stick within the realm of the public sector pay agreements. Fianna Fáil signed

up to this under the confidence and supply agreement.

I have not seen any correspondence from the gentleman to which the Deputy referred. If the Deputy has the correspondence, I would have no issue with him bringing it to my attention. However, his employment by the Department was previous to my coming into it

Acting Chairman (Deputy Eugene Murphy): There are important issues involved and I have allowed a run over of time. I seek Members' co-operation with the next set of questions as seven will be taken together

Defence Forces Remuneration

8. **Deputy Mick Wallace** asked the Taoiseach and Minister for Defence his views on the recent comments by the former head of the elite Ranger Wing in Chad that poor rates of pay and allowances for enlisted personnel, rather than officers, were driving personnel out of the Defence Forces; if he has discussed these issues with the Chief of Staff of the Defence Forces; and if he will make a statement on the matter. [24574/19]

13. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence his views on the fact that almost 90% of Defence Forces personnel earn below the average public sector wage; the steps he will take to address same; and the reason it has not been addressed to date. [24343/19]

15. **Deputy Mick Wallace** asked the Taoiseach and Minister for Defence his views on whether the pay and conditions of members of the Defence Forces are having a negative effect on morale levels; and if he will make a statement on the matter. [24573/19]

24. **Deputy Brendan Smith** asked the Taoiseach and Minister for Defence his plans to improve pay and conditions for members of the Permanent Defence Force; and if he will make a statement on the matter. [24353/19]

26. **Deputy Clare Daly** asked the Taoiseach and Minister for Defence if his attention has been drawn to the comments of a former deputy commander of the Army Ranger Wing (details supplied) on the ongoing crisis of pay, morale and retention in the Defence Forces; and if he will make a statement on the matter. [24342/19]

28. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence the engagement he has had with the Defence Forces representative associations on the report of the Public Service Pay Commission; and if he will make a statement on the matter. [24477/19]

29. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the review of the Defence Forces pay and conditions has progressed with particular reference to the need to stabilise the strength of the forces and achieve a higher degree of retention of personnel in the Army, Naval Service and Air Corps; and if he will make a statement on the matter. [24559/19]

Deputy Mick Wallace: Recently the former head of the elite Ranger Wing in Chad, Cathal Berry, said that poor rates of pay and allowances for enlisted personnel, rather than officers, were driving personnel out of the Defence Forces. He also said:

The sense of absolute betrayal is palpable. It is visceral. I have not seen anything even

remotely like it in 23 years' service.

Has the Minister of State discussed this issue with the Chief of Staff of the Defence Forces?

(Deputy Paul Kehoe): I propose to take Questions Nos. 8, 13, 15, 24, 26, 28 and 29 together.

I have ongoing discussions with the Chief of Staff regarding the full range of defence issues. The current turnover level in the Defence Forces is 8.1%, which is above the long-term average of 6.3%. This turnover level is posing difficulties for the Defence Forces. Other military organisations internationally are also experiencing similar, and in some cases higher, overarching turnover levels, particularly among specialists. As the rate of turnover within a military organisation can differ across functional areas, the impact of turnover can vary accordingly. This leads to particular challenges in certain areas. I have previously acknowledged that the Defence Forces are experiencing certain difficulties in recruitment and retention and highlighted these issues to the Public Service Pay Commission.

The economic recovery has provided the opportunity to restore pay to all public servants, including members of the Defence Forces. This is being done in an affordable and sustainable manner in accordance with national public service pay agreements. Members of the Permanent Defence Force have received the pay increases due from recent national public service pay agreements. The focus of these increases is weighted in favour of those on lower pay. Further increases in pay are scheduled in 2019 and 2020. By the end of the Public Service Stability Agreement 2018-2020, the pay scales of all public servants, including members of the Defence Forces, earning under €70,000 per annum will be restored to pre-financial emergency measures in the public interest, FEMPI, levels. The restoration of the 5% reduction to allowances cut under FEMPI is also scheduled as part of that agreement.

The structure of the Permanent Defence Force differs significantly from that of other organisations. The Defence Forces have a hierarchal structure with almost 50% of personnel at the entry level rank of private. In addition, there are high numbers in training. This makes average pay an inappropriate indicator of comparative pay rates. Although direct comparison can prove difficult due to the differing roles and duties undertaken, the pay package available to members of the Defence Forces remains competitive when compared with other public service jobs with similar educational and skills requirements. Pay rates for newly qualified members of the Defence Forces are competitive when compared with other areas in the public service and the private sector. A newly qualified three-star private can expect to earn €27,759 gross per annum, including military service allowance but excluding duty allowances. This starting pay is subject to incremental progression up a salary scale and increases to €38,388 per annum at this rank. A newly qualified school leaver entry officer can expect to earn €35,614 gross per annum, inclusive of military service allowance, after initial training, and a graduate entry officer can expect to earn €40,566 gross per annum, inclusive of military service allowance, after initial training. These are entry level salary scales. With promotion, individuals receive higher pay. For example, a corporal starts at €37,632 per annum and rises to €39,338 per annum, a sergeant starts at €40,277 per annum and rises to €42,694 per annum, a sergeant major starts at €51,188 per annum and increases to €54,611 per annum. For officers the annual salary scale for a line captain ranges from €49,239 to €61,021, a commandant ranges from €61,348 to €74,328, and a colonel from €83,389 to €99,846. These salary scales are inclusive of military service allowance but exclude duty allowances which are paid for a range of duties performed.

These earnings relate to Army line ranks. In many cases Air Corps and Naval Service personnel receive additional remuneration per equivalent rank arising from additional allowances for duties performed. Where members of the Defence Forces acquire technical qualifications and-or fill associated appointments, there is also associated technical pay. Defence Forces personnel also receive tax-free payments for certain overseas deployments and duties.

There are a range of other factors which influence a person's decision to remain in the Defence Forces. These include career progression opportunities, personal development, work-life balance, job stimulation and work environment. I will continue to work closely with the Secretary General and the Chief of Staff in furthering management responses to address current challenges. There are significant opportunities for career progression and development within the Defence Forces with more than 800 promotions in the Permanent Defence Force in 2018. Each promotion in effect results in a pay rise.

In recognition of the wealth of talent in the enlisted personnel of the Defence Forces, a potential officers course was established last year. This course offered enlisted personnel a clear route to becoming commissioned officers in our Defence Force. Some 24 enlisted personnel completed this course and were commissioned as officers in March of this year. This was the first time in ten years that the course was offered to enlisted personnel. I welcome this and all other opportunities for personnel to develop their careers in the Defence Forces. I have ensured that further potential officer courses will be undertaken in 2021 and 2024.

The Government is committed to introducing the working time directive in the Defence Forces. Discussions are taking place with the PDF representative associations on this matter. A range of human resource, HR, initiatives aimed at improving work-life balance and job satisfaction are also being progressed by the Defence Forces. The Public Service Pay Commission has concluded an examination of recruitment and retention challenges in the Defence sector. The Minister for Finance and the Minister for Public Expenditure and Reform, Deputy Donohoe, has indicated that he will be bringing this report to Government shortly.

Acting Chairman (Deputy Eugene Murphy): Some of the Deputies who submitted questions for this session are otherwise engaged this morning with committees etc. We do have three of the relevant Deputies present, however. I will commence with Deputy Wallace and then move to Deputies Jack Chambers and Durkan. The Minister will have time to reply and then the Deputies will have an opportunity for a second question. I will also let in Deputy Broughan, if there is time. I call Deputy Wallace.

Deputy Mick Wallace: I have two questions. Do I get extra time?

Acting Chairman (Deputy Eugene Murphy): No, the Deputy has one minute.

Deputy Mick Wallace: What? I have one minute to ask two questions?

Acting Chairman (Deputy Eugene Murphy): That is how these proceedings work. Deputy Wallace has one minute and he will then have a further opportunity to ask a second question.

Deputy Mick Wallace: The Minister of State and the Taoiseach yesterday acknowledged that many members of the Defence Forces are leaving for jobs in the private sector. The Taoiseach, however, was adamant that he was not going to fast-track pay restoration, even given the current conditions. All of the spiel that the Minister of State has just given out is technical. I am sure it is accurate. It does not, however, address the comments made recently by retired Com-

mandant Cathal Berry. The Minister of State said yesterday that it would not be fair to single out one group in the public sector above another. The members of the Defence Forces are being singled out, however. Figures from the Central Statistics Office, CSO, show that members of the Defence Forces are the lowest-paid workers in the public service. Some 85% are earning less than the average industrial wage. That does single out the members of the Defence Forces.

If we listen to the comments of retired officers who speak out, what comes through strongly is that they feel that their profession is under attack. They also feel that the lack of progress being made and the fact that things have been allowed to deteriorate this far is actually intentional. We can understand the notion that this is a betrayal. The members of our Defence Forces do their work and risk their lives in trying to uphold our reputation for peacekeeping as best they can. They do that because of a sense of pride and loyalty in their country. It is a relationship that is being disrespected by the Minister of State and the Department of Defence. It is going to get worse if the concerns of the members of the Defence Forces are not addressed. They are not making these issues up.

Deputy Jack Chambers: As Deputy Wallace stated, the recruitment and retention crisis has got so serious that the Minister of State is now ignoring military advice and recommendations that were submitted to him as part of the Public Service Pay Commission process. Those recommendations have been ignored and butchered from the report. That is what undermines the integrity and the independence of the pay commission process. The submission from that group contained a recommendation that would allow for the restoration of allowances. The Minister of State's Department butchered and diluted the report and then gave it to the Department of Public Expenditure and Reform for the Minister, Deputy Donohoe, to take total control of it. The Minister of State is now again deflecting and deferring this issue to the Minister for Public Expenditure and Reform. It is a concern that he is doing that because the Minister of State has read the report.

Throughout today's debate, I have mentioned that there are serious levels of poverty among members of the Defence Forces and that some members require social welfare payments. I also referred to the mass exit of members of the Defence Forces and the historically low levels of morale that the Minister of State is presiding over. There is also the decimation of capability. The effective strength of the Air Corps, the Naval Service and the Army is on a path to destruction. The situation is poised on a cliff edge. We need to have restoration of allowances to address these issues. The Minister of State has his head in the sand. The fact that he is sitting on the report makes it even worse.

Deputy Bernard J. Durkan: The Defence Forces are in a unique position given the important role thrust upon them regarding national security. They are also tasked with the responsibility of responding to national emergencies and disasters such as flooding, isolation caused by heavy snow etc. Given that unique position, has it been possible, in the context of the review now taking place, to identify some means whereby the most serious issues of the case presented by the members of the Defence Forces might be addressed in the shortest possible time?

Deputy Paul Kehoe: I congratulate Deputy Wallace on his recent success in the elections to the European Parliament. I wish him the very best of luck. I will miss our debating here in the Chamber. I am glad that the Deputy has an interest in this issue. I applaud him for that. I agree with him when he states that the members of the Defence Forces risk their lives. I believe, however, given some of his stated policies, that if Deputy Wallace had his way he might not have the Defence Forces participating in any overseas duties.

Deputy Mick Wallace: I would. I would just not have them in the Golan Heights where they are protecting Israel.

Deputy Paul Kehoe: I respect the Deputy's views. That is the way it is and I have no issue with that whatsoever. I am also glad that Deputy Wallace mentioned the figures from the CSO. Those figures on low pay differ from time to time. That was one of the reasons why I asked the Minister for Public Expenditure and Reform to prioritise the defence sector as a matter of urgency. I requested that the case of members of the Defence Forces be examined by an independent pay commission. I asked the Minister to do that. He has the report and I have the report. It is now the responsibility of the Minister for Public Expenditure and Reform to bring that report to Cabinet. It is not my report and it is not my memo.

As I have stated, and I address this point to Deputies Jack Chambers and Durkan as well, public sector pay is a matter for the Department of Public Expenditure and Reform. I do not have that responsibility. Different countries differ in how they organise things. I am awaiting the outcome of the report, for the contents to be seen and then for a decision to be made.

Acting Chairman (Deputy Eugene Murphy): I ask the three Deputies who have already spoken to keep their next questions as brief as possible. I want to allow Deputy Broughan to ask a short question as well. I call Deputy Wallace.

Deputy Mick Wallace: A sum of €60 million extra was given to defence in the budget last year. It materialised into a 4% increase in pay for personnel but a 37% increase in spending on equipment. That is where the money is going. Instead of addressing the issues that are driving people out of the Defence Forces, the Minister of State is throwing money at things like new ships for the Naval Service. The national development plan includes a provision for an enormous €541 million capital investment in defence over the period 2018-22. The Naval Service plans to increase its complement of ships from eight to nine, with the *LE George Bernard Shaw* due to come into service in 2019. That ship cost €67 million.

This is despite the Naval Service not having enough personnel last year to crew eight ships, let alone nine. In addition, there is also a plan to spend €200 million on a multi-role vessel. The reasons for doing that have less to do with the Naval Service being able to fulfil its day-to-day duties and much more to do with trying to impress our European colleagues in the Mediterranean. The multi-role vessel will be capable of carrying a battalion of soldiers along with landing craft. It will also have freight capacity for military vehicles. What in God's name do we need that for? The Minister of State would be better off paying the Defence Forces personnel.

Deputy Jack Chambers: The Minister of State said that he asked the Minister for Public Expenditure and Reform to prioritise the defence sector. There were, however, serious delays during Public Service Pay Commission process. The Minister of State had the report but now the Minister for Public Expenditure and Reform has it. Will the Minister of State tell us what is going on between him, the Department of Defence and the Department of Public Expenditure and Reform? It is highly unusual that we have this vacuum and this delay when there is such an urgent need to address the issues of allowances. That is especially the case when there are such concerns about the report.

The Minister of State needs to show some leadership in the area. If he is not happy with the report, then he should state that on the record here. He should take on the Minister for Public Expenditure and Reform, Deputy Donohoe. The Minister of State should actually deal with this

issue of pay and allowances instead of referring to a circle of bureaucracy involving memos and which Minister is responsible for bringing this report to Cabinet. The Minister of State should show some leadership. He should represent the Defence Forces personnel and give them some respect and dignity rather giving us this cycle of waffle about a memo and who has it. The Minister of State has read it and the Minister for Public Expenditure and Reform has read it. They should now deal with the report.

Deputy Bernard J. Durkan: The Defence Forces have responsibilities that include national security, and perhaps even international security, and overseas deployments. I note what the Minister of State said regarding bringing forward the recommendations made in the report. Notwithstanding that, however, could he see a situation arising whereby the continued erosion of the strength of the Defence Forces and of the morale of the Defence Forces might result in an issue that might need fairly urgent treatment? I refer to addressing the most potent issues as identified by both sides in this debate.

Deputy Thomas P. Broughan: One of the fundamental problems is that defence is not at the Cabinet table and the Minister of State is not a full Cabinet Minister. There is no reason we should not have a Minister for Defence and perhaps for security generally with An Garda Síochána.

I want to raise very briefly, in case I do not get another chance, the incredibly low level of pensions and gratuities for Óglaigh na hÉireann. For example, after ten years pensionable service the pension for people on an income of €42,000 would work out at the princely sum of €2,141 a year and the gratuity would work out at €15,000. After 20 years pensionable service, with pensionable pay of €45,000 a year, the pension would work out at the princely sum of just over €5,000 a year and the gratuity would be just over €35,000. Compared to the rest of the public service these are incredibly low figures. They reflect the general fact the Defence Forces are the Cinderella of public service levels of pay. The Minister of State read out the figures throughout the ranks but they are totally unacceptable.

Acting Chairman (Deputy Eugene Murphy): We have had almost 18 minutes of debate so far.

Deputy Paul Kehoe: I will answer-----

Acting Chairman (Deputy Eugene Murphy): I ask the Minister of State to keep it as brief as he can.

Deputy Paul Kehoe: I will answer Deputy Broughan first. He will receive a comprehensive reply that will answer all of his questions.

Deputy Chambers spoke about the report that went from military management and the civil submission that went to the pay commission. Nobody was muscled in any way. In actual fact, the Chief of Staff of the Defence Forces had an opportunity to address the pay commission. He had the opportunity to say whatever he wanted to the pay commission. I arranged that through the independent pay commission to allow it. There was nobody muscled in any way.

Deputy Jack Chambers: There was.

Deputy Paul Kehoe: Did somebody go in and state people could not say this or that? He had free will to say whatever he wanted to say along with the Secretary General of the Depart-

ment. Whatever they wanted to say, along with PDFORRA, RACO and all of the representative associations, they had the opportunity to speak face to face with the Pay Commission and I understand they did so.

Deputy Wallace spoke about the investment, of which I am very proud, in equipment, ships, planes and the refurbishment of MOWAGs.

Deputy Mick Wallace: It should not be at the expense of Defence Forces personnel.

Deputy Paul Kehoe: The Deputy did not recognise the €6 million in budget 2019 for pay increases. He failed to recognise that.

Deputy Mick Wallace: I did not. I acknowledged it.

Deputy Paul Kehoe: I did not interrupt the Deputy in any way. There was €6 million in pay increases and the Deputy failed to acknowledge that.

To answer Deputy Durkan, we are expecting the report of the pay commission very shortly.

Deputy Jack Chambers: The Minister of State has it.

Deputy Paul Kehoe: As soon as it comes to Cabinet it will be considered. I have a copy of the report. The report is being brought by the Minister for Public Expenditure and Reform.

Deputy Jack Chambers: The Minister of State has the report.

Deputy Paul Kehoe: I do not have responsibility for core pay throughout the public service.

Deputy Thomas P. Broughan: Tell us what is in the report.

Deputy Jack Chambers: The Minister of State has the report.

Deputy Paul Kehoe: It is a matter for the Department of Public Expenditure and Reform. It is the responsibility of the Minister, Deputy Pascal Donohoe. We will look at the report and consider its findings and implement the recommendations. Whatever has to be considered after that we will do.

Acting Chairman (Deputy Eugene Murphy): Will the Minister of State clarify in one word whether he has the report? Members have asked.

Deputy Paul Kehoe: In my first reply I said I have a copy of the report but it is not my report.

Deputy Jack Chambers: Deal with it then.

Acting Chairman (Deputy Eugene Murphy): That is fine. I just-----

Deputy Paul Kehoe: The Acting Chairman asked me a question.

Acting Chairman (Deputy Eugene Murphy): In one word, does the Minister of State have the report?

Deputy Paul Kehoe: It is not my report to bring to the Cabinet. It is the report of the Minister for Public Expenditure and Reform, Deputy Pascal Donohoe.

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Acting Chairman (Deputy Eugene Murphy): That is fair enough, I just wanted clarification. I thank all Members and the Minister of State for their co-operation on this issue. It is a difficult issue and I must keep within the time constraints. I appreciate everybody adhering to what I am trying to do.

Defence Forces

9. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which the Army, Naval Service and Air Corps have access to training and equipment on par with other Defence Forces throughout Europe and with a high degree of capability in dealing with unforeseen emergencies, such as a terrorist attack; and if he will make a statement on the matter. [24560/19]

Deputy Bernard J. Durkan: This is at variance with Deputy Wallace's submission. An opinion I hold strongly is that the Defence Forces need to be properly equipped with modern telecommunications, armouries and all aspects of the equipment used on a daily or monthly basis at home and abroad. Given that it is important to keep the Defence Forces up to date I ask the Minister of State the extent to which he proposes to so do.

Deputy Paul Kehoe: Primary responsibility for the internal security of the State rests with the Department of Justice and Equality and An Garda Síochána. Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of aid to the civil power which in practice means to provide assistance and support to An Garda Síochána when requested to do so. The Defence Forces retain a wide range of specialist skills which can be deployed in such circumstances, including for terrorist incidents.

There is ongoing and close liaison between An Garda Síochána and the Defence Forces regarding security matters, including aid to the civil power deployments, and a wide variety of military training activities are specifically designed to counter or respond to possible security emergencies. Regular co-ordination and liaison meetings also take place between the Defence Forces and An Garda Síochána on aid to the civil power issues.

The full spectrum of Defence Forces personnel and equipment are available for deployment in response to any security and other emergencies that may arise. Within the Defence Forces, both the Ordnance Corps and the Army Ranger Wing specialise in providing an immediate response to emergency incidents that might require their highly specialised capabilities.

The Ordnance Corps consists of a number of explosive ordnance disposal teams which are on stand-by 24-7 to respond when a request for assistance is received from An Garda Síochána to deal with suspect devices.

The Army Ranger Wing is an integral unit of the Defence Forces whose roles include provision of specialist aid to the civil power support to An Garda Síochána. The need for a high level of preparedness to deal with any requests for special forces operations is inherent in the unit's mission. Members are trained to the highest levels of motivation, physical fitness and skill at arms for their specialist role. The Army Ranger Wing is on stand-by 24-7 to be called upon to undertake duties in any part of the country.

I can confirm that the Defence Forces keep their operational plans and response capabilities

for dealing with a wide range of threats under constant review. It is my priority as Minister of State with responsibility for defence to ensure the operational capacity of the Defence Forces is maintained to the greatest extent possible and I work closely with the Chief of Staff to this end.

Deputy Bernard J. Durkan: Is the Minister satisfied the standard of training and level of equipment available to the Defence Forces when serving overseas is comparable to the best available for a variety of reasons, including self-preservation and having the ability to support each other in emergency situations that arise? Similarly, with regard to emergencies that may arise at home, whether the potential of a terrorist attack, search and rescue, surveillance or whatever the case may be, is the Minister satisfied that we have available to our Defence Forces the best equipment and training available to others throughout Europe?

Deputy Paul Kehoe: I thank the Deputy. I have been advised by military management that all training, retraining and exercising is carried out. This is a matter for the military. With regard to equipment, I assure the Deputy that over recent years, there has been a huge increase in the budget for investment in equipment in the Air Corps, the Naval Service and the Army. Whether for new ships, planes, the refit of armoured personnel carriers or investment in barracks, there has been huge investment in this area. It is only right and proper that we train and equip our personnel to the highest standards possible and that we are able to match other countries when we are on peacekeeping duties overseas, whether in UNIFIL, UNDOF or whatever, and that we have specialist training and equipment and the capability and capacity to operate in whatever situation arises. It is important that we continue to invest in training and equipment.

Deputy Paul Kehoe: I thank the Deputy. I have been advised by military management that all training retraining and exercising is carried out. This is a matter for the military. With regard to equipment, I assure the Deputy that over recent years there has been a huge increase in the budget revofor investment in equipment within the Air Corps, the Naval service and the army whether for new ships, planes, the refit of armoured personnel carriers or investment in barracks, there has been huge investment in this area. It is only right and proper that we do so because we train and equip our personnel to the highest standards possible and we are able to match other countries when we are on peacekeeping duties overseas, whether you live, under or whatever and have specialist training and equipment and that we are able to operate and have the capability and capacity to operate in whatever situation arises. It is important that we continue to invest in training and equipment.

Deputy Bernard J. Durkan: Does the Minister of State remain satisfied that adequate provision has been made to ensure the ability to respond to national emergencies whether they be natural or inflicted disasters and the degree to which the military authorities can respond in their role of assisting An Garda Síochána in such emergencies and to do so precisely and promptly?

Deputy Paul Kehoe: As an example of that, I recently approved a request for the Defence Forces to host another counter-marauding terrorist attack course, which will take place later this year. Previous iterations were hosted by Ireland and the positive feedback has been instrumental in developing further courses and seminars. The numerous terrorist attacks around the globe in recent years have highlighted the need for increased synergies between civil and military agencies in respect of counterterrorism strategies and this proposal addresses this need. The Defence Forces have an excellent reputation internationally in counter improvised explosive devices, CIED, capability and regularly contribute to host CIED training courses and workshops here. The course will bring together civil and military groups to examine, analyse and assess lessons identified for terrorist attacks, including motivation, financing, and social and

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economic implications. The objective of the course is to develop a graded system of attacks and to apply that to the development of comprehensive plans.

It is only right and proper that the Defence Forces continue to have joint training exercises with An Garda Síochána because we never know when an incident might happen, and both forces have to be ready whenever that happens. I am content and happy with the training and equipment that the Defence Forces have and I have been advised by military management that they are content.

Defence Forces Remuneration

10. **Deputy Thomas P. Broughan** asked the Taoiseach and Minister for Defence his plans to improve the levels of pay and timing of pensions and gratuities in the Defence Forces; and if he will make a statement on the matter. [24358/19]

Deputy Thomas P. Broughan: Yesterday, we debated a Private Members' motion calling for the restoration of military allowances and the supplementary pension for post-2013 entrants and to allow members join the Irish Congress of Trade Unions, ICTU. Earlier, I recited extracts from documents presented to me by Óglaigh na hÉireann in my constituency and from other constituencies. The figures for the annual pension are very stark, with a discharge rate of €42,000 after 20 years and a gratuity of €31,500. The 55 to 60 retirement age was addressed but it seems we are dealing with the group of public servants most affected by austerity, which the Public Service Pay Commission has not addressed.

(Deputy Paul Kehoe): I take it the Deputy is referring to the levels of pension and gratuity benefits paid to members of the permanent Defence Force, PDF, on retirement.

Military pension schemes operate within the broader context and framework of public service pension policy, as determined by Government. The specific occupational pension scheme terms of members of the PDF, which depend on factors such as the date a person first joins the public service, fall into the following three distinct categories, the terms of which are quite different from each other: those who joined the PDF before April 2004; those who joined on or after 1 April 2004 and before 1 January 2013; and those who joined on or after 1 January 2013 as members of the single public service pension scheme. For operational and human resources policy reasons, PDF personnel have faster accrual pension arrangements, along with lower pension and retirement ages or, where applicable, upper service limits than is the norm elsewhere in the public service. Personnel who joined before April 2004 have atypical fast accrual pension scheme terms, under which there is no minimum pension age or provision for deferred benefits. Instead, pension and gratuity are payable immediately on retirement after relatively short periods of service, and regardless of age.

Deputy Thomas P. Broughan: We all want to know when the commission's report will go to Cabinet and when the Minister of State will give us positive news on restoration of pay and conditions for the armed forces. He has given me a detailed response on inductions and discharges from 2002. However we look at that, it makes shocking reading: year on year from 2002 to 2009 just over 4,000 people entered the Defence Forces but 4,974 were discharged. In the period since the financial crash, from 2010 to this year, 4,893 were inducted and 5,869 were discharged. We all have had experience of different organisations before coming into this House but none of us could manage an organisation where 10% of staff are coming and going.

How can that be done? I have asked the Minister of State more detailed questions about the turnover rate among the officers and leadership and the different units around the country. That seems a shocking situation. We should restore the defence portfolio to a full portfolio with a full Cabinet Minister.

Deputy Paul Kehoe: I assure the Deputy that I sit at the Cabinet table and defend the Defence Forces and advocate on their behalf.

Deputy Thomas P. Broughan: The Taoiseach is the Minister.

Deputy Paul Kehoe: If the Deputy had not left the Labour Party, he could have been there. In 2007, he could have highlighted all these issues.

Deputy Thomas P. Broughan: I might be there yet.

Deputy Paul Kehoe: The Deputy could reconsider that.

There was always a high turnover in or around 8%. That is the international norm.

Deputy Thomas P. Broughan: It is not.

Deputy Paul Kehoe: It is for armies. There is always a high turnover in armies. That is normal. I highlighted that in some of my earlier responses. We are dealing with a high turnover at the moment but we are competing with a strong economy. History shows that when the economy is strong, the Defence Forces suffer. Unfortunately, that is the case. The Deputy referred to the Public Service Pay Commission. That is a matter for the Minister for Public Expenditure and Reform, Deputy Donohoe. I expect that report will be brought to Cabinet shortly.

Questions Nos. 11 and 12 replied to with Written Answers.

Question No. 13 answered with Question No. 8.

Defence Forces Reserve

14. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence if members of the Reserve Defence Force are being paid on average 18% less than the rates being given to their counterparts in the Permanent Defence Force; and if he will make a statement on the matter. [24480/19]

Deputy Jack Chambers: This question is about the Reserve Defence Force, RDF, pay, which is 18% below that of the PDF. Its strength is less than half the target in the White Paper. This is another shocking example of the decimation of numbers in our Permanent and Reserve Defence Forces. What is the Minister of State doing to address the serious issues that the representative association has outlined?

(Deputy Paul Kehoe): Prior to the financial emergency, the pay scales applying to the PDF also applied to the Army Reserve and Naval Service Reserve. The pay cuts that applied to the PDF also applied to the RDF. The rates applicable to the Army reserve and Naval Service reserve were also subjected to a reduction of 10% under the Haddington Road agreement or the public service stability agreement, PSSA, 2013-2016. The restoration of pay is ongoing and is being conducted in accordance with PSSA 2013-2018 and PSSA 2018-2020 and with

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the consent of the Minister for Public Expenditure and Reform. Contact is ongoing between my Department and the Department of Public Expenditure and Reform to ensure that the correct pay restoration is applied to both the Army reserve and Naval Service reserve. I have asked my officials to expedite this matter.

Deputy Jack Chambers: The Minister of State did not respond to the issue of the decimation of numbers within the reserve and the fact that the pay difficulties are undermining its core strength. Due to the reorganisation of the RDF, there has been massive geographical dilution and a removal of members in large areas of the State. What is the Minister of State doing to address that and to rectify the difficulties?

12 o'clock

We will not have a reserve within a decade unless the Minister of State reverses some of his White Paper targets and increases numbers.

Deputy Paul Kehoe: I have always encouraged Members to apply to join the Reserve Defence Force. In some parts of the country it is strong and in other parts of the country it is weak.

Deputy Chambers has raised an exact issue with me. As I have stated, there is ongoing contact between my Department and the Department of Public Expenditure and Reform to ensure that the correct pay restoration is applied to both the Army Reserve and Naval Service Reserve. I have asked the officials in my Department to have this matter expedited as soon as possible. I understand that it is a matter of urgency. I have been in contact with the Department of Public Expenditure and Reform on the matter as well. I raised it directly with the Minister for Public Expenditure and Reform, Deputy Donohoe, at one of my most recent meetings and sought to have this issue addressed as soon as possible.

Written Answers are published on the Oireachtas website.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Dara Calleary: There has been a good deal of debate in the House during recent days on the area of home help and the lack of, and curtailment of, home help hours and services throughout the country. There were questions during Leaders' Questions and there was a debate in the House last evening. Despite this, we are still no further on in terms of giving assurance to our constituents and the people we represent that hours will be available to those who need it, patients who need palliative care will have home help, patients who are in hospitals can go home with the assurance that home help hours will be available rather than being left in a hospital bed, or patients who want to stay at home will get the assistance available that is appropriate to their condition rather than what suits some clock-watcher or someone who does not understand the impact of the service.

One thing that has struck me is how the Government does not seem to get the importance of home help. It does not seem to understand the impact that the curtailment and cancellation of hours are having around the country. For every member of the Government, required reading this weekend is Marese McDonagh's piece in *The Irish Times* from last Monday about the impact in Sligo. It has the testimony of people whose hours are being curtailed and of people who have not got hours. It has the testimony of medical professionals who are seeing the impact of

this curtailment and cancellation on their patients and on medical and hospital services.

From having listened to the Taoiseach's response to Deputy Doherty yesterday and having observed the debate last night, the Government does not get it. It does not understand what this is doing to families or patients. The Government is not joining the dots on the impact that the lack of home help services and other community care services is having on the health service generally, on beds and bed management or on waiting lists.

What I am asking for today is not the usual response. The Taoiseach has thrown out figure after figure and money after money. He is going to have a meeting next week. Why next week? This has been an evident problem for weeks. We are all getting emails in our constituency offices from people who were told they were entitled to home help hours but that the HSE does not have them to give. If all these extra resources are going in, why are there 6,000 people on a waiting list? Many thousands of others are not getting the time they need or the hours they require in their homes. They are left at home alone or in hospital beds waiting and families are being forced to pay for highly expensive private services.

I am asking the Minister for Communications, Climate Action and Environment to outline specifically the actions, rather than plámás, the Government will undertake to address the issue of the 6,000 people who are on waiting lists. What can we tell our constituents this weekend? What can doctors tell their patients this weekend about the specific actions the Government will take to try to show that it understands the seriousness of this situation?

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): I thank the Deputy for the question and give him absolute assurance that the Government is acutely aware of the importance of home help services. Every month, more than 1,500 new people are provided with home help services. In the period to the end of April, a total of 6,000 new people were provided with home help services. That brought the number of people receiving home help support to almost 53,000.

As Deputy Calleary has said, demand is very strong and there are people waiting for this service. That is regrettable, but the situation, as we all realise, is that we have allocated 18.3 million home help hours. The HSE tries to allocate the hours across the year in an equitable way. It does not keep a reserve of hours. It allocates them to people in need. New people are continually presenting and, unfortunately, there is a waiting period for people to receive care. That is unfortunate but it is the reality of the situation. It is not for the lack of desire to expand the service because, as Deputies know, because they heard the Taoiseach say it yesterday, the budget for this service has been increased by 50% over the past four years. This is a rapidly expanding service which the Government recognises is important and is putting extra resources into.

On top of that, the Government is developing a statutory scheme and work is ongoing with that. Deputy Calleary rightly said that people believe they have an entitlement to this service but then they face a wait. The solution is obviously to develop a statutory scheme. The Minister of State at the Department of Health, Deputy Jim Daly, has been doing significant work on developing the scheme and has held detailed consultation with people who are at the sharp end to develop it.

I can assure Deputy Calleary that the Government is determined to deal with this as effectively as possible, but Deputies will read elsewhere in the newspapers today of the pressure

of managing spending within the spending limits that have been provided. Substantial new resources have been devoted this year to home help services but there is still an obligation to try to manage within that provision. That is a pressure throughout the health service in particular. There will be efforts next week to meet those who are at the core of deciding the allocation of resources to try to meet them in the most effective way possible.

Deputy Dara Calleary: I acknowledge the efforts of the Minister of State, Deputy Daly, and his commitment, but this is the reality of it. All of us in the Chamber have heard testimony from people whose hours are being cut. There is a perception that people have to die or leave the health service for new people to get home care and home help services.

We are indeed conscious of the pressures on the health budget, but at what stage will someone in the HSE or in the Government actually do a little work and a little maths? The more community care services and expenditure on in-home community services are cut, the more pressure is put on the acute hospital budget and the more people will be on waiting lists. In this article, which every Minister should read, a surgeon from Sligo claims that people are deliberately not given home help hours because it is cheaper to keep them in long-stay hospital beds and it ensures those beds are not available to people who might need expensive surgery or other expensive procedures. I am sure there is no basis to that but when money is not spent on community care and community services, there will be health overruns and expanded waiting lists, and people will suffer. There is no understanding at Government level of the suffering of carers or families, and that is why the Minister needs to read this piece.

Deputy Richard Bruton: To reiterate, every element of the health service is providing a hugely important service from the Government's point of view. The Deputy seems to suggest that we can easily divert resources. Some 1.7 million procedures will be carried out this year, for example. People will be waiting for those procedures and we have to meet those needs. Similarly, other people need home help hours. Some 52,000 or 53,000 of them are receiving those and every month we add another 1,500 people to that.

Deputy Mick Barry: The Government will not be doing that for the next five months.

Deputy Richard Bruton: This is not an area of neglect, and only a tiny number of discharges are delayed because of this. I have the figures from the Minister of State, Deputy Jim Daly, and they show that fewer than 4% of delayed discharges are due to a lack of home help. It is not the case that this is the area.

Deputy Dara Calleary: There is that tone deafness again.

Deputy Brendan Howlin: How much is that in numbers?

An Leas-Cheann Comhairle: The Minister can speak without interruption.

Deputy Richard Bruton: We recognise that there is huge growing need in this area and we are making provision not only to expand the-----

Deputy Mick Barry: They are freezing the hours.

Deputy Richard Bruton: -----provision every year but we are looking at a statutory scheme, which is being developed by the Minister of State, Deputy Jim Daly. When the Oireachtas gets a chance to consider that, it will provide us with a long-term approach.

Deputy Pearse Doherty: Yesterday, the Joint Committee on Health met to discuss the construction of the national children's hospital. Not for the first time, the public heard revelations that there are more rising costs, and this is an issue of major concern for people. This project was originally costed at €790 million in 2013. It went up to €983 million in 2017, and then we were told in December of last year that there was a guaranteed maximum price of just over €1.4 billion. However, yesterday we were informed by the chair of the National Paediatric Hospital Development Board, Mr. Fred Barry, that in addition to the final costing, there has now been a considerable amount of claims for additional money from the contractor. Time extensions are also being requested, which will undoubtedly push up the price far beyond the guaranteed maximum price the Taoiseach cited. This, we are told, is a result of construction inflation, which is higher than the 4% provided in the contract that was signed with the contractor, BAM. It was well flagged by many people, including my colleague Deputy Jonathan O'Brien, that construction inflation, which is at 7.5% at present, was running at nearly double what is set out in the contract. We are told that this project is facing risks of delays in meeting important milestones, and these delays would add around €10 million for every month it fails to meet its target. This is very concerning, and it demands a robust response from both the Government and the Minister for Health. What is being done here, because this is simply a runaway train? The amount of public money being spent on this project is not warranted to this level, and the public sees that. We cannot allow this situation to get further out of control. A plan needs to be put in place by the Government to ensure these costs are controlled once and for all.

The cost overrun is already having an impact. There are real concerns in communities right across the State about the impact it is having on them and the commitments that have been made to fund other projects. We heard from the Irish Fiscal Advisory Council that unless the Government gets a handle on dealing with major infrastructure projects, or if it those projects continue to run over at their current level, €2 billion per annum will have to be cut from smaller projects. These include flood defences, road repairs, school extensions, and other projects that are vital in local and rural communities. That is the reality. This is an issue in the paediatric unit at Cork University Hospital, for example, as well as in the Regional Hospital Mullingar, where the commitment for a new MRI scanner is now in question. What is happening with the second cath lab in University Hospital Waterford, which is also in question as a result of these overruns? What about the proposed upgrades in Cavan, or the community hospitals in Stranorlar and Ramelton in County Donegal? I could go on. The public wants to know what is the final price of this project. How much more is this project going to run over? We need answers to that. The public demands straight answers from this Government as to what projects will be cut or delayed as a result of these overruns. It is now June. We are six months into this year and there has been no clarity in respect of the HSE's capital plan for 2019. It is ludicrous that we still do not have a capital plan six months into the year. We need straight answers. We need to know what the final figure is and we need a Government that is getting a handle and a grip on runaway projects.

Deputy Richard Bruton: First, the new head of the National Paediatric Hospital Development Board, Mr. Fred Barry, appeared before the Joint Committee on Health yesterday and he answered the questions in full. There was no effort to spin this in any way. This is an honest answer. The position we have is that we know mistakes were made in the early development of this project. The Government has been very open on that, and Ministers have been before the committee on numerous occasions dealing precisely with this. A new approach has been adopted that included appointing a new development board, which is now in place. No project of this scale is going to be risk-free. If the Deputy thinks this can be run without having some risks managed between the State and the contractor, that is not the reality. As the Deputy is aware,

one issue in the contract was that if there was construction inflation beyond a certain figure, the State would share some of that risk. That was in the contract. No-one concealed that, and it is not a new revelation that came from Mr. Barry's presentation. That was part of the contract that is in place. In terms of the mistakes that were made, the PwC report issued recommendations, and those recommendations are being implemented. A final plan will be presented as to how we make sure this project is managed in the most effective way, and that is being put in place. The Deputy mentioned that Mr. Barry suggested there were delays in some parts of the works but Mr. Barry equally emphasised that at this point, there are many opportunities to mitigate these delays over the lifetime of the project. While this project is expensive, there is no evidence anywhere that it could be done any cheaper.

In July, we will start to see the project take shape within Blanchardstown, where patients will be treated for paediatric and other needs. This project is going live. Substantial progress is being made on the construction, and it is going to be managed tightly, with tight oversight, drawing on the lessons we have learned. Honestly, mistakes were made. There had not been a major hospital project built in 25 years. One may ask why that was the case, but this one will be managed carefully. Mr. Barry has a very strong track record, and the contract will be managed. Any overruns that have to be paid for by the State, because they fall under the contract, will only be paid after a full audit and due diligence is applied to ensure that we are only paying for provisions that were under the contract. We have to manage that contract tightly, and it will be, but we still have to remember that this is providing state-of-the-art care for very sick children and their families. There will be 23 operating theatres, and it will provide a suite of services for which Members on all sides of this House have been calling for years. It is a project that is worthy of support. We have to manage the costs but we also need to deliver the services for the children.

Deputy Pearse Doherty: Nobody disputes the need for a national children's hospital. What people question is why we are providing private units within that public hospital, and why mistakes continue to be made. Why were we told that there was a guaranteed maximum price of €1.433 billion and are now hearing that the contractor is making additional claims? It will cost €10 million extra per month for every month that the project is delayed, and we are told there are risks of delay. Why did the Government sign off on a contract in December which stated that the contractor could apply for additional claims if inflation ran over 4%, when we know that construction inflation is 7.5%? It is not just that mistakes were made in the past. We know about them and they have been well ventilated. The Government is still making mistakes with this project.

The Minister did not answer the question on what projects will be cancelled or delayed as a result. It is madness that we are six months into the year and still do not have the HSE's capital plan for 2019. This goes to the heart of the Government's mismanagement of the health service's funding. For the past two days, we have raised the issue of home help hours. It costs €6,000 per week to keep someone in an acute hospital bed, but home care packages cost €160 per week. The Government and the HSE have decided to suspend all home help hours for new applicants up until November. It makes no sense whatsoever.

An Leas-Cheann Comhairle: The Minister to respond.

Deputy Pearse Doherty: Will the Minister answer the questions about the initiatives that would deal with this issue? What projects will be delayed? What will be the final figure? Why did the Government approve a contract when it knew that construction inflation was nearly

double what was laid out? Will the Government support our Bill-----

An Leas-Cheann Comhairle: Deputy, please.

Deputy Pearse Doherty: -----which would allow for abnormally low tenders to be ruled out and for contractors' past experience to be factored into the equation?

An Leas Cheann-Comhairle: I have to facilitate others.

Deputy Richard Bruton: The provision for private care will be at a low level. There are type B consultant contracts in place that allow for on-site private practice of up to 20%. The new building had to include some outpatient department, OPD, consulting facilities in the form of a private clinic, comprising eight outpatient consulting rooms.

Deputy Dessie Ellis: It is a shame that-----

Deputy Richard Bruton: It is not a major element in what is a major public project to provide care to children who are in need.

The Deputy continues to pretend that the contract does not make provision. There are conditions whereby, if the contractor can show that certain events have happened and been duly audited, there is an exposure to the State. That is contained within the contract and it is not going to go away by shouting louder. It is a provision in the contract that was negotiated. The Deputy may say that a different contract should be negotiated, but we are not proposing to retender the project. If we did so, we have every reason to believe that we would incur a more expensive bill and do contrary to what the Deputy is advocating.

The HSE's capital budget will be presented when it is completed.

Deputy Pearse Doherty: Well, that is an answer.

Deputy Richard Bruton: Work is progressing on that.

Deputy Brendan Howlin: It should be well worked now.

Deputy Richard Bruton: I cannot comment on Sinn Féin's Bill. I will have to refer that to the Minister, as I have not had a chance to read its content.

Deputy Ruth Coppinger: Veterinary Ireland has stated that mink on fur farms do not have a life worth living in any way. As solitary, wild and semi-aquatic creatures, packing mink into metal cages in groups is alien and unnatural. For that reason, Veterinary Ireland asserts that it is impossible to regulate the fur trade and somehow make it kinder because it is not farming at all. The mink are gassed at six months and their skins are pulled off.

Country after country has phased out or banned fur farming. I do not have time to list them all, but the UK, Austria, the Netherlands, Croatia, Slovenia, Norway, the Czech Republic, Luxembourg, Belgium, North Macedonia, Serbia, Bosnia, Germany, Denmark and Sweden have agreed to or are in the process of banning fur farming. Even Japan, New Zealand and others outside the EU are doing so. In the past three years, every major fashion house has gone fur free, including Prada just a few days ago. According to a RED C poll, 80% of people in Ireland believe that fur farming should be banned. They view it as cruel, backward and barbaric, and all for the sake of a luxury product that most people will never see and nobody needs. It is an example of capitalism willing to disregard life and welfare for pure profit.

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On 3 July, we in Solidarity are due to move Second Stage of our Prohibition of Fur Farming Bill 2018, which has received widespread support at home and abroad. I thank the ISPCA, activists in the National Animal Rights Association, NARA, the Fur Free Alliance, the Irish Council Against Blood Sports and many others who have lobbied intensely on this issue.

Fianna Fáil, Sinn Féin, Labour, Independents 4 Change, the Green Party, the Social Democrats and Solidarity-People Before Profit have all stated that they support a ban. The only question now is what is Fine Gael's stance. Is Fine Gael the only party in the Dáil standing in the way of ending this animal cruelty? In 2005, it was in favour of banning fur farming. Its Deputies, including the Minister, voted to do so. The Bill in question fell and, unfortunately, Fine Gael has done nothing in the intervening 14 years to ban it.

This is Fine Gael's opportunity. Based on the figures, our Bill will pass. That leaves Fine Gael with three options. It can break with what it believed in 2005 and be the only party to vote to maintain fur farming, it can support our Bill or, knowing that the figures mean that the Bill must pass, it can decide not to waste valuable time for the animals themselves and the Dáil agenda and ban fur farming via ministerial order. Is the Minister willing to take the initiative and talk to the Taoiseach and the Minister for Agriculture, Food and the Marine, Deputy Creed, about making a ministerial order under sections 11 or 36 of the Animal Health and Welfare Act 2013? Of course, time must be given and there must be discussion about alternative industries or agribusiness and alternative employment for the 47 or so registered employees, who are mainly seasonal workers, on the three remaining fur farms. Is he willing to do the right thing?

An Leas-Cheann Comhairle: The Deputy will get a further opportunity. The Minister to respond.

Deputy Richard Bruton: I regret that I have not seen a copy of the Bill that Solidarity is proposing.

Deputy Ruth Coppinger: I moved First Stage ages ago.

Deputy Richard Bruton: It has not been presented to the Government yet. However, I assure the Deputy that, when it is presented to us, it will get the proper attention that it deserves. Obviously, the Deputy feels strongly about this issue. There has been a great effort to tighten up the regulations on animal cruelty in respect of farming and other activities. The Government will undoubtedly assess Solidarity's proposal, but it would be foolish of me, not having been briefed on the issues involved, to try to anticipate the Government's response to the Bill.

Deputy Ruth Coppinger: That is a disgraceful answer. The Bill was moved many months ago. Every Deputy has received numerous emails about it, yet the Minister says that he has not seen it. It is a repeat of the Bill that he voted for in 2005. It is the exact same.

I am giving the Government time, as it has 19 days left to consider the matter before we move Second Stage. Will it be a laggard on animal rights, which Ireland currently is, or will it agree to support the Bill? Alternatively, will it do what it did with circus animals, an issue on which Solidarity had a Bill pending, when it made a ministerial order to ban the use of wild animals in circuses? At the time in November 2017, the Minister, Deputy Creed, stated that doing so was the general view of the public at large and that the ban was a progressive move reflective of our commitment to animal welfare. The exact same statement applies to mink and fur farming, as 80% of people believe it to be wrong. It is thoroughly backward, there is no justification for it and the farms in question are hardly making a profit at this point. Fine Gael

must do the right thing now after not doing so for 14 years.

Deputy Richard Bruton: The House has set up procedures to deal with ideas proposed by Members. It is about taking the opportunity to have serious consideration. An issue such as this would have to be considered by the Cabinet so that we could take a collective view. That is only reasonable. With every other Bill, be it accepted or rejected, this is the approach that we take. Without giving any notice on Leaders' Questions, the Deputy cannot expect me to have consulted other Cabinet members so that I might revert to the House with a collective view on how a particular Bill will be handled. That is not a reasonable expectation.

Like any other Deputy's proposal, Deputy Coppinger's must be taken seriously. We must evaluate proposals against all the criteria that the Cabinet is obliged to consider when considering issues such as this. I do not seek to stonewall; rather this must be considered by the Cabinet in the normal way.

Deputy Ruth Coppinger: Why has the Minister changed his mind since 2005?

Deputy Richard Bruton: It will be assessed on its merits. That is all I can assure the Deputy about.

Deputy Thomas Pringle: I welcome this week's news, as confirmed by the Department of Communications, Climate Action and Environment on Monday, that Great Glen Resources has withdrawn its application for a prospecting licence in County Donegal. The mining of barytes, base metals, gold and silver in the Glenfin area would have had a negative impact on the environment, the landscape and the health of the local people. I believe the withdrawal of the application is a vindication of the strength of the local communities that came out in full force against the issuing of a prospecting licence. The proposed mining activities would have had a negative impact on 52 townlands across County Donegal. Last week, I attended a public meeting organised by people in the Glenfin area who objected to the issuing of an exploratory licence and the consequent granting of an extraction licence in the event of deposits being found. The residents of the Glenfin area have seen for themselves the problems caused by exploratory licences in communities like Greencastle, County Tyrone. A prospecting licence has been granted to a Canadian company, Dalradian, which is now exploring for gold in Greencastle. Dalradian has plans to mine for gold in the Sperrin hills and valleys and to build a massive toxic mineral processing plant. This will involve waste dumps full of discarded rock, which will have been processed using cyanide and other chemicals, being left behind all over the Sperrins, which have been designated as an area of outstanding natural beauty. An unprecedented 10,000 objections were lodged against the Greencastle plan as a result of the work of the Save our Sperrins campaign, which successfully galvanised local communities into action and is continuing to call for an end to the granting of mining licences in the North. This should indicate to the Minister how strongly the communities that will be most affected by the granting of mining licences are objecting to these proposals. Great Glen Resources has turned away for now, but the open call for applications for prospecting licences will remain open until the end of this week. Communities in County Donegal want to say "No" to Great Glen Resources and a permanent "No" to mining. They are looking for a commitment from the Minister that the granting of prospecting licences now and into the future will cease. Will the Minister commit to the preservation of our rural communities, natural habitats, biodiversity and climate action goals by ceasing the granting of all prospecting licences from here on?

Deputy Richard Bruton: Prospecting licences are controlled by a strict regulatory regime.

As the Deputy said, when an application is made there is an opportunity for objections to be lodged. There are clear rules regarding protected areas where prospecting licences cannot be considered. If a licence moves beyond taking samples and investigating the opportunities to drill, there is a requirement for an environmental impact assessment to be carried out. This is a new requirement that has been developed. I assure the Deputy that there are strong protections within the existing Acts to ensure explorations for mineral resources are done in accordance with the strictest of criteria. That is the way in which this has been handled. A number of prospecting licences are in place. I think there are several hundred such licences. In the event of an attempt being made to develop further in the way about which the Deputy has expressed concern, there will have to be an environmental impact assessment as a major factor in deciding on any application. If any question of risk to public safety or damage to the natural environment needs to be considered, that will happen under the environmental impact assessment. A decision to allow such an application will not occur unless the public is being protected by the proposal being advanced.

Deputy Thomas Pringle: The real situation is different from what the Minister has said. Legislation is extremely weak with regard to consulting local communities that are affected by mining developments. Current legislation regulating mining practices in Ireland does not sufficiently provide for proper consultation with communities from the outset. All the local community in Glenfin saw was a notice in local newspapers saying that people had two weeks in which to lodge objections. That was not consultation. It generated further distrust, which brought us to where we are today. Even with our economic lenses on, we must accept that mining in Ireland does not offer the best value for money and creates a marginal number of jobs. The Government is continuing to advertise Ireland at international events as a destination for extractive industries. A number of companies do not pay in lieu royalties or make one-off payments. It is obvious that Ireland is being presented as a flexible destination for mining companies. The Government has lobbied strongly for Ireland as a mining destination, including in the last year at the Prospectors and Developers Association of Canada conference. In 2015, the Fraser Institute declared Ireland to be the number one country for mining policy under the headings of tax, political stability and the industry's perception of Government policy. It simultaneously found that Ireland was performing poorly when it came to the certainty of rules surrounding environmental protection, which mining corporations obviously do not like. When will the Government, which is actively pursuing mining companies, protect the communities on which it is imposing this mining activity?

Deputy Richard Bruton: I assure the Deputy that there is no question of the Government "imposing" anything in this area. These applications are made on the basis of legislation that has been passed by this House, which sets out the requirements in relation to applications, public notice, objections, the evaluation of objections and environmental impact assessments. The House has agreed and set the stringent rules under which licences are issued. The rules require companies that are looking to move beyond prospecting to drilling to meet high standards, which have been set and are continually being tightened and monitored by the Environmental Protection Agency and the other environmental protection agencies we have appointed to ensure the public is fully protected under the legislation we have passed in this House. That is the approach. The Government is not attempting to impose anything on communities. This area is governed by a clear set of legislative provisions that have been decided on by this House.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

Deputy Dara Calleary: On Tuesday of this week, my colleague, Deputy Darragh O'Brien, raised the issue of Rebuilding Ireland home loans with the Minister for Housing, Planning and Local Government. Frankly, there are people on "Love Island" who know more about what is going on in the Irish housing market than the Minister, Deputy Eoghan Murphy, whose absolutely ridiculous responses on the Rebuilding Ireland home loan scheme misled the House. I ask the Minister, Deputy Bruton, to tell the House whether it is true that councils are no longer accepting applications for the home loan scheme. When will the Government be in a position to give clear and straight answers and tell the truth about this scheme? When will extra funding be made available to the thousands of people who are seeking mortgages to buy houses and get a start in life? The Minister, Deputy Eoghan Murphy, does not seem to give a damn about such people.

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): While I do not have access to the full information, I reject any suggestion that the Minister, Deputy Eoghan Murphy, is doing anything other than trying to be clear with the House. As I understand it, some of the money that has been assigned to this scheme has been drawn down, but there is money remaining to be drawn down. The councils have been notified that they can continue to accept and deal with home loans. The Minister will be coming forward to the House in due course. This is a successful scheme. I am sure he will be looking to extend it in due course. I will have to ask the Minister to respond to the Deputy on when that might occur.

Deputy Dara Calleary: Good luck with that.

Deputy Pearse Doherty: According to the latest figures from Insurance Ireland, the insurance industry showed profits of €227 million, or close to a quarter of €1 billion, in 2017. This represented an increase of over 1,000% on the 2016 figure. At a time when customers are being fleeced and gouged by the insurance industry, today's news of huge profits for insurers must mark an end to the Government's kid-glove approach to the industry, which has spun and blustered its way through years of unjustifiable increases in motor and business insurance. It is obvious that there are issues with fraudulent claims and awards. There is obviously an issue in terms of unjustifiable claims, of which the Minister will be well aware, given some of the antics of Members on the Government benches. These issues have not resulted in massive increases in premiums; they have always been there. The clear issue, as the most recent evidence proves, is that the insurance industry is fleecing its customers. What we need now is what happened in the past, namely a commitment from the insurance industry that any reforms will result in decreases in premiums. We need to stop the kid gloves approach. We need to take this industry on because motorists are being absolutely fleeced, businesses are being put to the pin of their collar and community groups are unable to continue with their activities. Alongside new legislation, including my Bill on the insurance industry - Government support for which I welcome - will the Government secure a commitment from the industry that any reforms that come down the line, whether related to fraud or awards, will automatically result in a decrease in premiums, as was done by the Irish Insurance Federation many years ago?

Deputy Richard Bruton: The House is very much united in desiring that the issue of excessive insurance premia be addressed. There has been a lot of collective effort in this House to tighten legislation through new data provision legislation in operation since the beginning of the

year. An Garda Síochána has strengthened its approach to insurance fraud using its economic unit. The Minister for Justice and Equality, Deputy Flanagan, is guiding legislation through the House, which will enable the Judiciary to have a more objective look at the types of awards that are being made. The Competition and Consumer Protection Commission is examining price signalling, a cause of concern that has been brought to its attention. There is no doubt that there is a desire in this House to see insurance premia come down to reflect the changes we are making. However, the legal position is that we cannot set premia. The Government cannot set premia; nor can the House. Insurance companies take the risks so while I fully sympathise with the suggestion that we need to see changes reflected in premia, the Government cannot take control over premium setting.

Deputy Mick Barry: It could do.

Deputy Paul Murphy: It could nationalise the industry.

Deputy Richard Bruton: That is a constraint but the approach of the Government has been to be as aggressive as possible in respect of the insurance industry.

Deputy Brendan Howlin: Mr. Barry White of *The Sunday Business Post* reported that the head of IBEC has been lobbying the Minister for Business, Enterprise and Innovation, Deputy Humphreys, for more employer involvement in appointments to the Labour Court and the Workplace Relations Commission, WRC. Apparently, the aim is to ensure that the changing nature of work is reflected in those bodies. Specifically, it would mean appointing advocates of the gig economy, banded hours contracts, atypical leave conditions and so on to those bodies. This is a significant concern for workers and trade unionists. Any attempt to change the composition of these important bodies is likely to worsen the conditions of workers. I am interested in the Government's view on this because the responsible Minister declined to provide any specific details on the lobbying. I ask the Minister for Communications, Climate Action and Environment to inform the House, in the context of legislation, what changes IBEC has been lobbying for to change the composition of these important workplace bodies.

Deputy Richard Bruton: I am not aware of any lobbying but I know that both employers and unions are intimately involved in the appointment of members to those bodies. That has always been the case and the fact that IBEC is interested in this area, no more than the Irish Congress of Trade Unions, ICTU, is interested, is normal. I assure the Deputy, who has considerable experience in this area, that these bodies have a strong reputation for being fair and equitable to all who come before them. They would not have had the success that they have had over the years in dealing with difficult industrial relations issues if they had not approached their work in that way. I will relay the Deputy's concerns to the Minister for Business, Enterprise and Innovation who is on a trade mission this week but IBEC's interest in the membership or operations of these bodies is not surprising.

Deputy Mick Barry: In 2017, McKinsey consultants recommended to An Post the closure of one of its four mail centres, which are located in Dublin, Portlaoise, Athlone and Cork. An Post indicated that the mail centre to be closed would be named in 2019. In the past 24 hours, speculation has grown that An Post is targeting the Cork mail centre for closure. Deputy Bruton is the Minister in charge and presumably he knows what is going on. Can he either confirm or deny the substance of this speculation?

Deputy Jim Daly: That is not a question on promised legislation.

Deputy Mick Barry: If the Cork centre is facing closure, will he indicate whether the closure will include both the mail and parcel operations or the mail operation only? There are 200 full-time and 30 part-time workers in the Cork centre and they make a major contribution to the local economy. I ask the Minister to tell the House how many redundancies are being planned in the event of the centre being closed.

An Leas-Cheann Comhairle: I do not know how that is linked to promised legislation or if the Minister is in a position to respond.

Deputy Richard Bruton: As the Deputy knows, An Post has faced a continuous decline in its mail business, which has put the company under significant pressure. As part of a negotiation of new industrial relations approaches, An Post agreed a pay increase with workers but one of the conditions attached was that one of the mail centres would be closed. It is for the board of An Post to decide which of the four centres will be closed and I do not know of any decision taken in that regard.

On a positive note, as a result of the agreement, An Post has been able to significantly expand its parcel business. It has put itself in a much stronger position and is growing rapidly in that new area. It is seeking to diversify away from what is, unfortunately, a business in structural decline. The volume of mail, because of the use of the electronic alternatives-----

Deputy Mick Barry: The Minister is not going to tell us which centre is closing.

Deputy Richard Bruton: That is a matter for the board of An Post.

An Leas-Cheann Comhairle: We are moving on. I call a representative of the Independents 4 Change.

Deputy Thomas P. Broughan: During the recent elections, the Government did not give the Dubs a chance to vote on an elected mayor for the four Dublin local authorities. This is due to the opposition of a small group of Fine Gael and Fianna Fáil councillors in Fingal County Council to the election of a mayor for the 1.4 million people of Dublin, despite the clear demand. The Government is now talking about a citizen's assembly for Dublin but there will be an opportunity in the forthcoming by-elections or general election to finally give the population of Dublin a chance to elect a real mayor with executive powers along the lines of those in place in almost every other major European city, including the successful mayoralities in London and Manchester. Is it not time to move beyond the resistance in Fine Gael and Fianna Fáil to having a proper leader for the Dublin region? We badly need leadership in Dublin, as the Minister knows.

Deputy Richard Bruton: The Deputy will be aware that we recently held mayoralty referenda in respect of Waterford, Limerick and Cork, and Limerick voted in favour. However, that decision was taken after considerable work was done and proposals published in respect of how that would operate.

Deputy Thomas P. Broughan: The Government did not include Dublin.

An Leas-Cheann Comhairle: Allow the Minister to respond.

Deputy Richard Bruton: The Deputy, who has been in this House for a long time, knows that we have four separate local authorities in Dublin. The relationship between those four authorities would have to be carefully considered before suggesting that there be one overall

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mayor. The approach proposed by Government is that the citizens of this city would have a role in deciding how that should be shaped and that they would consider the evidence-----

Deputy Thomas P. Broughan: Ask them.

Deputy Richard Bruton: After that evidence is assembled and provided to them, they can make a decision.

Deputy Thomas P. Broughan: Just ask them.

An Leas-Cheann Comhairle: We are going to move on.

Deputy Richard Bruton: We have learned in this House the value of having a citizen's assembly to deal with issues that are complex and challenging for our citizens.

Deputy Thomas P. Broughan: Ask them.

Deputy Richard Bruton: I simply do not accept the proposal being put forward by my constituency colleague.

An Leas-Cheann Comhairle: I call a representative of the Rural Independent Group to ask an appropriate question.

Deputy Mattie McGrath: My questions are always appropriate, I hope-----

An Leas-Cheann Comhairle: Not always.

Deputy Mattie McGrath: I want to ask about mental health services in Tipperary, particularly in the south of the county. As a result of the closure of St. Michael's psychiatric unit a few years ago and the so-called A Vision for Change policy, we do not have even one long-stay bed in Tipperary for patients. There is no room in Kilkenny, Ennis or Limerick. There is an apartheid situation prevailing in terms of Tipperary patients having to go to Limerick if their addresses do not meet the criteria. This is totally unacceptable to the people of south Tipperary. We have significant issues, with many suicides and cases of self-harm. There are substantial complex issues developing because we do not have any treatment centres. I see the Minister of State, Deputy Daly, is here. I know he is doing his best but it has gone beyond the time for talking. We need the crisis house built and developed and we need St. Michael's in Clonmel reopened.

Minister of State at the Department of Health (Deputy Jim Daly): There is no promised legislation on this matter but, as the Deputy knows, I have been engaging with him and his colleagues on this matter for some time. I gave a commitment to meet him and his colleagues again by the middle of July. That meeting was agreed at this morning's diary meeting and the Deputy will get an invitation to meet me, Ms Liz Kinsella and the other people involved in the coming weeks-----

Deputy Mattie McGrath: We need action.

Deputy Jim Daly: -----to give him an update on developments in respect of the crisis house, the planning permission, and the design.

Deputy Niamh Smyth: A commitment to the delivery of safe pre-hospital care was given in the programme for Government but this morning we see ambulance service data which

clearly demonstrate that the Government is failing abysmally on this issue. On at least two occasions this year it took an ambulance more than 60 minutes to arrive at a life-threatening emergency. New figures also show that response target times are not being met in up to 50% of cases throughout the country. The Health Information and Quality Authority, HIQA, has said that ambulance services should arrive at a life-threatening emergency in less than 19 minutes, but this target is clearly not being met. I have raised this issue on numerous occasions over the past 18 months. I know of one specific case in County Monaghan where this happened. The ambulance took well over 60 minutes to arrive, with fatal consequences. We see clearly this morning that nothing has changed since I began raising this issue 18 months ago and that response times have not improved.

Deputy Jim Daly: It is not correct to say that nothing has changed. To be fair to the National Ambulance Service, it has made very significant improvements to its response times. Unfortunately, there will always be errors and there will always be situations beyond the control of people on the ground and people at management level which cause those response times not to be met. I commend the National Ambulance Service, however, because it has brought about very significant developments, and the people on the front line in the National Ambulance Service who are working to ensure these response times are met. The people on the front line of the service throughout the country have supported reorganisation, which has been difficult and challenging because it is such an emotive issue, to ensure those response times are met. Unfortunately, there will always be exceptions to the norm.

Deputy Michael Moynihan: There are commitments in the programme for Government with regard to improving services provided to citizens by State Departments. I am again raising the issue of carer's allowance. We carried out an audit of the applications we have processed in our office and not only is it taking 18 or 19 weeks for the first application to be processed but, because families are making applications in a hurry as they need to make decisions on care for their loved ones, these applications may have to be reviewed, which then takes 17 weeks. Applications are now taking a total of 35 weeks to be processed in some cases. This is totally and absolutely unacceptable. In light of this being carers' week and everything that has been said this week regarding home helps and so on, the Government has to take seriously the crisis in respect of processing carer's allowance applications for genuine people who seek to care for their loved ones in their homes. It behoves the Government to do something about it.

Deputy Richard Bruton: The Minister has been making efforts to simplify the forms and to improve the response times. She has reported some progress on both, although she has acknowledged that the waiting time continues to be very long. The Department will continue to bring that time down. Extra resources have been put in to manage that. From dealing with this issue I am conscious, as are most Deputies, that the application is complex. Not only is there a means test but there are also a health test and an assessment of the applicants, their working patterns, and the distance they live from the person for whom they care. We have created a very complex provision and it does create difficulties for both applicants and those processing applications. I hope the efforts to simplify the process are successful. I recognise the difficulty the Deputy raises.

An Leas-Cheann Comhairle: I ask all Members on whom I will be calling to remember that others are coming behind them.

Deputy Michael Collins: On page 59 of the programme for Government, the Government promised to update the national eye care plan. The HSE has confirmed, however, that at the end

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of 2018 in the south west approximately 5,000 people were waiting for ophthalmology treatment, some 3,126 of whom had been waiting more than 12 months. In a report on ophthalmology released today it is stated that it is taking up to 60 months for people to receive surgery after referral in Cork South-West. The waiting lists would be much longer were it not for Deputy Danny Healy-Rae and me arranging for a 35th bus full of patients to travel to Belfast for cataract operations this weekend. The HSE's own figures predict that there could still be at least 3,500 people waiting for eye treatment in the south-west area. This is totally unacceptable. Will the Government provide an extra theatre for cataract surgery to reduce waiting times?

An Leas-Cheann Comhairle: We have the question.

Deputy Michael Collins: Many clinics in the UK are simply a clean room which is fully equipped and staffed. That is how simply this crisis can be resolved.

An Leas-Cheann Comhairle: I ask Deputy Michael Collins to have consideration.

Deputy Jim Daly: There is no promised legislation on this issue but the Deputy will be aware that a new surgery was opened in Tipperary this year which has had a significant impact on improving waiting times. There are still, however, too many people waiting for cataract surgeries. A number of initiatives are being developed in the Cork-Kerry area, community health-care organisation, CHO, area 4, in particular. I am engaging with the ophthalmology team, the clinicians, the practitioners, and the hospital group to see if capacity can be further improved in this area. It is an issue of which we are well aware and we intend to take further action to address these waiting lists.

Deputy John Curran: I again raise the issue of the high cost of motor and public liability insurance premiums in this country. This has been the subject of numerous debates in this House. There have been committee reports and action plans. I acknowledge the work done by Government to date, which has had some effect in reducing costs with regard to payouts and so forth. There is a lot more to be done, particularly the establishment of the council to deal with the whole area of fraudulent claims. The Irish Hotels Federation has indicated that the annual cost to the sector is €70 million. That works out at €1,150 per bedroom. It is an enormous sum of money. The Minister answered questions on this issue earlier today and he specifically said the Government cannot set the premiums. I do not want the Minister to do so, but I want him to listen to this very carefully. As we take action, there is no indication that the benefit of that action is being passed on to those paying the premiums. I want the Government to carry out a thorough review of the insurance industry to ensure that competitive practice exists, that there is no collusion, and that no cartel-type practices are occurring. If the Government does not do so, and if the steps we are taking do not result in a reduction of premiums, then we are wasting our time. We are working diligently, as are the Minister and the Minister of State with responsibility for this sector, yet the premiums are not coming down-----

An Leas-Cheann Comhairle: Okay, we have got the gist of the question.

Deputy John Curran: -----although the insurance companies are profiting.

An Leas-Cheann Comhairle: I will allow Deputy Brady a short question related to Deputy Curran's. I remind him that he has colleagues waiting.

Deputy John Brady: It is clear the Government has failed in respect of the insurance sector. I was dealing with an individual who runs an outdoor activities business in Bray, County

Wicklow. His premium was up for renewal. Last year it was €1,200 but the insurers have hiked that up to more than €10,000 for this year. That is a massive tenfold increase.

An Leas-Cheann Comhairle: The Deputy should ask his question.

Deputy John Brady: He only operates four months of the year. That insurance increase will put him out of business unless something is done. His is not an isolated case. Five businesses providing nearly identical services to his have already closed their doors.

An Leas-Cheann Comhairle: I ask the Deputy to think of others.

Deputy John Brady: Why is the Government sitting on its hands? Businesses are being forced to close down.

An Leas-Cheann Comhairle: I let the Deputy in on the back of another question.

Deputy John Brady: Our outdoor activities sector is on its knees. We need action. The Government needs to address this issue immediately.

An Leas-Cheann Comhairle: I ask Deputies to please think of their colleagues. They are critical of me, but they should be critical of their colleagues who do not allow them their opportunity.

Deputy Richard Bruton: The Deputy's colleague raised the very same issue earlier on and I responded. There is no doubt that this House is very determined in seeking to respond to this problem. In response to the Deputy's question, as I said, the Consumer Protection and Competition Commission is examining price signalling. The Central Bank now has access to a range of new data coming forward from the insurance companies which will put us in a position to evaluate the policy issues more forensically. I assure the Deputy that the Minister responsible continues to be determined to push on with the reforms and to get the outcome all Members of the House want to see.

Deputy Bernard J. Durkan: The patient safety Bill, which relates to open disclosure in our health institutions, is promised legislation. At what stage does it now stand? When is it expected to be brought before the House?

An Leas-Cheann Comhairle: I thank Deputy Durkan. He is an example to others.

Deputy Richard Bruton: I am told the Bill is on the priority list but that it will be early in the next term before it is presented.

An Leas-Cheann Comhairle: I call on Deputy Darragh O'Brien who I know will abide by the time.

Deputy Darragh O'Brien: As I always do. The Minister may remember that last Tuesday I questioned the Minister, Deputy Eoghan Murphy, on the Rebuilding Ireland affordable loan. Work that Fianna Fáil has done since March of this year has highlighted the fact that this scheme is underfunded and requires additional funding.

1 o'clock

In response to me on Tuesday, the Minister, Deputy Eoghan Murphy, basically said local authorities are still issuing loans and allowing loans to be drawn down, but they are not. My

colleague, Deputy O'Rourke, has received written confirmation from Kildare County Council that it is not issuing loans. I know that is true for others and that application forms are being returned. It is a really serious situation for thousands of mainly young people and potential first-time buyers who are trying to access this product. Either the Minister, Deputy Eoghan Murphy, is knowingly misleading the House or he just does not know.

I ask the Minister, Deputy Bruton, as a senior member of Cabinet, when the additional allocation will be given to the local authorities and how much that will be. I know some of the Minister's colleagues have proven not to be great at maths in recent months.

Deputy Tony McLoughlin: The Deputy is not great, himself.

Deputy Darragh O'Brien: There are €373 million in approved loans and only €200 million in the fund itself, meaning it is oversubscribed - in case the Government needs assistance with this - by €173 million. That is the bare minimum needed to get this scheme back up and running.

Deputy Richard Bruton: My understanding - I presume it was following Deputy O'Brien's questioning - is that the Minister is making contact with local authorities where loans are not being issued. I think the intention is to ensure that all local authorities are issuing loans in accordance with the provision.

Deputy Declan Breathnach: As a former Minister for Education and Skills, the Minister will be aware of the importance of continuing education, particularly for people with disabilities. Ireland was the last of the EU countries to ratify the United Nations Convention on the Rights of Persons with Disabilities. Is the Minister aware of the absolute disconnect with the HSE having no facilities suitable to provide training and ongoing education for people over 18 years of age who have a severe disability? When will we see a proper planning process? There has been 18 years to plan for the future of these people and yet their families are told there is nowhere for them to go to continue their education. We are simply paying lip service to the convention.

Deputy Richard Bruton: As the Deputy acknowledges in his question, the issue of education beyond the age of 18 does not fall within the remit of the Department of Education and Skills. The Minister of State, Deputy Finian McGrath, has made significant efforts to extend the provision for adults with a disability, with new day places and new services. The Deputy is right that this is continuing pressure and he is chasing an area of rising demand. It has proved especially challenging. I know that each year extra provision is being made. It is to be hoped we will be able to continue to do that in forthcoming budgets.

An Leas-Cheann Comhairle: I call Deputy Munster with an appropriate question on Questions on Promised Legislation.

Deputy Imelda Munster: My question is on Government plans to rescind the flat-rate expenses allowance for workers. Workers in Tara Mines in Meath and trade union officials have raised serious concerns about the Revenue Commissioners' intention to rescind their flat-rate expenses allowance. These workers have had this allowance since 1986. This decision will have a serious impact on the income of all workers in receipt of this allowance. Will the Government give a commitment to abandon the decision to rescind this allowance? The high cost of living is having a serious impact on and is weighing down heavily on workers and their families. Will the Government give a commitment-----

An Leas-Cheann Comhairle: The Minister to respond. He has the question.

Deputy Imelda Munster: -----to abandon that decision? I am not talking about deferring it or kicking the can down the road-----

An Leas-Cheann Comhairle: The Deputy has put her question.

Deputy Imelda Munster: -----but abandoning it, given the effect it will have on working families.

Deputy Richard Bruton: I understand these are issues decided by the Revenue Commissioners from time to time in accordance with the legislative provisions as to whether particular expenses incurred would justify one individual type of worker getting an allowance that others are not getting. I am not aware that this is an issue that comes before us in the Finance Act or any of the Bills that we or the Minister for Finance deals with. I will alert the Minister for Finance to the Deputy's concern on the issue.

Deputy Louise O'Reilly: Will the Minister confirm that we will see legislation for safe zones or buffer zones for women who are using medical facilities? Following the repeal of the eighth amendment and the enactment of legislation, we were given categorical assurance that there would be no delay in enacting legislation to allow for the safe zones, but we still do not have them. We really need them as a matter of urgency. Women need to know the Government will be on their side in facilitating them accessing what is their lawful entitlement.

Deputy Richard Bruton: I understand that legislation is due towards the end of the year, but I do not have a specific briefing.

Deputy Mary Butler: During the week we heard the welcome news that the Government had approved €5 million in capital funding to extend and widen the runway at Waterford Airport. The total cost is €12 million, with the balance being met by three local authorities and private investment. However, support from the Government is subject to a number of conditions, including a demonstration that the project can be delivered for €12 million and will not go over budget. Yesterday, the Oireachtas Joint Committee on Health heard that the cost overrun at the national children's hospital was due to inflation cost. Why is cost inflation acceptable for the children's hospital, but for Waterford Airport, which applied for the funding 12 months ago, the terms and conditions are different? Every project has the possibility of a cost overrun. This seems to be a very strange situation.

Deputy Richard Bruton: This is a very sensible approach. The local authorities along with private investors wish to develop the runway in Waterford Airport to allow the return of flights that will bring business and tourism opportunities. The Government has indicated we will provide a subvention towards it. However, of course those investors need to ensure the project is delivered according to the outline they have given. In seeking a subvention of this nature, the Government must take that care to protect the taxpayers' resource, albeit recognising that this is a very exciting prospect.

An Leas-Cheann Comhairle: I call Deputy Buckley to ask a very brief question as we have run out of time.

Deputy Pat Buckley: My question is about the freezing of referrals for home help hours. I appeal to the Government to think about this. In a constituency such as Cork East there was

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no backlog or waiting list. However, if it is shut down for five months, in five months we will be back here, with the help of God, and we will be arguing about a major crisis and backlog because the Government will not keep the revolving door open. The elderly and the disabled, who are the most vulnerable, will be hit and we will have another crisis. I appeal to the Minister of State to tell the HSE not to freeze any new referrals because we risk the prospect of facing a major crisis.

Deputy Jim Daly: I appreciate the opportunity to confirm to the House, as I did last night, that there is no freeze in the allocation of home help hours. There is no cut to the allocation of home help hours. As a matter of absolute fact, fewer people are waiting for home help today than there were this day last year. Every week the Government provides €8 million to the HSE to provide home help.

An Leas-Cheann Comhairle: I thank the Minister of State.

Deputy Jim Daly: There is no change to that. There will be €8 million available next week and a further €8 million in the following and subsequent weeks. There is €400 million plus in the year.

An Leas-Cheann Comhairle: I call Deputy Troy.

Deputy Jim Daly: There is no freeze to home help. There are no cuts to home help.

An Leas-Cheann Comhairle: We have run out of time so Deputy Troy should ask a brief question.

Deputy Robert Troy: I will be very brief. A Programme for a Partnership Government has a section entitled Improving Waiting Times for Hospital Procedures. Today I received a letter from the hospital in Tullamore indicating that a person would be waiting 48 months for an out-patient appointment. Along with other Members of the House, I have been working to reduce the waiting lists by facilitating people to travel across the Border to have procedures carried out on cataracts, hips and knees. People who had a procedure done in January are still waiting to be reimbursed. A senior citizen in her 88th year, who had to borrow from the local credit union to have a cataract removed from her eye so that she could see, has been waiting six months to be reimbursed. What will the Government do to support people who are out there supporting themselves where it has failed?

Deputy Jim Daly: I am not aware of a six-month waiting period for reimbursement. It is important to note that there are capacity issues on this side of the Border.

Deputy Robert Troy: That is genuine.

Deputy Jim Daly: There is a cross-border directive that allows people to travel. There are those from the North coming down to the South for procedures, as are people from England, Spain and other places. That is EU law. I have never come across the issue of the compensation representing a delay. I would be interested to hear what the Deputy-----

Deputy Robert Troy: I will give the Minister of State the reply to the parliamentary question.

An Leas-Cheann Comhairle: The Members may correspond with each other.

Deputy Jim Daly: If there is somebody who has had to wait for six months to be reimbursed, I would be interested to get the detail from the Deputy.

Deputy Martin Kenny: Mine is also a cross-Border issue, as it happens. In the early days of this Dáil, we banned fracking, fortunately. Deputy Tony McLoughlin, who is behind the Minister, Deputy Richard Bruton, is one of those who were instrumental in that, as was former Deputy Michael Colreavy. Unfortunately, the jurisdiction extends only to 26 counties. A company that got a licence here previously for hydraulic fracking, Tamboran, has recently applied for an exploration licence in County Fermanagh, for a region extending from Beleek right down to Derrylin. Until 5 July, there will be an opportunity for a consultation process. It will be appropriate, in the context of our banning fracking in this State because of the associated environmental concerns, for the Minister's Department to make an application to the North stating we are opposed to the licensing because it will have detrimental environmental consequences for people living in the region.

Deputy Richard Bruton: I will have to check whether my Department has standing in respect of such an application. I will let the Deputy know.

Deputy Gerry Adams: The programme for Government commits the Government to reforming the direct provision system. Last week's report by the European Commission against Racism and Intolerance is a scathing indictment of the Government's failure on this and other matters. It identifies major legislative and policy failings in regard to hate speech, hate crime, the response of An Garda Síochána, the use of ethnic profiling and the direct provision system. Last week, we heard of the disturbing case of Sylva Tucula, who lived at the Great Western House Direct Provision Centre in Galway. She died there last August and was buried in early May without any of her friends being informed. Up until two years ago, the Department of Justice and Equality provided information about deaths in direct provision. It no longer does. Between 2007 and 2017, 44 people died in direct provision. Fifteen of these deaths had no known cause. Will the Minister undertake to publish the Government response to the commission's report, setting out what actions it will take to address the many failings in legislation and policy?

An Leas-Cheann Comhairle: Is the Minister of State, Deputy Stanton, in a position to answer?

Minister of State at the Department of Justice and Equality (Deputy David Stanton): The Deputy has raised a number of issues. I do not have time to go through all of them. I will correspond with the Deputy directly.

Organisation of Working Time (Workers' Rights and Bogus Self-Employment) (Amendment) Bill 2019: First Stage

Deputy David Cullinane: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Organisation of Working Time Act 1997 to prohibit the practice of designating employment as self-employment; to bring the Garda Síochána, the Defence Forces, and doctors in training, under the protection of the Act; to limit the race to the bottom on workers' rights by extending elements of the Act to the self-employed; and to provide for related matters.

Bogus self-employment is rife in a number of sectors, such as the construction, media and aviation sectors. I have met countless workers in the construction sector and their trade union representatives who are deeply concerned about this growing problem. These are workers who ordinarily should be directly employed but instead are on bogus self-employment contracts and are denied basic rights and entitlements as workers. These are entitlements such as sick pay, holiday pay, pension entitlements and trade union representation. The State loses out in respect of PRSI contributions. It is illegal for employers to engage in practices of bogus self-employment. We have seen potential examples in RTÉ, the State broadcaster. Its representatives were before the Committee of Public Accounts on this issue. A report had to be published that identified problems in the organisation. It is obvious, therefore, that the law needs to change. It needs to change to ensure these practices are outlawed. We also need to give protections to workers who are on these contracts who come forward and who are essentially whistleblowers and who should be treated as whistleblowers. Our Bill intends to achieve this and to give protection to workers. Our Bill has two purposes. First, it is to deal with the reality that this is a growing problem and to deal with it as best we can through new laws. Second, it is to protect workers who need to be protected when they do come forward. I sincerely hope the Government will support this Bill when Sinn Féin introduces it on Second Stage, as I hope will happen.

Deputy John Brady: For some time in numerous sectors, bogus self-employment has created big winners and even bigger losers. For an employer who classifies an employee as self-employed, there is no employer PRSI to pay, no pension contributions to make, no sick leave payments, no paternity or maternity leave payments, no redundancy payments, and no annual leave or public holiday payments to make. For a worker misclassified as self-employed, it means fewer entitlements to social welfare supports, if and when needed. There is no access to an occupational pension. There is no sick pay, paternity leave or maternity leave. It means no job security and no protection from unfair dismissal. It means not having enough PRSI contributions to qualify for a State pension on retirement.

The winner is the fraudulent employer who dodges responsibility by bypassing the employment laws of the land. The losers are those who pay the price for the actions of their employer, the workers. The big loser, however, is the State, which suffers major losses in PRSI contributions, having serious consequences for the public finances and the Exchequer. In the construction sector alone, ICTU has estimated the loss of PRSI paid to the State due to bogus self-employment as €640 million over eight years. That is only one sector in which we know bogus self-employment is an issue.

This Bill stands up for the workers and the State. It seeks not only to make it an offence to issue a self-employment contract to an employee but it goes much further in ensuring the self-employed receive basic rights and protections.

Deputy Maurice Quinlivan: Bogus self-employment has very negative consequences for workers as they are not protected by key employment legislation and are entitled to fewer benefits, such as sick pay, overtime, pension contributions, maternity leave and holiday pay. Bogus self-employment isolates workers and ensures they are not members of trade unions and cannot bargain collectively for better pay and conditions. Unscrupulous businesses are using this loophole in employment law to force employees to operate as sole traders or through a separate company so they, the employers, can avoid honouring employment rights and tax obligations.

Bogus self-employment has been identified in various areas, most commonly the construction industry, but it is also prevalent in the media, transport, food delivery and education sec-

tors. Sinn Féin is introducing this Bill to protect workers and their hard-won rights.

The Government has failed to deal with bogus self-employment, which not only leaves workers exposed but also results in massive losses to the State of hundreds of millions of euro. ICTU has estimated a loss to the Exchequer of €640 million in unpaid PRSI due to bogus self-employment in the construction industry alone over an eight-year period.

I appreciate other Bills on this topic have been introduced but our Bill goes further, to extend workers' rights to members of An Garda Síochána, the Defence Forces, persons engaged in sea fishing and other work at sea and trainee doctors. This is another positive Bill from Sinn Féin that protects workers and their hard-won rights and a Bill that should receive cross-party support. The Government must stop sitting on its hands on this issue and now stamp out the problem of bogus self-employment.

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

Minister for Communications, Climate Action and Environment(Deputy Richard Bruton): No.

Question put and agreed to.

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

Deputy Maurice Quinlivan: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy Martin Kenny - to discuss tourism funding in the north west and Border regions; (2) Deputy Caoimhghín Ó Caoláin - to discuss access to Spinraza for spinal muscular atrophy patients up to 18 years of age; (3) Deputy Maureen O'Sullivan - to discuss issues surrounding the creation of the European Peace Facility, EPF; (4) Deputy Fiona O'Loughlin - to discuss securing a site for a new Curragh post-primary school; (5) Deputy Mattie McGrath - to discuss increasing the occupancy level of the Glenville mental health crisis house in Clonmel; (6) Deputy Clare Daly - to discuss the implications of a permit for Ethiopian Airlines to operate between Dublin and Madrid under the fifth freedom; (7) Deputy Richard Boyd Barrett - to discuss the latest Focus Ireland report on homelessness; (8) Deputy Jackie Cahill - to discuss the impact of changes to the ANC in the appeals process; (9) Deputy Mick Wallace - to discuss the urgent need to retender the contract for the national children's hospital; and (10) Deputy Alan Kelly - to discuss funding and resources for the Tipperary town task force. The matters raised by Deputies Martin Kenny, Cahill, Kelly and O'Loughlin have been selected for discussion.

National Development Plan: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Catherine Murphy on Tuesday, 11 June 2019:

That Dáil Éireann:

notes that:

— Project Ireland 2040 combines the National Planning Framework (NPF) and the ten year National Development Plan (NDP) 2018-2027;

— Project Ireland 2040 was published in February 2018;

— the NDP sets out the investment priorities that will underpin the successful implementation of Ireland's infrastructural commitments in the NPF;

— the NDP commits to €116 billion capital spending in the period from 2018 to 2027, with Exchequer funding allocated for public capital investment over the period amounting to €91 billion;

— a fundamental purpose of the NDP is ensuring that public capital investment is clearly aligned to the delivery of the objectives and priorities detailed in the NPF;

— since the publication of Project Ireland 2040, there have been significant cost overruns on two key projects listed in the NDP – the National Broadband Plan and the

National Children's Hospital;

— these cost overruns have a significant knock-on impact on the funding available to other planned-for projects listed in the plan;

— the ten year NDP is fundamentally undermined by the significant cost overruns of these two major construction projects;

— many of the projects listed in the plan will not have the required funding available to them for completion as a result of significant cost overruns on other projects; and

— since the publication of Project Ireland 2040, a climate emergency has been declared by this House and, as a result, significant revisions of the plan are required in order to deliver on this declaration; and

calls on the Government to:

— immediately identify which planned-for projects in the NDP will be delayed or cancelled as a result of lack of funding;

— recognise that the declaration of a climate emergency by the House requires significant revision of the NPF and NDP in order to deliver meaningful action on

climate change; and

— urgently revise the NDP and NPF to properly reflect the current spending on listed projects and the impact on the €116 billion overall budget and its allocation across

projects.

Debate resumed on amendment No. 2:

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

“notes:

— the significant progress made in implementing the National Development Plan (NDP) as detailed in the first Project Ireland 2040 Annual Report published on 2nd May, 2019;

— that climate action and the transition to renewable energy is already a key priority in the NDP with circa €30 billion dedicated to this over the period of the plan, and in addition, the Government will shortly publish a new all-of-Government Climate Action Plan which will set ambitious targets for decarbonisation over the coming decades, using the funding available in the NDP to the maximum potential to help achieve these targets; and

— that the approach to remaining funding requirements will be clarified in the Summer Economic Statement and the Mid-Year Expenditure Report.”

- (Minister for Public Expenditure and Reform)

An Leas-Cheann Comhairle: I must now deal with a postponed division relating to amendment No. 2, in the name of the Minister for Public Expenditure and Reform, to the motion on the assessment of the national development plan. On Tuesday, 11 June 2019, on the question that the amendment to the motion be agreed to, a division was claimed and, in accordance with Standing Order 70(2), that division must be taken now.

Amendment put:

<i>The Dáil divided: Tá, 39; Níl, 79; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>	
<i>Barrett, Seán.</i>	<i>Aylward, Bobby.</i>	
<i>Breen, Pat.</i>	<i>Barry, Mick.</i>	
<i>Brophy, Colm.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Bruton, Richard.</i>	<i>Brady, John.</i>	
<i>Burke, Peter.</i>	<i>Brassil, John.</i>	
<i>Byrne, Catherine.</i>	<i>Breathnach, Declan.</i>	
<i>Canney, Seán.</i>	<i>Broughan, Thomas P.</i>	
<i>Carey, Joe.</i>	<i>Browne, James.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>Buckley, Pat.</i>	
<i>D’Arcy, Michael.</i>	<i>Burton, Joan.</i>	
<i>Daly, Jim.</i>	<i>Butler, Mary.</i>	
<i>Deering, Pat.</i>	<i>Byrne, Thomas.</i>	
<i>Doyle, Andrew.</i>	<i>Cahill, Jackie.</i>	
<i>Durkan, Bernard J.</i>	<i>Calleary, Dara.</i>	
<i>English, Damien.</i>	<i>Casey, Pat.</i>	

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<i>Farrell, Alan.</i>	<i>Cassells, Shane.</i>	
<i>Flanagan, Charles.</i>	<i>Chambers, Jack.</i>	
<i>Griffin, Brendan.</i>	<i>Chambers, Lisa.</i>	
<i>Harris, Simon.</i>	<i>Collins, Michael.</i>	
<i>Heydon, Martin.</i>	<i>Coppinger, Ruth.</i>	
<i>Kehoe, Paul.</i>	<i>Cowen, Barry.</i>	
<i>Kyne, Seán.</i>	<i>Crowe, Seán.</i>	
<i>McEntee, Helen.</i>	<i>Cullinane, David.</i>	
<i>McLoughlin, Tony.</i>	<i>Curran, John.</i>	
<i>Mitchell O'Connor, Mary.</i>	<i>Daly, Clare.</i>	
<i>Murphy, Dara.</i>	<i>Doherty, Pearse.</i>	
<i>Murphy, Eoghan.</i>	<i>Dooley, Timmy.</i>	
<i>Naughton, Hildegarde.</i>	<i>Ellis, Dessie.</i>	
<i>Neville, Tom.</i>	<i>Fleming, Sean.</i>	
<i>Noonan, Michael.</i>	<i>Funchion, Kathleen.</i>	
<i>O'Connell, Kate.</i>	<i>Haughey, Seán.</i>	
<i>O'Donovan, Patrick.</i>	<i>Healy, Seamus.</i>	
<i>O'Dowd, Fergus.</i>	<i>Howlin, Brendan.</i>	
<i>Phelan, John Paul.</i>	<i>Kelly, Alan.</i>	
<i>Ring, Michael.</i>	<i>Kenny, Gino.</i>	
<i>Ross, Shane.</i>	<i>Kenny, Martin.</i>	
<i>Stanton, David.</i>	<i>Lahart, John.</i>	
<i>Zappone, Katherine.</i>	<i>Martin, Catherine.</i>	
	<i>McConalogue, Charlie.</i>	
	<i>McDonald, Mary Lou.</i>	
	<i>McGrath, Mattie.</i>	
	<i>McGrath, Michael.</i>	
	<i>Mitchell, Denise.</i>	
	<i>Moynihan, Aindrias.</i>	
	<i>Moynihan, Michael.</i>	
	<i>Munster, Imelda.</i>	
	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Catherine.</i>	
	<i>Murphy, Eugene.</i>	
	<i>Murphy, Paul.</i>	
	<i>Nolan, Carol.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Callaghan, Jim.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Loughlin, Fiona.</i>	
	<i>O'Reilly, Louise.</i>	
	<i>O'Rourke, Frank.</i>	

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

Tellers: Tá, Deputies Seán Kyne and Tony McLoughlin; Níl, Deputies Róisín Shortall and Catherine Murphy.

Amendment declared lost.

Deputy Eamon Ryan: I move amendment No. 1:

(a) To insert the following after “to deliver on this declaration; and”:

“— there was no climate impact assessment undertaken of the NDP prior to its publication and subsequent modelling has shown that if every initiative in the plan were to be implemented, there would remain a shortfall of 70 per cent in emissions reductions by 2030; and”; and

(b) To insert the following after “overall budget and its allocation across projects”:

“— revise the NDP to ensure the achievement of the interim 2030 emissions reductions target and subsequently a net zero emissions economy by 2050.”

Amendment put:

<i>The Dáil divided: Tá, 79; Níl, 38; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Adams, Gerry.</i>	<i>Bailey, Maria.</i>	
<i>Aylward, Bobby.</i>	<i>Barrett, Seán.</i>	
<i>Barry, Mick.</i>	<i>Breen, Pat.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Brophy, Colm.</i>	
<i>Brady, John.</i>	<i>Bruton, Richard.</i>	
<i>Brassil, John.</i>	<i>Burke, Peter.</i>	
<i>Breathnach, Declan.</i>	<i>Byrne, Catherine.</i>	
<i>Broughan, Thomas P.</i>	<i>Canney, Seán.</i>	
<i>Browne, James.</i>	<i>Carey, Joe.</i>	
<i>Buckley, Pat.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Burton, Joan.</i>	<i>D'Arcy, Michael.</i>	
<i>Butler, Mary.</i>	<i>Daly, Jim.</i>	
<i>Byrne, Thomas.</i>	<i>Deering, Pat.</i>	
<i>Cahill, Jackie.</i>	<i>Doyle, Andrew.</i>	
<i>Calleary, Dara.</i>	<i>Durkan, Bernard J.</i>	
<i>Casey, Pat.</i>	<i>English, Damien.</i>	
<i>Cassells, Shane.</i>	<i>Farrell, Alan.</i>	
<i>Chambers, Jack.</i>	<i>Flanagan, Charles.</i>	
<i>Chambers, Lisa.</i>	<i>Griffin, Brendan.</i>	
<i>Collins, Michael.</i>	<i>Harris, Simon.</i>	
<i>Coppinger, Ruth.</i>	<i>Heydon, Martin.</i>	
<i>Cowen, Barry.</i>	<i>Kehoe, Paul.</i>	
<i>Crowe, Seán.</i>	<i>Kyne, Seán.</i>	
<i>Cullinane, David.</i>	<i>McEntee, Helen.</i>	
<i>Curran, John.</i>	<i>McLoughlin, Tony.</i>	
<i>Daly, Clare.</i>	<i>Mitchell O'Connor, Mary.</i>	
<i>Doherty, Pearse.</i>	<i>Murphy, Dara.</i>	
<i>Dooley, Timmy.</i>	<i>Murphy, Eoghan.</i>	
<i>Ellis, Dessie.</i>	<i>Naughton, Hildegarde.</i>	
<i>Fleming, Sean.</i>	<i>Neville, Tom.</i>	
<i>Funchion, Kathleen.</i>	<i>Noonan, Michael.</i>	
<i>Haughey, Seán.</i>	<i>O'Connell, Kate.</i>	
<i>Healy, Seamus.</i>	<i>O'Donovan, Patrick.</i>	
<i>Howlin, Brendan.</i>	<i>O'Dowd, Fergus.</i>	
<i>Kelly, Alan.</i>	<i>Phelan, John Paul.</i>	
<i>Kenny, Gino.</i>	<i>Ring, Michael.</i>	
<i>Kenny, Martin.</i>	<i>Ross, Shane.</i>	
<i>Lahart, John.</i>	<i>Stanton, David.</i>	
<i>Martin, Catherine.</i>		
<i>McConalogue, Charlie.</i>		

<i>McDonald, Mary Lou.</i>		
<i>McGrath, Mattie.</i>		
<i>McGrath, Michael.</i>		
<i>Mitchell, Denise.</i>		
<i>Moynihan, Aindrias.</i>		
<i>Moynihan, Michael.</i>		
<i>Munster, Imelda.</i>		
<i>Murphy O'Mahony, Margaret.</i>		
<i>Murphy, Catherine.</i>		
<i>Murphy, Eugene.</i>		
<i>Murphy, Paul.</i>		
<i>Nolan, Carol.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Keefe, Kevin.</i>		
<i>O'Loughlin, Fiona.</i>		
<i>O'Reilly, Louise.</i>		
<i>O'Rourke, Frank.</i>		
<i>O'Sullivan, Jan.</i>		
<i>O'Sullivan, Maureen.</i>		
<i>Ó Broin, Eoin.</i>		
<i>Ó Caoláin, Caoimhghín.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Ó Laoghaire, Donnchadh.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Penrose, Willie.</i>		
<i>Pringle, Thomas.</i>		
<i>Quinlivan, Maurice.</i>		
<i>Rabbitte, Anne.</i>		
<i>Ryan, Brendan.</i>		
<i>Ryan, Eamon.</i>		
<i>Scanlon, Eamon.</i>		
<i>Sherlock, Sean.</i>		
<i>Shortall, Róisín.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Stanley, Brian.</i>		
<i>Tóibín, Peadar.</i>		
<i>Troy, Robert.</i>		

Tellers: Tá, Deputies Eamon Ryan and Catherine Martin; Níl, Deputies Seán Kyne and Tony

McLoughlin.

Amendment declared carried.

Motion, as amended, agreed to.

Defence Forces: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Jack Chambers on Wednesday, 12 June 2019:

That Dáil Éireann:

notes that:

— the approved strength of the Permanent Defence Forces (PDF) currently stands at 9,500;

— at the end of March 2019 there were 8,847 personnel, compared to 9,057 at the end of February 2018;

— 3,200 personnel left the PDF between 2014 and 2018, a figure which equates to 34.7 per cent of the average strength for those years, with 82 per cent of these being premature voluntary retirements;

— the turnover rate in the PDF now stands at 9 per cent overall, with a rate of 14 per cent in the Naval Service;

— there were 256 discharges in the first four months of 2019, by far the largest figure since the reorganisation of 2012; and

— in April 2019 alone, there were 86 discharges, a figure not previously matched in a single month;

further notes:

— the ongoing priority given, by Government, to costly recruitment policies;

— the absence of any retention policy for the Defence Forces;

— the underspend of €92.3 million from 2014 to 2018 in the Defence Estimate (Vote 36);

— the high turnover rate that is leading to the creation of a difficult and challenging training environment for remaining service personnel;

— that some personnel are double- and treble-jobbing in an effort to maintain operational output;

— that insufficient supervision and mentoring combined with poor trained manning

levels is leading to unavoidable burnout;

— that there are serious concerns for governance, and the ability to manage risk and ensure the wellbeing of personnel; and

— that recent surveys have illustrated the mental health difficulties, increased stress and low morale being experienced by PDF personnel;

accepts that:

— the impact of operating with reduced numbers is already being felt across the Defence Forces;

— the Army is struggling to fulfil its assigned tasks, domestically and internationally;

— ships are unable to go to sea and aircraft are not flying as a result of personnel shortages;

— defence capability is being seriously undermined; and

— reduced governance increases operational and personnel risk; and

calls for:

— the restoration of military allowances to pre-Financial Emergency Measures in the Public Interest levels, especially in view of the underspend from 2014 to 2018, to include the service commitment scheme for Air Corps pilots and fixed-period promotion for Special Service Officers;

— the restoration of the supplementary pension for post 2013 entrants;

— a review of the PDF organisation to provide for a training and overseas establishment, bringing the PDF personnel numbers up to 10,500 across all ranks and formations/services;

— a permanent and independent Defence Forces pay body to be established;

— Defence Forces representative organisations to be able to take up associate membership of the Irish Congress of Trade Unions;

— greater military expertise in the Department of Defence, who have made some concerning and damaging decisions affecting the Defence Forces;

— the enhancement of the input and discretion of military management in decisions over current and capital spending;

— the implementation of the Working Time Directive, which the Government is currently not implementing properly;

— a clear and defined role for the Reserve Defence Forces, that would enable them to play a meaningful and worthwhile part in support to the PDF; and

— the undertaking of a comprehensive independent review (involving external and

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international expertise) of defence policy, the Defence Forces and the role of the Department of Defence.

Debate resumed on amendment No. 3:

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

“recognises:

— that the Irish people shares its great pride in our Defence Forces and the contribution made by the Permanent Defence Forces (PDF) and the Reserve Defence Forces (RDF);

— Ireland’s long and well respected history of participating in overseas missions under United Nations (UN) mandates and acknowledges that the Defence Forces have played a vital role as peacekeepers all over the world, in Europe, Africa and the Middle East in UN and UN-mandated peace support missions and, today, some 673 members of the PDF are serving overseas in various parts of the world;

— those members of the Defence Forces who have made the ultimate sacrifice in the service of the State, including those on overseas peacekeeping missions;

— the dedication and professionalism of the Defence Forces;

— the ongoing implementation of the Government’s White Paper on Defence; and

— the challenges that are faced in relation to recruitment and retention in the Defence Forces;

notes:

— that the Department of Defence has civil and military branches, consistent with its constitutional and statutory mandate;

— that the Secretary General heads the civil element while the Chief of Staff heads the military element of the Department of Defence;

— that both civil and military elements provide supports to the Minister for Defence, and that the Chief of Staff has direct and independent access to the Minister for the provision of military advice;

— that ultimately command and management of the Defence Forces is by the Minister for Defence, on behalf of the Government, ensuring appropriate oversight of defence and of the Defence Forces;

— the importance of the White Paper on Defence, which was prepared by joint civil and military steering and working groups, in providing a defence policy in keeping with Ireland’s defence requirements for the period to 2025 and comprehending a developmental and strategic approach to defence provision, including the ongoing modernisation of defence equipment;

— that the finalisation of the White Paper in June 2015 included, at the arrangement of the Minister for Defence, Dáil statements which provided members with an opportu-

nity for final inputs and that, furthermore, there has been engagement with the relevant Oireachtas Joint Committee on any or all aspects of the White Paper as might be desired by Committee members;

— that a key feature of the White Paper is the provision for future-proofing of policy and capabilities through a new process of fixed cycle defence reviews with a Strategic Defence Review to commence in early 2021, while a White Paper Update commenced last year and is being overseen by a joint civil-military steering group;

— that the Government's commitment to the Defence Forces capability is evidenced through a 2019 provision for gross expenditure of some €1,007 million, an increase of €60 million or 6.4 per cent over 2018, while the capital allocation has increased to €106 million, an increase of 38 per cent on the 2018 allocation;

— that a significant portion of the Defence budget is delegated to the Chief of Staff, to facilitate the exercise of his functions;

— that all major investment decisions are made via joint civil-military work and approved through a joint, co-chaired, civil-military forum and that this collaborative civil-military approach operates successfully within the Department of Defence;

— that this investment will see the replacement and upgrade of significant equipment platforms over the life-time of the White Paper, including an upgrade of the Army's fleet of armoured personnel carriers (APCs), enhancement of the capabilities of the Army Ranger Wing, replacement of the Air Corps' Cessna fleet, CASA Maritime Patrol Aircraft and the Naval Service's flagship LÉ Eithne;

— that there is a sustained programme of investment in barracks infrastructure to improve accommodation and other facilities across the country;

— the range of actions in place for the development of Defence Forces human resources, training, education, family friendly and a range of other supports;

— the development of flexible and adaptive military capabilities as a pragmatic approach to dealing with future uncertainty and the roles assigned, and that capability commitments outlined in the White Paper include maintenance of a PDF establishment of at least 9,500 personnel;

— that specific shortages in specialist areas are being addressed and that work is underway aimed at addressing these particular challenges;

— the efforts to accelerate the rate of recruitment to the RDF within means and resources;

— that in relation to the Working Time Directive, legislation is currently being considered by the Department of Employment Affairs and Social Protection and civil-military work is underway to achieve a graduated solution which respects the unique operational requirements of a military force; and

— that membership of the Irish Congress of Trade Unions (ICTU) by Defence Forces representative associations, as recommended in a recent review of the Defence Forces C&A Scheme, is now under consideration, and that the discussion with ICTU is con-

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sidering feasibility, taking account of the need to recognise the prohibition on the right to strike, the tasks that Government may require the Defence Forces to undertake, and the necessity that command and control arrangements and military discipline are unimpinged; and

further notes that:

— the focus of pay increases under the Public Service Stability Agreement 2018-2020 has been those on lower pay and that by the end of the current Agreement, the pay scales of all public servants (including members of the Defence Forces), earning under €70,000 per annum, will be restored to pre-Financial Emergency Measures in the Public Interest levels;

— public sector pay policy is determined centrally by the Minister for Public Expenditure and Reform, having regard to public sector pay agreements, and that independent sectoral pay determination bodies, such as one for the Defence Forces, is not consistent with this approach;

— public service pension provisions are laid down in statute and apply across the public service; and

— the Public Service Pay Commission has examined recruitment and retention issues in the defence sector and that its report will be considered by Government and form the basis of engagement with parties to the Public Service Stability Agreement 2018-2020.

- (Minister of State at the Department of Defence)

An Leas-Cheann Comhairle: I must now deal with a postponed division relating to the motion regarding the Defence Forces. On Wednesday, 12 June 2019, on the question that the amendment to the motion be agreed to, a division was claimed and in accordance with Standing Order 70(2), that division must be taken now.

Amendment again put:

<i>The Dáil divided: Tá, 38; Níl, 79; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>	
<i>Barrett, Seán.</i>	<i>Aylward, Bobby.</i>	
<i>Breen, Pat.</i>	<i>Barry, Mick.</i>	
<i>Brophy, Colm.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Bruton, Richard.</i>	<i>Brady, John.</i>	
<i>Burke, Peter.</i>	<i>Brassil, John.</i>	
<i>Byrne, Catherine.</i>	<i>Breathnach, Declan.</i>	
<i>Canney, Seán.</i>	<i>Broughan, Thomas P.</i>	
<i>Carey, Joe.</i>	<i>Browne, James.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>Buckley, Pat.</i>	
<i>D'Arcy, Michael.</i>	<i>Burton, Joan.</i>	

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<i>Daly, Jim.</i>	<i>Butler, Mary.</i>	
<i>Deering, Pat.</i>	<i>Byrne, Thomas.</i>	
<i>Doyle, Andrew.</i>	<i>Cahill, Jackie.</i>	
<i>Durkan, Bernard J.</i>	<i>Calleary, Dara.</i>	
<i>Farrell, Alan.</i>	<i>Casey, Pat.</i>	
<i>Griffin, Brendan.</i>	<i>Cassells, Shane.</i>	
<i>Harris, Simon.</i>	<i>Chambers, Jack.</i>	
<i>Heydon, Martin.</i>	<i>Chambers, Lisa.</i>	
<i>Kehoe, Paul.</i>	<i>Collins, Michael.</i>	
<i>Kyne, Seán.</i>	<i>Coppinger, Ruth.</i>	
<i>McEntee, Helen.</i>	<i>Cowen, Barry.</i>	
<i>McLoughlin, Tony.</i>	<i>Crowe, Seán.</i>	
<i>Mitchell O'Connor, Mary.</i>	<i>Cullinane, David.</i>	
<i>Murphy, Dara.</i>	<i>Curran, John.</i>	
<i>Murphy, Eoghan.</i>	<i>Daly, Clare.</i>	
<i>Naughton, Hildegard.</i>	<i>Doherty, Pearse.</i>	
<i>Neville, Tom.</i>	<i>Dooley, Timmy.</i>	
<i>Noonan, Michael.</i>	<i>Ellis, Dessie.</i>	
<i>O'Connell, Kate.</i>	<i>Fleming, Sean.</i>	
<i>O'Donovan, Patrick.</i>	<i>Funchion, Kathleen.</i>	
<i>O'Dowd, Fergus.</i>	<i>Haughey, Seán.</i>	
<i>Phelan, John Paul.</i>	<i>Healy, Seamus.</i>	
<i>Ring, Michael.</i>	<i>Howlin, Brendan.</i>	
<i>Ross, Shane.</i>	<i>Kelly, Alan.</i>	
<i>Stanton, David.</i>	<i>Kenny, Gino.</i>	
<i>Varadkar, Leo.</i>	<i>Kenny, Martin.</i>	
<i>Zappone, Katherine.</i>	<i>Lahart, John.</i>	
	<i>Martin, Catherine.</i>	
	<i>McConalogue, Charlie.</i>	
	<i>McDonald, Mary Lou.</i>	
	<i>McGrath, Mattie.</i>	
	<i>McGrath, Michael.</i>	
	<i>Mitchell, Denise.</i>	
	<i>Moynihan, Aindrias.</i>	
	<i>Moynihan, Michael.</i>	
	<i>Munster, Imelda.</i>	
	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Catherine.</i>	
	<i>Murphy, Eugene.</i>	
	<i>Murphy, Paul.</i>	
	<i>Nolan, Carol.</i>	
	<i>O'Brien, Darragh.</i>	

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	<i>O'Callaghan, Jim.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Loughlin, Fiona.</i>	
	<i>O'Reilly, Louise.</i>	
	<i>O'Rourke, Frank.</i>	
	<i>O'Sullivan, Jan.</i>	
	<i>O'Sullivan, Maureen.</i>	
	<i>Ó Broin, Eoin.</i>	
	<i>Ó Caoláin, Caoimhghín.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Ó Laoghaire, Donnchadh.</i>	
	<i>Ó Snodaigh, Aengus.</i>	
	<i>Penrose, Willie.</i>	
	<i>Pringle, Thomas.</i>	
	<i>Quinlivan, Maurice.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Ryan, Brendan.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Scanlon, Eamon.</i>	
	<i>Sherlock, Sean.</i>	
	<i>Shortall, Róisín.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Stanley, Brian.</i>	
	<i>Tóibín, Peadar.</i>	
	<i>Troy, Robert.</i>	

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

Amendment declared lost.

Deputy Aengus Ó Snodaigh: I move amendment No. 2:

To delete all words after “not previously matched in a single month;” and insert the following:

“— it is estimated that up to 1,700 Defence Forces personnel could be eligible for the Working Family Payment;

— Defence Forces personnel were obliged to take a case to the European Committee of Social Rights in relation to the recognition of collective bargaining rights;

— the Defence Forces representative organisations have had a number of successful cases in the High Court, in relation to the application of the Working Time Directive for Defence Forces personnel with 35 additional cases awaiting hearing;

— representative organisations have reported significant difficulties in accessing the Lansdowne Road Agreement Oversight Body; and

— the reported strength of the Defence Forces is misleading as those who are on leave of absence or in training and unavailable for deployment are included;

further notes:

— the ongoing priority given, by Government, to costly recruitment policies;

— the absence of any retention policy for the Defence Forces;

— the underspend of €92.3 million from 2014 to 2018 in the Defence Estimate (Vote 36);

— the high turnover rate that is leading to the creation of a difficult and challenging training environment for remaining service personnel;

— that some personnel are double- and treble-jobbing in an effort to maintain operational output;

— that insufficient supervision and mentoring combined with poor trained manning levels is leading to unavoidable burnout;

— that there are serious concerns for governance, and the ability to manage risk and ensure the wellbeing of personnel;

— that recent surveys have illustrated the mental health difficulties, increased stress and low morale being experienced by PDF personnel; and

— that the Department of Defence chose not to participate in the review of the public service pension age undertaken in 2017, and no review of Defence Forces pension age has been commenced since that period;

accepts that:

— the impact of operating with reduced numbers is already being felt across the Defence Forces;

— the Army is struggling to fulfil its assigned tasks, domestically and internationally;

— ships are unable to go to sea and aircraft are not flying as a result of personnel shortages;

— defence capability is being seriously undermined and the ability to be an aid to the civil powers are curtailed or not available in times of humanitarian or extreme weather events, such as the recent snow storms or forest/gorse fires; and

— reduced governance increases operational and personnel risk; and

calls for:

— an immediate briefing for Defence Forces representative organisations and opposition TDs on the findings of the Report on the Public Service Pay Commission, given the leaks to the media on same;

— a review of the pension age of the Defence Forces to be commenced;

— the Minister for Defence to report to the Dáil on a bi-annual basis on the current strength of the Defence Forces, detailing those on leave of absence, training or on overseas deployment as well as the ‘strength in station’ figure;

— the restoration of military allowances to pre-Financial Emergency Measures in the Public Interest levels, especially in view of the underspend from 2014 to 2018, to include the service commitment scheme for Air Corps pilots and fixed-period promotion for Special Service Officers;

— the restoration of the supplementary pension for post 2013 entrants;

— a review of the PDF organisation to provide for a training and overseas establishment, bringing the PDF personnel numbers up to 10,500 across all ranks and formations/services;

— a permanent and independent Defence Forces pay body to be established;

— the full implementation of the decision of the European Committee on Social Rights in respect of the collective bargaining rights of Defence Forces personnel, including making provision for Defence Forces representative organisations to be able to take up associate membership of the Irish Congress of Trade Unions;

— greater military expertise in the Department of Defence, who have made some concerning and damaging decisions affecting the Defence Forces;

— the enhancement of the input and discretion of military management in decisions over current and capital spending;

— the Government to engage fully with Defence Forces representative organisations and bring forward, within a six month period, legislation to provide for the implementation of the Working Time Directive, which the Government is currently not implementing properly;

— the implementation of the Resolution on Lariam passed by this House on 28th June, 2017;

— an immediate health review of all current and former members of the Air Corps to ascertain their level of exposure to dangerous chemicals while in the service;

— a clear and defined role for the Reserve Defence Forces, that would enable them to play a meaningful and worthwhile part in support to the PDF; and

— the undertaking of a comprehensive independent review (involving external and international expertise) of defence policy, the Defence Forces and the role of the Department of Defence.”

Amendment put:

<i>The Dáil divided: Tá, 78; Níl, 38; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Adams, Gerry.</i>	<i>Bailey, Maria.</i>	
<i>Aylward, Bobby.</i>	<i>Barrett, Seán.</i>	
<i>Barry, Mick.</i>	<i>Breen, Pat.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Brophy, Colm.</i>	
<i>Brady, John.</i>	<i>Bruton, Richard.</i>	
<i>Brassil, John.</i>	<i>Burke, Peter.</i>	
<i>Breathnach, Declan.</i>	<i>Byrne, Catherine.</i>	
<i>Broughan, Thomas P.</i>	<i>Canney, Seán.</i>	
<i>Browne, James.</i>	<i>Carey, Joe.</i>	
<i>Buckley, Pat.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Burton, Joan.</i>	<i>D'Arcy, Michael.</i>	
<i>Butler, Mary.</i>	<i>Daly, Jim.</i>	
<i>Byrne, Thomas.</i>	<i>Deering, Pat.</i>	
<i>Cahill, Jackie.</i>	<i>Doyle, Andrew.</i>	
<i>Calleary, Dara.</i>	<i>Durkan, Bernard J.</i>	
<i>Casey, Pat.</i>	<i>Farrell, Alan.</i>	
<i>Cassells, Shane.</i>	<i>Griffin, Brendan.</i>	
<i>Chambers, Jack.</i>	<i>Harris, Simon.</i>	
<i>Chambers, Lisa.</i>	<i>Heydon, Martin.</i>	
<i>Collins, Michael.</i>	<i>Kehoe, Paul.</i>	
<i>Coppinger, Ruth.</i>	<i>Kyne, Seán.</i>	
<i>Cowen, Barry.</i>	<i>McEntee, Helen.</i>	
<i>Crowe, Seán.</i>	<i>McLoughlin, Tony.</i>	
<i>Cullinane, David.</i>	<i>Mitchell O'Connor, Mary.</i>	
<i>Curran, John.</i>	<i>Murphy, Dara.</i>	
<i>Daly, Clare.</i>	<i>Murphy, Eoghan.</i>	
<i>Doherty, Pearse.</i>	<i>Naughton, Hildegard.</i>	
<i>Dooley, Timmy.</i>	<i>Neville, Tom.</i>	
<i>Ellis, Dessie.</i>	<i>Noonan, Michael.</i>	
<i>Fleming, Sean.</i>	<i>O'Connell, Kate.</i>	
<i>Funchion, Kathleen.</i>	<i>O'Donovan, Patrick.</i>	
<i>Haughey, Seán.</i>	<i>O'Dowd, Fergus.</i>	
<i>Healy, Seamus.</i>	<i>Phelan, John Paul.</i>	
<i>Howlin, Brendan.</i>	<i>Ring, Michael.</i>	
<i>Kelly, Alan.</i>	<i>Ross, Shane.</i>	
<i>Kenny, Gino.</i>	<i>Stanton, David.</i>	
<i>Kenny, Martin.</i>	<i>Varadkar, Leo.</i>	
<i>Lahart, John.</i>	<i>Zappone, Katherine.</i>	

<i>Martin, Catherine.</i>		
<i>McConalogue, Charlie.</i>		
<i>McDonald, Mary Lou.</i>		
<i>McGrath, Mattie.</i>		
<i>McGrath, Michael.</i>		
<i>Mitchell, Denise.</i>		
<i>Moynihan, Aindrias.</i>		
<i>Moynihan, Michael.</i>		
<i>Munster, Imelda.</i>		
<i>Murphy O'Mahony, Margaret.</i>		
<i>Murphy, Catherine.</i>		
<i>Murphy, Eugene.</i>		
<i>Murphy, Paul.</i>		
<i>Nolan, Carol.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Keeffe, Kevin.</i>		
<i>O'Loughlin, Fiona.</i>		
<i>O'Reilly, Louise.</i>		
<i>O'Rourke, Frank.</i>		
<i>O'Sullivan, Jan.</i>		
<i>Ó Broin, Eoin.</i>		
<i>Ó Caoláin, Caoimhghín.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Ó Laoghaire, Donnchadh.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Penrose, Willie.</i>		
<i>Pringle, Thomas.</i>		
<i>Quinlivan, Maurice.</i>		
<i>Rabbitte, Anne.</i>		
<i>Ryan, Brendan.</i>		
<i>Ryan, Eamon.</i>		
<i>Scanlon, Eamon.</i>		
<i>Sherlock, Sean.</i>		
<i>Shortall, Róisín.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Stanley, Brian.</i>		
<i>Tóibín, Peadar.</i>		
<i>Troy, Robert.</i>		

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

Amendment declared carried.

An Leas-Cheann Comhairle: Amendment No. 1 cannot be moved. Is the motion as amended agreed to?

Deputy Paul Kehoe: Not agreed.

An Leas-Cheann Comhairle: It is agreed.

Deputy Paul Kehoe: It is not agreed.

An Leas-Cheann Comhairle: Sinn deireadh na hoibre.

Deputy Paul Kehoe: It is not agreed.

Deputy Mary Mitchell O'Connor: He said it was not agreed. He said it three times.

An Leas-Cheann Comhairle: Sorry. I did not hear the Deputy.

Deputy Paul Kehoe: I said it.

An Leas-Cheann Comhairle: Hold on. I did not hear the Deputy.

Deputy Paul Kehoe: I said it. It is not my fault if everybody else is talking. I said it.

An Leas-Cheann Comhairle: Do not make a suggestion that I deliberately did not hear you.

Deputy Mary Mitchell O'Connor: He did say it.

An Leas-Cheann Comhairle: Deputies may have heard him but I did not.

Deputy Thomas Byrne: He did not call a vote, actually. He just said "not agreed".

Deputy Paul Kehoe: I said it.

Deputy Mary Mitchell O'Connor: I swear he said it.

An Leas-Cheann Comhairle: There is to be a vótáil. Any suggestion-----

Deputy Thomas Byrne: He did not call a vote.

Deputy Mattie McGrath: He did not call the vote.

An Leas-Cheann Comhairle: Any suggestions I would do something like that deliberately are wrong.

Deputy Mary Mitchell O'Connor: We did not say that.

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Deputy Paul Kehoe: I did not suggest that.

An Leas-Cheann Comhairle: Hold on, Deputy. I cannot control the outcome of a vote.

Deputy Barry Cowen: The Leas-Cheann Comhairle is getting thick over nothing now.

An Leas-Cheann Comhairle: If there is any other insinuation, I ask the Minister of State to withdraw it.

Deputy Paul Kehoe: I did not insinuate anything.

An Leas-Cheann Comhairle: Hold on. The Deputy should not challenge me.

Deputy Paul Kehoe: I did not challenge you.

An Leas-Cheann Comhairle: You will not challenge me.

Deputy Paul Kehoe: I did not insinuate anything.

An Leas-Cheann Comhairle: If you are unhappy with the outcome, it is not my fault. I look to the Whip at all times.

Deputy Paul Kehoe: I said it was not agreed.

An Leas-Cheann Comhairle: Please do not suggest that I deliberately did not hear you. That is not my form.

Deputies: Hear, hear.

Deputy Mattie McGrath: The Government does not hear the people.

Question put: "That the motion, as amended, be agreed to."

<i>The Dáil divided: Tá, 77; Níl, 38; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staan</i>
<i>Adams, Gerry.</i>	<i>Bailey, Maria.</i>	
<i>Aylward, Bobby.</i>	<i>Barrett, Seán.</i>	
<i>Barry, Mick.</i>	<i>Breen, Pat.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Brophy, Colm.</i>	
<i>Brady, John.</i>	<i>Bruton, Richard.</i>	
<i>Brassil, John.</i>	<i>Burke, Peter.</i>	
<i>Breathnach, Declan.</i>	<i>Byrne, Catherine.</i>	
<i>Broughan, Thomas P.</i>	<i>Canney, Seán.</i>	
<i>Browne, James.</i>	<i>Carey, Joe.</i>	
<i>Buckley, Pat.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Burton, Joan.</i>	<i>D'Arcy, Michael.</i>	
<i>Butler, Mary.</i>	<i>Daly, Jim.</i>	
<i>Byrne, Thomas.</i>	<i>Deering, Pat.</i>	
<i>Cahill, Jackie.</i>	<i>Doyle, Andrew.</i>	
<i>Calleary, Dara.</i>	<i>Durkan, Bernard J.</i>	

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<i>Casey, Pat.</i>	<i>Farrell, Alan.</i>	
<i>Cassells, Shane.</i>	<i>Griffin, Brendan.</i>	
<i>Chambers, Jack.</i>	<i>Harris, Simon.</i>	
<i>Chambers, Lisa.</i>	<i>Heydon, Martin.</i>	
<i>Collins, Michael.</i>	<i>Kehoe, Paul.</i>	
<i>Coppinger, Ruth.</i>	<i>Kyne, Seán.</i>	
<i>Cowen, Barry.</i>	<i>McEntee, Helen.</i>	
<i>Crowe, Seán.</i>	<i>McLoughlin, Tony.</i>	
<i>Cullinane, David.</i>	<i>Mitchell O'Connor, Mary.</i>	
<i>Curran, John.</i>	<i>Murphy, Dara.</i>	
<i>Daly, Clare.</i>	<i>Murphy, Eoghan.</i>	
<i>Doherty, Pearse.</i>	<i>Naughton, Hildegarde.</i>	
<i>Dooley, Timmy.</i>	<i>Neville, Tom.</i>	
<i>Ellis, Dessie.</i>	<i>Noonan, Michael.</i>	
<i>Fleming, Sean.</i>	<i>O'Connell, Kate.</i>	
<i>Funchion, Kathleen.</i>	<i>O'Donovan, Patrick.</i>	
<i>Haughey, Seán.</i>	<i>O'Dowd, Fergus.</i>	
<i>Healy, Seamus.</i>	<i>Phelan, John Paul.</i>	
<i>Howlin, Brendan.</i>	<i>Ring, Michael.</i>	
<i>Kelly, Alan.</i>	<i>Ross, Shane.</i>	
<i>Kenny, Gino.</i>	<i>Stanton, David.</i>	
<i>Kenny, Martin.</i>	<i>Varadkar, Leo.</i>	
<i>Lahart, John.</i>	<i>Zappone, Katherine.</i>	
<i>Martin, Catherine.</i>		
<i>McConalogue, Charlie.</i>		
<i>McDonald, Mary Lou.</i>		
<i>McGrath, Mattie.</i>		
<i>McGrath, Michael.</i>		
<i>Mitchell, Denise.</i>		
<i>Moynihan, Aindrias.</i>		
<i>Moynihan, Michael.</i>		
<i>Munster, Imelda.</i>		
<i>Murphy O'Mahony, Margaret.</i>		
<i>Murphy, Catherine.</i>		
<i>Murphy, Eugene.</i>		
<i>Murphy, Paul.</i>		
<i>Nolan, Carol.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Keefe, Kevin.</i>		
<i>O'Loughlin, Fiona.</i>		
<i>O'Reilly, Louise.</i>		

13 June 2019

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

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

Question declared carried.

Sitting suspended at 2 p.m. and resumed at 2.40 p.m.

Message from the Standing Business Committee of Dáil Éireann

Acting Chairman (Deputy Declan Breathnach): The Standing Business Committee has completed its consideration under Standing Order 27AC of the request by the Minister for Health to waive the requirement to give the general scheme of a Bill to establish an independent statutory tribunal to deal with the issue of liability in CervicalCheck cases, in particular in respect of the reading of smears, to the relevant committee under Standing Order 84A, and has agreed thereto.

**Qualifications and Quality Assurance (Education and Training) (Amendment) Bill 2018
[Seanad]: Second Stage (Resumed)**

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

Acting Chairman (Deputy Declan Breathnach): Deputy Mattie McGrath was in possession but as he is not present I call Deputy Lahart who has 20 minutes.

Deputy John Lahart: I welcome the opportunity to speak on this Bill relating to Quality and Qualifications Ireland, QQI. It is important to note one of the contexts in which this is relevant. There are only five or six countries in the world that are English speaking and the English language education market is a significant market in that regard. With the pending withdrawal of the United Kingdom from the European Union in some shape or form, Ireland is the principal English language speaking destination and therefore English language education destination in the European Union.

I know from some research that countries such as New Zealand and the United Kingdom have been pre-eminent in English language education, and in the education of international students, for many years and have garnered a significant reputation in this regard. Countries like New Zealand and Australia are significant draws for students who wish either to learn English or to study through English at third level and beyond. The last time I read about it that market was worth in excess of €11 billion internationally. I am sure it is far more significant than that at this stage. It is an important business market for Ireland. It is an important education market for Ireland also and one we should be chasing and growing. Either enabling students in Ireland to study various degrees through English or to come here to learn English is a business we ought to be growing because aside from their education fees they bring a lot of spending power with them. They also add to our economy from the perspective of the part-time employment they take up while they are here in some cases. They offer and contribute significantly to the cosmopolitan feel of the city. It is principally Dublin to which the vast majority of these students come. There is a value economically also at local level. There is not a Deputy in this Dáil from the Dublin constituencies who does not have constituents who either accommodate or provide accommodation for English language learners who come to Ireland to study.

Even before I was elected to the Dáil I would have seen the growth in this area as a significant opportunity for the State. It is clear, however, that the track record in previous years regarding the management of some of the colleges, and some of the so-called colleges, left a lot to be desired. At some stages it involved raids by various units of the Garda to check whether they were gold plate or silver plate businesses. There seems to be a significant degree of evidence now to suggest that many of those colleges have upped their game significantly. There were a number of colleges that operated for a long period of time, since the start of English language education in Ireland, to a very high standard and continue to offer that standard.

This is an area where I believe the State, too, should be getting involved because in a competitive world, and a competitive market for English language education and training, Ireland ought to be pre-eminent and aim to be at the top. To be at the top requires standards and I understand that is what is at the heart of the Bill.

My party is committed to maintaining and improving the highest standards in education. In line with that commitment we broadly welcome the Bill. The majority of these measures, as the Minister of State outlined, arise from a High Court case which took place in 2015 and

are largely technical in nature. These include measures around the listing of awarding bodies, statutory powers to evaluate providers, and the international education mark, thus bringing a broad, acceptable, general universal standard that covers the entire English language education market.

The Bill also makes a number of positive contributions including improving protection for English language students. We do not need to elaborate too much on that. It was referred to in the debates on the two previous nights. However, when we look at it from the student point of view, students coming from different parts of the world, whether it is Brazil or China, invest a good deal of money in coming here. For a college to collapse when they here and for them to be left with no cover whatsoever is a black mark against Ireland.

I refer to some of the media reports around the requirements now for health insurance. Students coming here cannot operate on a travel insurance scheme as they are not considered to be just travellers because they are here for a period of time. The suggestion that they need to have full health insurance and therefore have a proper health insurance policy could make such a venture into studies unaffordable for some visitors to this country. I urge the Minister, and I am aware she is doing this, to ensure there will be a full stakeholder engagement around that. It is an area where the State needs to work with the best in the private sector, both the best education providers and the best in the financial services area who have the products that are required rather than putting the State at risk. The Fianna Fáil position would be that the taxpayer should not be footing either the cost of the collapse of colleges, the bill to pay for alternative places for students or to pay for their travel home in instances of ill-health, which I am told are very few, in terms of claims. Nor should the taxpayer be asked to foot the bill if a college collapses and teachers are put out of work. I understand from briefing notes supplied to us that insurance policies are in place for both learner and teacher protection since one of the most recent cases of a school collapsing, in Portobello. That related to teacher protection.

Fianna Fáil has some outstanding concerns regarding supports proposed under the learner protection fund. These would see the State step in as an insurer for private language schools. Will the Minister clarify whether the State steps in as a private insurer for any third level institution or university in the country? To what extent is the taxpayer put at risk as a result of the State stepping in as an insurer? There is also the matter of the State stepping in as an insurer for private language schools on behalf of students but not for teachers. What happened to those in Grafton College in recent months was unacceptable.

Fianna Fáil is actively engaged, as I am sure are departmental officials, with representatives in the development of proposals and we welcome the Minister of State's commitment to allow these questions to be discussed at the Joint Committee on Education and Skills following Second Stage. Will she confirm that there will be full stakeholder engagement in advance of Committee Stage? Who will be invited to contribute?

We welcome that QQI will have statutory authority to list awarding bodies and include their qualifications in the National Framework of Qualifications, NFQ. We also welcome that this Bill introduces amendments to allow the Royal College of Surgeons in Ireland, RCSI, to be officially recognised as a university. We support this and welcome the Minister of State's Seanad amendment. RCSI has a broad international reach and is similar to universities in England such as Oxford and Cambridge, which have set the standard for international education. We have been slow to move into that space and capitalise on the fact that Ireland will be the only English-language speaking country in the EU following the UK's exit. There is a market of

between 400 million and 500 million people in the EU. Some months ago, I asked about this when Deputy Bruton was Minister for Education and Skills. When one considers the amount invested in research and development of the international education sector in Ireland, given its potential, we have been tardy, for instance, in marketing Ireland as a destination. This has only begun in a significant way in the past year, with the sums invested relatively modest. We speak of ourselves as being a small, open economy susceptible to global shifts, and economic upturns and downturns. We have gone through a consistent upturn and there is evidence throughout the economy that growth is softening. However, one of the most resilient products we had during the recession was tourism - in which we invested very little. Tourism is connected with international education, not only in the spend that an individual student brings. They will pay their college fees, and will be here for one or two years but they have to pay for accommodation, food, travel and so on. They make an exceptionally significant contribution to the economy through invisible exports. I do not know if there is way of calculating how much they bring to the country economically but I suspect it is very much underestimated.

The Bill strengthens and improves QQI's approval processes for the quality assurance procedures of providers, which is also welcome. We approve of the range of powers the Minister of State seeks to give QQI, from the perspective of assessment and guaranteeing the efficacy of any institution offering a product. By and large it is a commercial product in the international education sector by virtue of its make-up. It should be borne in mind that the private sector initiated English language education decades before the State became interested in it. The powers give to QQI will ensure all teachers and lecturers have the correct qualifications, all courses are properly underwritten and statutorily guaranteed and carry a mark that international students who come here will know that the college is legitimate, and the courses meet the highest standards and are approved by the State.

Our reservations relate to learner and teacher protection, but the Minister of State's commitment to provide for a round-table discussion for all stakeholders prior to Committee Stage is welcome, where it can be thrashed out line by line. All things being equal, she can be assured of support from this side of the House if those issues are addressed adequately.

Deputy Jan O'Sullivan: I welcome the Bill. The Labour Party also has some issues with it but I acknowledge that it was strengthened as it went through the Seanad, particularly in respect of the rights of people working in the sector. In her opening contribution, the Minister of State said that the international education mark, IEM, would be a further incentive for providers to comply with their obligations under employment law and that she had appointed a mediator, Mr. Patrick King, to work with stakeholders in the English-language sector to secure agreement on a set of minimum employment standards that could be agreed by the sector. That is welcome. This significant issue came to our attention when Grafton College closed last December. I ask that the Minister of State keep us informed about progress in the ongoing work on this issue. While we very much welcome the protection for learners in the legislation, there is also an issue for teachers. Some of us met those teachers who came to the Leinster House at the time. They were very worried about not getting paid for work they had done and so on. It is important that we protect the workers in the sector as well as the learners.

Like Deputy Thomas Byrne, I am a member of the Joint Committee on Education and Skills. We have agreed to hold hearings from stakeholders on the legislation. In his contribution last night, Deputy Byrne outlined what happened whereby the Bill was referred to the Seanad before we had an opportunity to bring the stakeholders before the committee. The only way we could bring them in was to wait until it had finished in the Seanad and Second Stage

in this House. We will hold those hearings next week and several organisations will present to the committee. We have received some submissions, and several issues have been raised. However, there is an acknowledgement that improvement was made to the Bill in the Seanad.

Overall, I welcome that we are dealing with this issue. As Deputy Lahart noted, the English-language sector is important in Ireland. Our reputation as a provider of excellent English language teaching is important. There were cases in the past whereby some schools were not operating in accordance with best practice by any means; in many cases they did not have much by the way of classes and were bringing people in without giving them a proper opportunity. Many of those closed subsequently. I was Minister for Education and Skills at that time and worked with the then Minister for Justice and Equality, Deputy Frances Fitzgerald, in putting forward some interim measures to ensure the bad practices were stopped. There were excellent colleges as well, but it was important to root out those that were abusing the system.

3 o'clock

By and large, much of that has been achieved but certainly this legislation will strengthen confidence in the sector. The Bill is obviously broader than that but it will provide for QQI to examine the bona fides and the financial capacity of providers. Financial capacity was one of the issues previously when some providers disappeared without leaving any provision whatsoever for people who had enrolled in courses and paid money. There was a similar problem for teachers who had done work but had not got paid for it.

There are several other quality assurance elements to the Bill as well as provisions that will lead to the introduction of the international education mark. This is an international standard to assure people that all of those who provide international education in this way will be up to the approved standard. There is also a scheme to protect enrolled learners. I welcome the fact that so-called essay mills and other forms of cheating will be covered in the legislation.

Generally speaking, I welcome the legislation. We will hold hearings and listening to those who come before the committee next week. Some areas have been brought to my attention already. I have spoken about one issue already, that is to say, the issue of the people working and teaching in the sector and the importance of protecting their rights. This has been addressed to some extent but there may well be other issues we wish to address when we hear about them in the committee.

The community education sector has had concerns with QQI for some time over cost of signing up and the number of different bodies that provide community education. The sector is really important. It provides second-chance opportunities to people who did not have much opportunity when they went to school originally. Those in the sector have concerns. One of their recommendations was that the Bill should include not-for-profit community education providers in the list of providers to which the exemption for payment to the new learner protection fund extends. This is because the sector operates largely on a shoestring. Yet, it is really important to those people who take the big step of going back to education as adults. I know the Minister of State is highly supportive of this sector as well. Whatever can be done to protect these organisations from any costs under the regulations is one important consideration. There is also concern from some of the schools that operate currently with insurance. Those involved are concerned that there should be a level playing field in terms of the operation of the legislation. Again, this will come to our attention next week.

I have no wish to delay the Bill. Generally speaking, it is an important step forward. It will give security and provide confidence that the sector operates well.

I did not mention the fact that the Bill offers the opportunity for a process in terms of becoming a university or being designated as a university. This is something the Royal College of Surgeons in Ireland in particular has been looking for. This is not simply a blank cheque: it is very much a process. This is evident from the amendments that the Minister of State has brought in. The process will be onerous and will ensure that no body will become a university unless it has reached the appropriate standard. That is provided for in the Bill as well. Generally speaking the purpose of these provisions is to ensure that we have proper standards and governance, fair play and a system in which everyone can have confidence, whether learners planning to come to Ireland from some other part of the world, teachers in the sector or those operating the schools. Obviously there are two sectors. One comprises private schools and there is the state sector as well. We welcome the Bill. We may have amendments to it, but that will unfold in due course.

Deputy Thomas P. Broughan: The Bill is a timely and important tranche of legislation to protect the reputation of all aspects of higher education in this country. It also protects the students whose families often make extensive efforts to provide English language and other third level education, including students from outside the European Economic Area.

As colleagues have mentioned, the protection of teachers or workers in the sector is vital. From looking at the Bill it seems the Minister of State has not included any additional sections in that regard. People will recall the collapse of Grafton College Dublin and the way people were left without wages and so on. That only happened a few months ago.

Last Saturday, *The Guardian* published its annual rating of approximately 80 British universities. The University of St Andrews in Scotland beat the University Oxford to second place. The University of Cambridge was first. I looked out for the position of my alma mater, the University of London. The analysis for *The Guardian* focused keenly on the experiences of students and the quality of teaching. I am not aware of a similar annual study of Irish third level institutions. Given this legislation that is perhaps an area where we need to look not only in terms of rating institutions but the overall quality of the work they do.

The British and Irish colleges all depend on large numbers of international students for significant income. They provide international students as well as our native students with a quality education that must be the hallmark of third and fourth level training.

The acute need for the Bill emerged following a decision by the High Court in 2015. The High Court held that QQI, established under the 2012 Act, did not have statutory powers to operate the accreditation and co-ordination of English language services scheme. The background to the High Court case was the well-publicised closure of several schools that offered diploma-type awards to international students. In the period from the spring of 2014 to early 2015 approximately 16 schools closed. We saw students marching in different parts of the city and throughout the country to highlight the amount of money that they and their families had spent on trying to get an education. In her judgment in 2015 Ms Justice Baker noted that students from outside the EEA could obtain a stamp 2 visa permitting them to remain in the State for 12 months. This involved studying part-time for six months and a further six-month period for full-time work. The judgment mentions and details poor standards and attendance records from some schools and a perception that some students were in fact economic migrants mainly

interested in seeking work. Some went on to seek stamp 4 and full residency status in Ireland. All of us in the Chamber have experience of representing these students over the years, some of whom have acquired Irish citizenship. Ms Justice Baker pointed out the particular role that these schools have played in this area.

Under section 61 of the 2012 Act, Quality and Qualifications Ireland has powers to award the international education mark, a mark that can be displayed by an education provider to show that the college or school complies with standards, procedures and practices mandated by QQI. Section 25 of this Bill rightly expands and clarifies the powers of QQI to introduce and award the IEM. QQI has published the code of practice for provision of programmes of education and training to international learners. Section 25 will now put this code of practice for education providers on a full statutory footing. This is to be welcomed. Under section 25, QQI may also establish and publish different codes of practice for different relevant or linked providers or for groups of providers as well as for different classes of programmes. This is also welcome.

Just as in the UK, Irish higher education has derived considerable income from the teaching of international students, as my colleagues who spoke earlier have mentioned. An excellent Bills digest for this Bill was prepared by the Oireachtas Library and Research Service. It references the Central Statistics Office data on how the direct output of English language training in private and HEA-funded institutes was worth approximately €800 million in 2014-15. Further output effects of the sector produce an additional €800 million. This brings the figure in total to approximately €1.6 billion. It is Government policy to try to develop value in this sector to approximately €2 billion worth of net benefit to the economy by the coming academic year.

A core principle underlying the development is the protection of enrolled learners - the students themselves. Section 65 of the 2012 Act made arrangements for QQI to protect these students where an education provider is unable to deliver a programme. Hopefully, this provision will be greatly strengthened by section 25 and the other sections of the Bill before us, including sections 27 and 28, and by the creation of the learner protection fund in particular. Section 29 replaces section 66 of the 2012 Act, and provides that in the event of a college programme default, the learner protection fund may be used by QQI to defray costs of completion of the enrolled learner programme, defray payment of fees for transfer onto another similar programme with a different provider or pay a refund to the enrolled learner. That section, and the creation of this fund, are very welcome.

Over the past decade or so, there has been an explosion of online services providing essays and reports for third-level student assignments, which Deputy Jan O'Sullivan referred to as well. Section 15, or the new section 43A of the 2012 Act, will attempt to address this development of what is effectively online cheating through crimes of impersonation and other attempts to cheat and unfairly manipulate exams. The new section 43A of the principal Act makes it an offence to provide or advertise cheating services, including undertaking assignments for an enrolled learner, sitting an examination in the enrolled learner's place or providing answers for an exam without authorisation from an examiner. A number of studies have been carried out into contract cheating at third level, as the Bills digest tells us. Many show that jurisdictions like the UK, Australia, New Zealand, Canada, and the US have criminal legislation in place, but the laws have not been very effective so far. Some of the problems with implementing these types of laws are the international nature of contract cheating due to the Internet, and the fact that plagiarism may be difficult to prove or is sometimes regarded as a moral transgression, rather than fraud or a criminal act. The new section 43A provided for in section 15 of this Bill seems well justified and hopefully will be a basis for preventing some of this behaviour.

Section 36 of the Bill, which gives institutes of technology their own award-making powers, is also very welcome. However, doctoral awards are excluded from that provision. I did not hear the Minister of State's introductory speech but I wonder on what is that exclusion based. My own belief, and that of many others, is that all citizens are entitled to third level education and that all of our key universities, technological universities and institutes should have full degree awarding powers.

The reforms encompassed by this Bill are timely. The events of four or five years ago, which led to the closure of colleges and the mistreatment of at least 3,000 mostly non-EEA students were totally unacceptable. Between 2010 and 2015, the number of those students in Ireland increased by almost 60% to around 33,000, with about 106,000 students in English language training institutions specifically. Deputy Lahart mentioned that if Brexit were to go ahead, which seems more likely now, we would be the only English-speaking country in the European Union. That is excluding the Netherlands, where English is more or less a second language, but we would be the only native English speakers. Hopefully, the measures before us will give QQI all the necessary powers to police and invigilate this sector, and any remaining problems with the Bill will be addressed by further presentations or on Committee Stage.

Minister of State at the Department of Education and Skills (Deputy Mary Mitchell O'Connor): I thank the Deputies for their interesting and in-depth contributions, and I welcome the support that has been expressed. Several different issues have been raised and I will try to deal with some of them. Deputies Thomas Byrne and Mattie McGrath raised a point last night about the protection of enrolled learners, PEL, fund and the resourcing of the learner protection fund, which was raised again today as well. The fund, as proposed in this Bill, is designed to address shortfalls which have been identified in the current arrangements for the protection of enrolled learners. The practical implementation and operation of the provision relating to PEL under the existing 2012 Act have proved problematic. The learner protection fund provides a comprehensive solution to these challenges in a cost-effective manner. While the Bill contains an enabling provision allowing the Exchequer to contribute to the PEL fund if required, the intention is that the fund will be fully resourced from provider contributions, and that the potential for risk transfer to the State will be avoided. The approach being taken to the learner protection fund in the Bill is based on models that have been adopted and successfully implemented in other jurisdictions, such as Australia and New Zealand.

Community and voluntary sector fees were also mentioned and were also debated when this Bill went through the Seanad. There is a proposal to exempt some sections of this sector from the annual charge and providers are under no obligation to engage with QQI. Providers only have to contribute to the learner protection fund in cases where they wish to have their programmes validated by QQI. The community and voluntary sector is not a homogenous group. QQI has approximately 130 providers that have self-declared as community and voluntary. This is a very diverse group of providers, with an equally diverse cohort of learners. Some of the self-declared community and voluntary providers operate on a for-profit commercial basis and charge students fees for programmes. Protection for enrolled learner measures are necessary to ensure the payments made by these students are safeguarded in these cases. Some of the community and voluntary providers will be automatically exempt from paying into the fund, as QQI has advised that about 25% of the providers in this category are only delivering programmes up to level 5 on the national framework of qualifications. These tend to be very short-term programmes of less than three months' duration. Similarly, any programmes where money is not paid on behalf of or by a learner will be exempt from the fund. This would in-

clude programmes that are publicly funded by the Exchequer through back-to-work schemes or upskilling programmes offered by education and training boards, ETBs, for example. The intention is that the PEL charge will only apply when a provider accepts moneys from or on behalf of a learner in respect of programmes with a minimum duration of three months. The annual charge for the learner protection fund will be developed by QQI in consultation with all relevant stakeholders against a set of criteria which will include the number of learners enrolled on the programme, the level of the fees being charged by providers, and the risk weighting. QQI will be asked specifically to consult with providers before the level of payments into the fund is agreed. It should be noted that following its passage through the Seanad, QQI will now be required to undertake periodic reviews of the fund. As part of this review process, QQI must consult with providers on the operation of the fund and the levels of the annual charge.

Employment rights have been raised by many Members. I assure the House that I am probably the Member who most wants to ensure that teachers are properly paid and their conditions of work are proper and appropriate. This matter was also raised in the Seanad.

We have strengthened the QQI's role as a regulator in this regard. For example, we have addressed these concerns and strengthened the provisions of the international education mark, IEM, to ensure that the providers who hold that mark are in compliance with employment law. This includes an additional power for QQI to withdraw the IEM from those providers that it finds to be in breach of employment law.

I wish to highlight the role and work of Mr. Patrick King, whom I appointed as a mediator to work with the employer and employee representatives in this sector. He is engaging with those stakeholders in a bid to secure an agreement on a set of appropriate employment standards. As I have informed the Seanad, I want all sides to continue their engagement in the mediation process with the aim of reaching a comprehensive agreement that will benefit the sector in the short and long term. As Deputy Jan O'Sullivan requested, I will keep her informed as this issue develops and passes through Dáil Éireann.

Deputy Thomas Byrne has been helpful regarding the Bill. Numerous times, he referred to stakeholder consultation process on the Bill. I understand that the Joint Committee on Education and Skills, which is chaired by Deputy O'Loughlin, is organising a stakeholder engagement meeting on Tuesday, 18 June, which is next week.

Deputy Thomas Byrne: We agreed that this morning.

Deputy Mary Mitchell O'Connor: My Department is happy to engage with the process and answer questions on the Bill. Someone asked who the stakeholders invited to the meeting would be. That will be up to the committee's Chair.

Deputy Thomas Byrne: The committee just decided that today.

Deputy Jan O'Sullivan: We have a list.

Deputy Mary Mitchell O'Connor: If the Deputies believe there is someone else who should attend the meeting, I would be glad to get their names.

I have addressed most of the points raised. We will engage in the stakeholder consultation process next week and, the week after that, we will continue taking the Bill through the House. I thank Members.

Question put and agreed to.

**Qualifications and Quality Assurance (Education and Training) (Amendment) Bill 2018
[Seanad]: Referral to Select Committee**

Minister of State at the Department of Education and Skills (Deputy Mary Mitchell O'Connor): I move:

That the Bill be referred to the Select Committee on Education and Skills pursuant to Standing Orders 84A(3)(a) and 149(1).

Question put and agreed to.

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

Acting Chairman (Deputy Declan Breathnach): I wish to advise the House that the Topical Issue in the name of Deputy Fiona O'Loughlin will not be taken and is being replaced by one in the name of Deputy Mick Wallace - to discuss the need to retender the contract for the national children's hospital.

Sustainable Tourism: Statements

Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin): I welcome the opportunity to contribute on the issue of sustainable tourism. The importance of tourism to Ireland cannot be understated. The sector has made a significant economic and social contribution in recent years and it is a vital industry that benefits every part of the country. Maintaining our recent success while avoiding negative impacts on the environment, our communities and the long-term viability of the industry itself is the ultimate goal of sustainable tourism.

Revenue generated from overseas visitors to Ireland has increased by almost 60% in the past five years to more than €5 billion, with growth in all of our main markets. Overall, it is estimated that the sector was worth in the region of €9 billion to the economy in 2018 if domestic tourism receipts and the fare receipts of Irish air and sea carriers are included. Fáilte Ireland estimates that, for every euro spent on domestic and overseas tourism, 22 cent is generated in tax, thus highlighting the importance of tourism as a business sector to the economy. Fáilte Ireland also estimates that tourism now supports the employment of in excess of 260,000 people in our economy, representing more than 11% of total employment. It is a significant employer and particularly important in those communities across that rely heavily on tourism for revenue and jobs.

While this growth is a fantastic achievement by all involved in our tourism sector, we must be open to change, adaptive and resilient to maintain this progress. Public bodies and private enterprises must continue to ensure that social, economic and environmental sustainability is central to our tourism offering to maximise the future competitiveness of Ireland as a visitor destination. It has never been more important that the safeguarding and successful growth of

Ireland's tourism sector is based on a sustainable and balanced approach. Environmental protection, economic competitiveness, community and visitor awareness and involvement all play a part in successfully achieving and benefitting from this approach.

Tourism is a growing sector internationally, with rapidly developing economies such as China and India driving global tourism growth. At the same time, there is an increasing recognition that tourism growth must be sustainable. In 2015, the United Nations published 17 sustainable development goals, SDGs, as part of the 2030 Agenda for Sustainable Development to address the global challenges facing us. The SDGs call on countries to develop and implement policies to promote sustainable tourism in a way that creates jobs and promotes local culture and products. Ireland's national implementation plan sets out how the State intends to implement these goals through the development of actions and targets related to each goal. It is incumbent on all Government agencies and Departments to ensure that these actions and targets are adhered to and that each sector contributes to Ireland's realisation of these goals.

The Government's tourism policy statement, *People, Place and Policy - Growing Tourism to 2025*, commits to placing tourism as a key element of its economic strategy, with development of the tourism sector reflecting the highest standards of environmental and economic sustainability. This policy is implemented by way of a series of tourism action plans, which are developed and monitored by the tourism leadership group appointed by the Government. The first action plan to stem from the policy statement spanned the three-year period from 2016 to 2018 and contained 23 key actions aimed at securing growth in overseas tourism revenue and employment. The majority of these actions were completed ahead of schedule.

Along with the Minister, Deputy Ross, I launched a tourism action plan in December 2018 for the three-year period 2019 to 2021. It identifies the key actions to be progressed during this period for maintaining sustainable growth in overseas tourism revenue and employment. One of the first actions provides for the establishment of a working group to review international policy and best practice in sustainable tourism and propose guiding principles for sustainable tourism development in Ireland. This working group is chaired by my Department and includes representatives from the industry and tourism agencies. Its work will be informed by the overarching policy and strategy identified by the Government in *Our Sustainable Future - A Framework for Sustainable Development in Ireland* as well as the Sustainable Development Goals National Implementation Plan 2018-2020. The work of the sustainable tourism working group will help us to achieve the tourism-related targets in the SDGs. As we seek to make tourism socially and economically sustainable, we should ensure there is a greater geographic spread of tourists and seek to increase the proportion of tourists who visit outside the peak season. My Department is committed to strong regional dispersal in tourism through the tourism agencies, Fáilte Ireland and Tourism Ireland. In line with the 2019-21 tourism action plan, the agencies are focusing on initiatives to improve regional and seasonal performance. As provided for in the tourism action plan, and as a result of the increased funding we have provided to Tourism Ireland this year, a new global brand campaign is being delivered in more than 20 key markets around the world. This campaign, *Fill Your Heart With Ireland*, is Tourism Ireland's first such campaign in seven years. It has been designed to drive continued growth to the regions and to encourage visitors to travel to Ireland all year round. It involves the promotion of less visited attractions and locations around the country. We have also increased funding for the regional co-operative marketing scheme, which supports direct access to regional airports and seaports by overseas visitors, this year.

Fáilte Ireland has developed initiatives in line with this policy. Its new food event, Taste

the Island, will promote the island of Ireland's extensive catalogue of food and drink experiences to domestic and international visitors this autumn. It recently launched its Platforms for Growth capital investment scheme, which will drive growth in the regions. Major new visitor attractions of scale will be developed and existing attractions will be greatly enhanced under this €150 million programme, which falls under the Government's Project Ireland 2040 strategy. I recently launched Tourism Ireland's Great Britain market review and strategy for growth, which was drawn up in collaboration with Fáilte Ireland, Tourism Northern Ireland and the industry. Britain remains one of our most important markets. British visitors are pivotal if we are to achieve our regional growth and season extension objectives. One of the key priorities of this strategy is the creation of hub experiences with compelling reasons to venture beyond our main attractions.

When the strategy for the future development of national and regional greenways was launched last year, the Department of Transport, Tourism and Sport demonstrated one of the many ways in which it is dedicated to the development of sustainable tourism in this country. Sustainability is one of the key components of a greenway built under this new strategy on which the proposals are being assessed. In the coming weeks, the Minister, Deputy Ross, and I will announce funding for a number of greenway projects around the country. These projects will mark the beginning of a wider network of greenways to be built throughout the island of Ireland under the greenways strategy. We are dedicated to the growth of greenways. Along with Fáilte Ireland, we will develop activity tourism over the coming years. This great form of sustainable tourism will have a positive effect on the economy of this country and the health of its people. It will also help to spread tourism into areas that are not benefitting from tourism as much as they could be and deserve to be.

Continued competitiveness is a key part of economic sustainability for tourism. A large number of factors determine competitiveness. It comes down to value for money for the visitor. If we do not provide value for money, we will suffer reputational damage. This will have an impact on our ability to continue to be successful. Capacity plays a part in determining our competitiveness, particularly in the accommodation area. Accommodation costs have been a concern in recent years. Increased demand has led to increased room rates in the main tourist destinations, especially Dublin, because supply has not expanded at the same pace. However, a number of new hotels have opened over the past year. A number of other projects are at various stages of development. This increase in supply should help to ease any concern that our accommodation prices are becoming uncompetitive. Accommodation providers have an important role to play in this regard. I am conscious that other costs can have an impact on this sector. We have heard much discussion of insurance costs in recent times. While this is a matter of concern across our economy, and not just for tourism, it cannot be denied that it is having an impact on tourism enterprises.

As Members will be aware, there are many aspects to this problem. The Government is committed to making progress on it. Budget 2019 marked a positive step forward in furthering the development of sustainable tourism growth in Ireland. The increased funding in the budget has allowed the tourism agencies to develop new campaigns, growth strategies and visitor experiences, all of which emphasise regional growth and season extension, as provided for in the 2019-21 tourism action plan. I will be interested to hear the views of Deputies on this subject.

Deputy Robert Troy: I welcome the opportunity to speak on sustainable tourism in Ireland. Climate change and environmental deterioration are among the greatest challenges facing humanity at present. Ireland is a green island nation that depends heavily on its environment.

Our environment is a crucial factor in the global reputation and success of many sectors of the economy, including fishing, agriculture and nature-based tourism. It must be protected across all spheres, counties and sectors. Sustainable tourism does not relate to the environment alone. The United Nations defines “sustainable tourism” as “tourism that takes full account of its current and future economic, social and environmental impacts, addressing the needs of visitors, the industry, the environment and host communities”. If sustainable tourism is to be responsible, a long-term view of its impacts must be taken. Tourism must be promoted in a way that works to the benefit of the wider community and ensures future generations continue to enjoy Ireland’s built and natural heritage. Our tourism industry must work for everyone. We must help visitors to minimise their own environmental impacts. We must ensure that visitors to Ireland are spread out regionally. These principles must underpin our tourism economy so that it works for all of us and is sustainable in the long term.

I will explain what this means in an Irish context. We must help the tourism industry to reduce its impact on the environment. We can begin by promoting more sustainable means of transport within Ireland, including rail, cycling and public transport. Rail tourism is an area of growth around the world. We are familiar with the various inter-railing schemes around Europe. More recently, efforts have been to promote rail use among American visitors. More must be done to promote this type of travel among international and domestic tourists. Increased funding is needed for the advertisement of these activities. Other common-sense measures include the linking of schedules across modes of transport such as ferries and trains. I understand that trains do not leave Rosslare Europort at the same time as ferries arrive. That does not make any sense. Cycling should be encouraged because it is a fantastic means of seeing the country without generating an ounce of carbon. According to early indications, the €53 million fund that has been allocated for the development of greenways between 2018 and 2021 may be oversubscribed. I encourage the Minister to consider increasing this fund to facilitate more projects. There is a clear need to adapt a more holistic approach to the construction of the greenway network. We need to make fuller use of existing infrastructure, such as quieter country lanes. The greenway between Mullingar and Athlone was rolled out most efficiently along an old railway line. It was one of the first greenways in the country. We should be looking along those lines.

Sustainable tourism is not just about carbon emissions. We must be proactive as we seek to ensure all of Ireland’s counties and towns, and not just a lucky few, benefit from tourism. In 2017, Dublin attracted over a third of this country’s overall tourism spend. By contrast, the entire midlands area generated just 2% of that spend. Given that economic activity in this country is concentrated in the capital, this imbalance needs to be addressed. I imagine that the opening of the Center Parcs facility in the midlands will help to redress this imbalance. We should work with those who are promoting the new hidden heartlands brand to ensure the people who visit Center Parcs in County Longford spend money elsewhere in the region and see what else midland counties such as Longford and Westmeath have to offer. Greenway projects can be very beneficial in this context. The 46 km greenway in County Waterford attracted 250,000 visitors in its first year. It has broadened the tourism offering in that region. These projects can serve as a catalyst for further tourism investment and growth in areas where they are most needed. Again, I would refer to the greenway between Mullingar and Athlone which will really accelerate when it is fully open between Dublin and Galway. Westmeath County Council opened a tender this week to extend it between Garrycastle and Athlone, across the Shannon and into the Roscommon side of Athlone. We need to see an acceleration of that project to roll it out the whole way to Galway. When that greenway from the east coast right over to the west coast is complete, it will be a huge attraction in that part of Ireland. More broadly speaking,

specific funding should be provided for the development of sustainable tourist attractions such as in our national parks and areas of special environmental interest such as the Burren, our bogs and wetlands and our native forests. These areas have the dual benefit of being located outside the main hub of Dublin and of promoting our understanding and appreciation of the landscape and environment around us.

Regarding the overall market, it is also important to plan long term and to bring in a diversity of visitors to Ireland from overseas markets. This has the dual benefit of boosting the economic resilience of our tourism market and increasing the diversity of that market. Some work has already been done to promote Ireland's offering to the Chinese and broader Asian markets. This is positive and must be continued to ensure that Ireland remains a top destination for these travellers. There are three times more Chinese tourists visiting New Zealand than visiting Ireland, even though both countries are similar distances away and have a similar offering. In that context, there is significant potential to grow that market. Chinese tourists spend well when they come to Ireland. Given the way that visitor numbers from our nearest neighbour, Britain, have fallen off in recent years, we need to look at expanding to more diverse markets, and I while acknowledge that work is being done in that regard, we need to put greater resources behind that work.

The long-term attractiveness of Ireland as a tourist destination for all visitors hinges on our ability to deliver a top-quality product at affordable prices. Recent reports and surveys on the cost of basic consumer services such as accommodation and dining out suggest that Ireland's prices are spiralling out of control, which is worrying. We have anecdotal evidence suggesting this and it is backed up by reports and surveys. In situations where sandwiches are costing €12, we are pricing ourselves out of the game. I and my Fianna Fáil colleagues have repeatedly pointed out that much more needs to be done to reduce the cost of doing business in Ireland. As was mentioned during the Order of Business earlier today and on many other occasions in this House, we need to tackle the high cost of insurance, particularly public liability insurance. Fraudulent insurance claims being made against businesses in the hospitality sector do not help in this regard and must be stamped out. We also need to address the issue of commercial rates which are totally unfair. They do not take into account the ability of a business to pay. I firmly believe that the commercial rates system should be reviewed with the aim of making it far more equitable. One way to do this is to base charges on ability to pay, that is, on the turnover or profit of a business. Ultimately commercial rates are a tax on business and should be based on the ability to pay, related to profits made. Another area that must be addressed is access to credit and our high interest rates. It is still far more expensive to borrow money in Ireland than in many other European countries. That is not fair and must be addressed by the Government. There are many people who want to invest in the tourism industry but the costs involved are prohibitive.

The bottom line is that Ireland is very lucky in terms of the tourism product on offer here, from our stunning landscapes to our vibrant cities and cultural life, our midland lakes and many other attractions. It is up to us to ensure that this offering is leveraged to work for us all and to deliver maximum benefit to our nation and citizens.

Deputy Imelda Munster: We have seen a dramatic increase in tourism figures in recent years and every year we seem to be setting new records. Tourism is big business in Ireland. In 2017, overseas visitors generated approximately €4.9 billion and domestic tourism was worth an additional €1.9 billion. These figures are enormous, and while hotel chains and other large operators are making large profits, tourism is also the lifeblood of a large number of small

businesses across the State. Tourism keeps businesses and communities going in parts of the country that would otherwise have very few economic opportunities. However, the industry needs to improve in terms of balancing the benefits of tourism to avoid oversaturation in some areas and encourage tourism in places that have been left behind.

We also need to look at our measures of success. Is the measure of success bringing the maximum number of bodies into the country? Do we care who they are, where they stay, how they travel or what they do here? We have seen the detrimental effects of over-tourism in places like Barcelona and Venice, which are seeing an anti-tourist backlash from frustrated locals who are experiencing a crisis in the cost of living. These cities have become parodies of themselves and are completely overrun with tourists. In Venice in particular, most of the tourists are low-spending day trippers. The Minister should be aware that there is a danger of this happening in tourist areas in the west, where buses bring hundreds of thousands of tourists from Dublin every year for very short trips to major tourist attractions. The result is that large numbers of tourists are visiting but they are not staying in the area, exploring anywhere outside the main tourist traps or spending in the locality. Small rural communities are not seeing the benefit of these tourist visits at all.

Decades of poor regional development means that many rural areas are suffering from a lack of basic services like local public transport and broadband, which means that they have little in the way of economic opportunities. In some regions, towns are almost completely reliant on summer tourism for their economic survival. This is obviously a dangerous situation, as we saw during the crash when tourism figures plummeted, with disastrous consequences. Other areas are ripe for development and have outstanding scenery and heritage, but because of the lack of development, tourists are either not visiting or are merely travelling through, with no benefit whatsoever to local communities. The boom and bust cycle in tourism in recent years shows us why the Government needs to pay attention to areas that rely heavily on tourism to sustain themselves. It also demonstrates the need for the Government to support the industry in achieving sustainable levels of tourism. We need to develop areas that have potential but little or no tourist trade at present but we need to do so in a way that preserves the natural beauty of unspoilt areas and is environmentally sustainable. Ireland is a beautiful country. Our landscape is one of the biggest draws for tourists but we need to improve radically our attitude to preserving the environment. Ireland has a dreadful reputation among international experts with regard to our green credentials. The Government ought to be ashamed of its record. We are failing to meet our emissions targets and this will also have dire consequences. We are known as a green country but there is nothing green about how we treat our climate change and environmental obligations.

Tourism also needs to be socially sustainable. The recent surge in visitor numbers shows up the lack of hotel rooms in Dublin. The response to this was to try to build hotels in the capital in a panic at a time when more than 10,000 people are homeless. We need to take a long-term approach to planning our cities. It is a long-standing issue that Dublin is reaping a disproportionate amount of the benefits of tourism. A good job has been done in marketing existing amenities and experiences such as the Wild Atlantic Way and Ireland's Ancient East. I refer to the Boyne Valley in particular. However, there is no meaningful, targeted emphasis put on places such as Louth and the Boyne Valley region that would provide real benefit to the locality and small local businesses. My town of Drogheda is an historic jewel in the county but it has not seen the investment needed to help it to reach its potential as a tourist town. We have so much to offer but we have lacked investment not only in the town itself, but in marketing and promoting it.

These areas have fantastic potential for tourism but it is just not being developed. Such development would mean significant infrastructure, including transport infrastructure to ensure that people can easily travel to more out of the way areas in tourist spots. I do not know how many times when travelling the country I have asked myself how tourists cope. How do they ever arrive at their destination with the road signage that is in place? If the Minister of State only targets one issue in the next 12 months it should be that.

An Ceann Comhairle: The Deputy should try satnav.

Deputy Imelda Munster: One needs divine inspiration as well as a satnav. I travelled a road in the west which did not exist on the satnav. We did not know where we were. Road signage is crucially important because it can put people off. One hears of European visitors who cannot comprehend that the signage is just not there. That is something at which we certainly need to look. We also need to provide support to local areas to develop accommodation and other amenities.

The Government also needs to recognise that, while tourism might be year-round in Dublin city and a few other select towns, it is a seasonal business in the main. This is a major issue for businesses and for their workers in particular. We are told that there are more than 260,000 jobs in the industry but it has to be acknowledged that a large portion of these are seasonal, which leaves workers in rural areas out of work for the winter months. It also makes it difficult for businesses to hold on to staff year on year as people cannot afford to remain in the industry. As we all know, many of these jobs are low paid and there are also some very questionable work practices in some parts of the industry.

While I am on that subject, I will express my disappointment that the Government opposed Sinn Féin's National Minimum Wage (Protection of Employee Tips) Bill 2017, which passed Final Stage in the Seanad yesterday. The Bill, which had cross-party support, aims to give a legal right to workers to keep their own hard-earned tips. It is designed to remedy a situation in which workers have no legal right to keep their tips. I do not know if many people realise that a third of employers regularly take their employees' tips from them. The reasons given by the Minister, Deputy Doherty, for opposing the Bill were weak and did not stand up to any scrutiny whatsoever. I hope that the parties that supported the Bill in the Seanad yesterday will continue to do so but I also appeal to the Minister of State and to the Minister, Deputy Ross, to reconsider their position and to support workers in tourism when the Bill comes before the Dáil.

Workers working in the tourism industry are often the first to meet and greet people arriving at their destination. If workers are happy and operating in a proper working environment rather than scraping by on the bare minimum wage while their tips are taken from them, it improves the reception tourists receive. If one looks up reviews for a particular hotel one will see that the hospitality people have received is the first thing they remember. If one sees that service was bad or that staff were unfriendly, unhelpful, or did not assist tourists, it instantly puts one off the idea of visiting. The way to ensure a good reception is to ensure that workers are looked after and that they keep the tips they work hard to earn. I hope the Minister of State will reconsider his position and will have a chat with the Minister, Deputy Doherty, and ask her to also reconsider her position when the Bill comes before the Dáil.

Deputy Maureen O'Sullivan: We know there are a variety of reasons tourists visit a particular country and why some countries attract tourists in greater numbers than others. Ireland has many particular selling points. It has great natural beauty in its mountains, lakes, forest, rivers,

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cliffs, and canals. We also have villages, town, cities and, of course, our islands. We can also include our culture, music, arts, sport, and food. These are all reasons people come to Ireland.

What exactly is sustainable tourism? It is tourism that contributes to conservation and to the local economy so that everything is compatible and so that the environment and local communities benefit. There are some very good examples from outside Ireland. Cuba is one place that springs to mind. There are certain areas in Cuba that are totally eco-friendly. We in this country are not there yet.

There is also a lot to learn from another country, Costa Rica. It sets a very good example and it is very advanced in the area of ecotourism. Sustainable travel and sustainable tourism may seem like contradictions when one considers the air travel aspect, but Costa Rica has been a global leader in sustainable tourism. Costa Rica produces 93% of its energy using renewable resources. I read that the country ran solely on energy from renewable sources for 300 days in 2017. Its ambition is to be the first carbon-neutral country in the world by 2021. We could learn from some of the things it has done with regard to sustainable tourism. One example is its certificate in sustainable tourism. This is used to measure the sustainability aspect of businesses and to motivate them to choose more sustainable practices.

Costa Rica also encourages the erection of ecolodges, which have a minimal impact on the natural environment. I do not know how that idea would go down with the hotel chains who want to set up all over the place here. These ecolodges are big into composting. They use environmentally friendly pesticides, solar panels, and all-natural bath products. They also operate plant-a-tree programmes to offset carbon emissions.

On renewable energy, as I mentioned, Costa Rica is almost exclusively powered by renewable sources: rivers, volcanoes, wind and solar power. Between 2014 and 2018, only 1.4% of the country's electricity was generated from fossil fuels. The country also has a plastic-free pledge and hopes to ban all single-use plastic products by 2021. It is also reversing the process of deforestation. Costa Rica calls itself a small country with big goals. That could also be us. When talking about sustainable tourism, we could also look at this area because of the natural resources we have here. That could be Ireland.

We are a significant destination for a wide variety of tourists because of what we offer, but we know that there are challenges. A report released in recent days shows that the number of overseas visitors in the period from January to March surpassed 2 million for the first time. Expenditure by tourists from overseas dropped by 4.6%, however, and there was also a slight drop in the average number of days spent here. Brexit got the blame for that as it was causing uncertainty. The weakness of sterling also meant that foreign holidays were more expensive for British tourists.

4 o'clock

We know about the challenges the Minister of State and others have mentioned. The cost of insurance is increasing the cost of holidaying here. We also know about the spread of tourists: I am all for dispersal as the Minister of State mentioned. Ireland has far more to offer than just Dublin, even though we have a lot here in Dublin. Gaps in staffing is another issue. In the old days CERT offered training for people who wanted to go into the hospitality industry with a wide variety of courses feeding into the industry. We now have significant gaps.

People going on holiday want value for money. They want to be able to eat and drink and

visit places of interest without it costing a fortune. However, we are seeing escalating costs in hotels and bed and breakfasts. When a large event is taking place in Dublin it is unacceptable that hotel prices are trebling, quadrupling and even more at times. The cost of travel is an issue with the cost of rail travel in particular being prohibitive at times.

Weather is a challenge, but we can cope with that because nobody comes to Ireland for the weather. Much of what we have to offer tourists is not weather dependent. If tourists experience bad weather in a holiday destination that is dependent on weather, there is nothing else to do, whereas in Ireland we have so much to do in all kinds of weather.

Ireland has so much to offer to people of all ages and interests. Tourists look for something different when they come here and we need to celebrate that difference in Dublin and the places outside Dublin. It is important not to lose that. We do not want to be a mini Las Vegas or a mini New York. We saw the mistakes made in Dublin where Temple Bar is a Mecca for hen and stag parties. It is an awful pity if someone's only experience of Dublin is going to Temple Bar to eat and mainly to drink. As the Minister of State pointed out in his speech, we have great potential for a wide variety of tourists, but it is about us offering something that is different and good value.

Deputy Anne Rabbitte: I welcome the opportunity to make a contribution on this debate on sustainable tourism. I come from east County Galway, the second largest county. I think we could pilot making Galway a carbon-neutral county. We could deal with a few different aspects because we have extensive forestry and many wind farms there.

We are also looking to develop our greenway from Athenry to Tuam to Milltown, which would also feed into it. We have spoken about this project for many months and submissions have been made on it. The 46 km greenway in Waterford has been of great value. The Quiet Man greenway in Galway is 42 km long. It is adjacent to an existing old railway line so there is no issue with purchase of land or anything else. When the next phase covering the main axis across the country from Galway to Dublin is done, provided it does not go through productive farm land, it will provide access right into the west from Galway up into Mayo.

There are some great ideas in Mayo. In my recent election campaign I met many people in the European constituency of Midlands North West who talked about island hopping regarding cycling and everything else like that. It is a very novel idea and very sustainable. I am talking about the families around Inishbofin, Achill etc. It would spread tourism into areas that might never have had this industry previously, which would be very welcome.

If we are really serious about sustainable tourism, we will need people in key locations to drive these sorts of projects. We will need to have people anchored within the local authorities or LEADER programmes to deliver the mechanism for making the applications, for promoting this idea and for moving more to the sustainable carbon-neutral place that Deputy Maureen O'Sullivan just talked about. That is where we want the island of Ireland to go. We are green as a nation. Maybe certain things have got in the way. We may have too many cars on the road. Maybe we are not using public transport. Maybe we are not getting public transport into the areas that require it.

Athenry railway station is a really good story. The numbers going from Gort to Athenry to Galway have increased because people have changed how they get into and out of Galway because it is clogged with traffic. We should put down a second railway line from Athenry into

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Galway to encourage people not to clog up the city, leaving it more open for tourists to come and visit and use the rail because they do not know a functioning system is there.

Galway Chamber of Commerce has proposed having a light rail running around Galway city to take cars completely out of the city. Local people no longer shop in Galway at the weekends because they know they cannot get into and out of it, but a light rail system to get everybody around would actually work. It would also address a major issue with parking at Parkmore for the businesses there.

We need to start to think about who the key drivers in our community can be - people who can take really good policies that come through us here and connect with the local authority or with the LEADER programme. Communities are tiring because the same people are doing the same job all the time. I would welcome the opportunity to pilot some of this in Galway. We could appoint one person to look at a particular municipality or just look at east Galway itself and pilot the different aspects of tourism from a sustainable point of view. There is the built heritage in east Galway and the greenway would be there. The new freight into east Galway is people who will come and spend their money, but we need to be able to hold them. It should not be an experience of just passing through east Galway. We need to hold them for a day. They need to spend some of their money. They need to experience the food because we have the hub in gastronomy. Next year we will have Galway 2020. There is plenty of good stuff going on, not just in my constituency but throughout the country. The problem is that we are not able to hold them. It comes down to the people that the Department of Transport, Tourism and Sport might put in position to try it out and see if it works.

Deputy Jackie Cahill: Climate change is one of the biggest issues facing us today. All areas must work for greater sustainability and no individual industry or sector must be asked to bear the entire burden. Ireland's reputation as a green island nation must be protected. From fishing to agriculture to nature-based tourism, our environment is a crucial factor in our global reputation and success. The tourism industry must be supported in meeting sustainability standards and in protecting our environment. We need to further develop sustainable modes of tourism, such as greenways.

We must also seek to improve the overall sustainability of tourism by increasing the attractiveness and usage of public transport among tourists. Rail tourism is an area of growth around the world, and more should be done to make this type of tourism viable and attractive to tourists to Ireland.

Specific funding should be provided for the development of sustainable tourism attractions. In my county of Tipperary, I am working with others on a number of sustainable tourism projects which are sensitive to our environment but that accept the reality of the economic needs of small towns and villages. It is possible to create tourism attractions and attract people into rural communities without having a negative impact on the environment.

The projects we are working on can bring tourists in, resulting in financial benefits that can be used to sustain an environment which might struggle without this attention. However, if we are to make a success of individual projects, the local economy and more importantly the local people must benefit. If done properly I believe it can bring economic recovery to areas that struggle to attract employment through the other State supports and bodies.

Further supports should be also provided to community groups that work to protect their

own local areas, such as tidy towns committees. Ireland's villages are some of our greatest tourism attractions and it is vital that they are maintained to the highest possible standards.

Cycling is a fantastic means to see the country and a sustainable means of transport. Greenways promote a very sustainable form of tourism where tourists are attracted to stay in areas that are slightly off the beaten track. Spending time outdoors promotes our appreciation of nature and the environment, thus increasing overall support for pro-environmental policies. The Government should provide support to businesses and groups seeking to develop amenities such as greenways so we encourage these types of leisure and tourism activities. Some €53 million has been allocated for the development of greenways between 2018 and 2021, but the early indications are that this fund may be oversubscribed and that further increases may be warranted. Furthermore, greater consideration must be given to creating greater connections between greenways and other cycling amenities, such as cycleways within towns and cities.

Tourism clearly involves travel, and it is vital that tourists be helped to use sustainable transport options wherever possible, but the public transport system is chronically overloaded in Ireland. Ireland's target was to reduce emissions from the transport sector by 20% by 2020 and 30% by 2030, relative to 2005 levels. Emissions from the sector will instead rise by 18% between 2017 and 2020, and by 20% between 2017 and 2030. This will have a huge environmental cost in terms of spurring on catastrophic climate change and harming air quality, and will also cost Ireland owing to fines from the European Union.

Rail is a very popular option for many tourists, as demonstrated by the success of the Inter-railing programme in Europe. In my constituency, our rail infrastructure is excellent but as of yet we have not fully exploited it. My understanding is that if we were to provide that level of rail infrastructure through Tipperary today, it could cost in the region of €1 billion. Therefore, we have got to connect the dots and help local communities fully exploit the opportunities that are available. All we need is some lateral thinking with some investment of a medium level to make these projects work.

Irish Rail facilitated 45.51 million passenger journeys last year above its 2007 peak. There has been 15% growth since 2015 alone, and this is a figure that will continue to rise. No new rail carriages have been purchased since 2016, and no new ones will be delivered before 2023 at the very earliest. The NTA does not even know how many new carriages it will be purchasing. The national development plan committed to purchasing 300 new rail carriages, but there is absolutely no indication of when they will be ordered. Funding should be provided to Irish Rail for the purposes of advertising Ireland's railways to international and domestic visitors as a sustainable and attractive means of travelling in Ireland. Greater efforts should be made to improve timetabling and journey times so that we increase the attractiveness to tourists.

Deputy John Lahart: Given the development of the recent so-called green wave, it is particularly disappointing to see there are no representatives of it to discuss sustainable tourism. I thought it would have been at the top of their list for discussion. If it were a topic related to any of the major parties, there would be much media interest in the absence of politicians to discuss it. I am not being petty about it; I am just surprised.

I want the Minister of State to do more to provide time for debates devoted specifically to tourism. Tourism is the underrated, understated poor relation among departmental areas, mainly because the sector always talks itself up. Things are always good in tourism. An academic involved in the tourism area once said to me that agriculture never talks itself up. It

always raises the bar when there has been a good year, a good yield, a good year for beef or cereal crops, or a sunny year with good harvests. It is right. Tourism always sells itself very high. Everyone, therefore, believes tourism is doing fine because those in the industry tend to say they are doing fine.

The amount of money invested in research and development in tourism is minuscule compared to the amount invested in research and development in agriculture, horticulture and the food industry, for example. This is not a criticism of the Minister of State but of successive Governments. Despite my point on investment, everyone is speaking in glowing terms about tourism here. That has to change. Contrary to what one of the previous speakers said, I believe the figures suggest tourism was one of the most resilient products we had during the crash. Some incredible things happened and businesses did amazing things to stay alive during the crash years.

While agriculture can be described as our gold, tourism is very much up there in terms of exports. Granted, they are invisible exports. Unfortunately, the bulk of my time will be used in making an appeal to the Minister of State. There was an attempt to set up a tourism satellite account around 2010 or 2011. The Central Statistics Office did some work on this.

For the public who may not be stakeholders in tourism, I can say we know how many visitors come to Ireland, the number of bed nights and the number of travellers but we do not know how tourism penetrates into the economy and how deeply it penetrates. I do not know how the local coffee shop in Knocklyon, Rathfarnham or Tallaght is benefiting from tourism. A tourism satellite account, of the kind that various larger and smaller economies have, would enable us to estimate the true value of tourism to this economy. Now that there is a little more room for manoeuvre, it is timely to do that. We need to know, in reality, how much tourism is worth to this economy. We do not have any real developed sense of that.

We talk about sustainability a lot. I define sustainability as that quality of not being harmful to an area or the environment. County Dublin has been utterly reliant on the city in terms of attracting tourists. Now there are some great steps in south Dublin although they have met some resistance. I do not believe anyone has ever advocated on behalf of those concerned. An example is the proposal to develop the Hellfire Club as a tourist hub. Tourism creates jobs. In time, there could be arts, crafts and little industries if An Bord Pleanála grants permission. The biggest advantage to the development of the Hellfire Club visitor centre, which will be located well away from the club and result in its being protected and other things, is that it enables a phenomenal amount of local tourism to take place. People cannot gain access to it at the moment. There is nowhere with baby-changing facilities. There is no place to have a cup of coffee. There are no bathroom facilities in the Dublin mountains, by and large. This would make a really positive contribution, yet just a small one. I am talking with south Dublin county. If visitors stay in any of the hotels in Tallaght, for example, the only offerings they have are Tayto Park or Dublin Zoo. They are miles away. Therefore, it is a question of sustainability and not having to drive to a local tourism spot but being able to walk with one's family. It is not always about inward tourism as it can also be about facilitating locals to make the most of and capitalise on the treasures on their doorstep without having to increase their carbon footprint by having to travel miles to sites and facilities in other counties. Similarly, at places such as Rathfarnham Castle, South Dublin County Council is making an effort to develop an Avoca-style offering in the outbuildings. While there may be inward tourism, it is also the case that locals do not have to drive for miles to avail themselves of the kinds of attractions such a facility would offer, thereby decreasing their carbon footprint.

Tourism is not always about inward tourism. I feel very strongly about indigenous tourism and facilitating our citizens to make the most, in a non-invasive way, of the treasures on their doorstep without having to increase their carbon footprint in doing so.

Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin): I thank all the speakers who made a contribution. I very much value the feedback of the Deputies who have spoken and the contributions made. I will try to follow up on all the points made and ascertain, with the various agencies and individuals concerned, whether we can achieve progress. Specifically on Deputy Troy's comments, it is very sensible that we try to ensure, in the case of Rosslare, that there is a synching between trains and ferries. I should be clear that word is "synching" and not "sinking" - that is perhaps a poor choice of word when I am talking about Rosslare. We should synchronise trains and ferries. That is common sense and should be the case, where possible, across the entire public transport network, whether airports or seaports. I imagine that is the first time the words "synching" or "sinking" have been used about a seaport in this Chamber.

The fact that we have a fund for greenways is very important and there is no question but that it is over-subscribed. That is a good sign. It is great that local authorities are enthusiastic and trying to develop greenways throughout the country. I assure the House that I am already working on trying to get more capital funding in budget 2020. We have done quite well in achieving €53 million in the first place but that amount will be used up quickly because of the enthusiasm from all over the country for building a network of greenways. The vision I have for the country is that we will have an integrated network throughout the country and also that we use roads that are used less at the moment and are sometimes seen almost as liabilities by local authorities. We intend to put those roads to use and help to create that integrated network.

Deputy Troy mentioned Center Parcs and there is a massive opportunity for everywhere within an hour's radius of Center Parcs. That will be a catalyst for growing the Ireland's Hidden Heartlands experience and brand and we are pushing it heavily. I met with Fáilte Ireland this morning about festivals. We are looking to create an iconic festival around the Ireland's Hidden Heartlands brand that will help to strengthen that experience.

The Waterford greenway was mentioned. I cycled it last year and it is a great example of how to build a greenway and put in place the accommodation works to facilitate local people who are living along the line. For example, Kilmacthomas is a town on that greenway which has been transformed since it opened. I was there on a Tuesday morning in early April and the greenway was busy with visitors and that is a good sign. We need to be improving our seasonality and regionality.

China was mentioned. I must mention Mr. Niall Gibbons and his team at Tourism Ireland for the work they are doing in that market to try to make the most of opportunities, particularly with the arrival of Hainan Airlines and Cathay Pacific Airways routes direct from Dublin to China. There is an opportunity there because it is a huge market. We know that there are many high-spending individuals in that market and we are doing our best to try to bring as many of those people here as possible and get them to stay for as long as possible.

I concur on the insurance issue. We know that it has been to the fore recently but it is one of our key challenges, as well as the costs of credit and energy. Those are considerable challenges for us. I clearly remember, ten or 12 years ago, that certain businesses lost the run of themselves completely in terms of the prices that were being charged. There is significant

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reputational risk when prices start to escalate. People can look at the various contributing costs but, at the same time, we must ensure that people do not hide behind those costs as an excuse for pushing up prices.

Deputy Munster talked about regionality and seasonality. Improving those are the key focuses of our tourism policy, to get as many visitors as possible into the regions for as long as possible, particularly off peak season. To that end, Fáilte Ireland recently launched the Destination Towns initiative to provide funding to local authorities to develop towns that are traditionally not tourism hotspots and give them a better opportunity to attract visitors and get them to stay longer. We launched the Púca Festival, which will take place at Halloween, in the Boyne Valley in County Meath recently. Drogheda will be one of the towns that will benefit from that. That is another exciting development from Fáilte Ireland. It will be working closely with the agencies on the ground, as well as with Tourism Ireland, to try to bring in as many people as possible.

I will also talk about the tips Bill. I earned my first tip when I was five years of age, an old pound note in the hotel in Killarney where my father worked for 40 years and where I spent seven years. I was good at earning tips. One has to be able to talk to earn tips so it led to a good career in politics. I certainly want people in the industry to be treated as fairly as possible. A culture of tips creates an incentive for people to work harder, try harder and provide an even greater welcome than that for which we are renowned. I am passionate about that and people absolutely need to be treated fairly. I am glad to report that the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, is planning to introduce an amendment to the Payment of Wages Act so that tips cannot be used to make up or satisfy payment of contractual rates of pay. She also intends to provide for a requirement on employers to clearly display their policy on how tips, gratuities and service charges are distributed in their premises and I welcome that.

A number of other issues were raised by other Deputies. As the Ceann Comhairle is telling me I do not have time now, I will try to respond specifically to the Deputies and try to follow up on the matters raised.

Saincheisteanna Tráthúla - Topical Issue Debate

Tourism Funding

Deputy Martin Kenny: I brought a delegation from the Leitrim Tourism Network to meet the Minister last year about this issue. There has been a decline in tourism in the north west and the Border region in particular. There was a 16% decline last year. Brexit is part of the problem because traditionally that area has relied on tourism from Britain and that is a cross-Border issue we have faced over the past couple of years. The Minister indicated at that time that additional funding would be put in place and it was allocated in the budget but the reports I hear from the industry on the ground is that it sees little sign of the additional marketing it requires to try to enhance its tourism product, promote the area and attract more tourism. I would like some information as to the level of funding in place and on how it has been spent and where. The local authorities tell me they have not seen it, as do the tourism and hotel networks on the ground. We would like to know where the additional funding is and the impact it will have in

the future.

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I am grateful to the Deputy for raising this issue. I applaud the fact that he is consistently on this worthy case and I hope I will be able to satisfy the Deputy that the north west and Border regions are taken seriously in the realm of tourism.

At the outset, I must point out that, with the exception of supports for greenways projects, tourism development funding is channelled through Fáilte Ireland which is responsible for regional tourism development. Under the tourism action plan 2019-2021, Fáilte Ireland will continue to develop and enhance tourism experiences as part of Project Ireland 2040. The aim is to develop things to see and do and increase regional spread, extend the season and promote sustainable growth. This applies across the country, including to the north west and Border counties of Donegal, Sligo, Mayo, Leitrim, Cavan, Monaghan and Louth. Fáilte Ireland does this work through the relevant tourism experience brands such as the Wild Atlantic Way. These brands guide both the capital investment as well as current spending on festivals, events and marketing and other supports for the region. The north west and Border counties vary in their offerings to tourists and traverse a number of experience brands. These include the Wild Atlantic Way, Ireland's Hidden Heartlands and Ireland's Ancient East. Fáilte Ireland is investing in the tourism in these counties through the grants scheme for large tourism projects and, more recently, through platforms for growth, which I launched last month. The region has also received national and regional festival funding and business supports for tourism operators to respond to the challenges of Brexit as part of the package I secured in last year's budget.

Last July, following publication of the strategy for the future development of national and regional greenways, the Minister of State, Deputy Griffin, and I announced a funding call for greenways. In response to the funding call under that strategy, I hope to be in a position to announce awarding of funding to the successful applicants in the coming weeks. However, a number of greenways in the north west and Border regions are already being developed. These are being co-funded by the INTERREG programme, the Northern Ireland Department for Infrastructure and my Department.

The north west greenways network project has been awarded €14.8 million, phase two of the Ulster Canal greenway project has received almost €5 million and the Carlingford Lough greenway project has been granted a total of €3.46 million. Although these greenways are focusing on switching cross-Border journeys from car to bicycle, there will be tourism benefits from them all.

Fáilte Ireland is partnering with the Department of Rural and Community Development on the outdoor recreation infrastructure fund 2018, which has provided funding of almost €11 million for 78 projects across 24 counties, including counties Leitrim, Sligo, Donegal, Cavan and Mayo. In addition, Fáilte Ireland is working closely with that Department on the rural regeneration and development fund to deliver quality visitor experiences nationwide to ensure local communities can benefit economically and socially from tourism growth.

I am keenly aware how important British visitors are to the Border region and how Brexit could potentially impact on this. The Deputy will be interested to hear that last week the Minister of State, Deputy Griffin, launched a new strategy to grow tourism from Britain to Ireland which was developed by the three tourism agencies on the island of Ireland. The strategy aims to grow revenue from British holidaymakers by over 25% to €705 million by 2022 and will be

of particular benefit to north-western and Border counties. Tourism Ireland continues to promote the north west as part of its promotional programme in key markets overseas, including the Wild Atlantic Way and Causeway Coastal Route, and promotes direct access to the north west through co-operative marketing campaigns. These investments are crucial, not least because growing tourism across the country and the seasons is a key part of the Government's tourism policy and I see great potential in this region to contribute to that ambition.

Deputy Martin Kenny: There have been some developments in recent times, particularly in the area of greenways, which are very welcome. We are awaiting funding for two greenways, one of which is the Sligo to Enniskillen greenway. I know the Minister visited the Ballroom of Romance in Glenfarne earlier this year and walked some of the greenway, or may have danced with somebody there, although we will not go into that. That greenway requires additional funding and would be of significant benefit because it is a cross-Border project. The proposal for a greenway which runs along the old railway line adjacent to what was the Ballinamore-Ballyconnell Canal similarly requires funding.

One of the general issues which we continually encounter is that in addition to development in terms of infrastructure and product, the tourism product in the north west requires far more sustained and targeted promotion because there has been a fall off in visitor numbers. A representative of the Leitrim Tourism Network told me today that he or she had spoken to people in Donegal and Strabane, where he or she visited a hotel. All of the people with whom the representative consulted stated that there has been a fall-off in bookings this year and there are fewer people visiting the region. The same situation pertains throughout the Border area and in the north west in particular. The only way to arrest that decline is to have a targeted programme of investment in promotions and getting tourism providers and other people in the area out to meet the visitors who will stay and contribute to the product in the area. Those involved in tourism in the area told me that continental tourists are a key area for them. Although they welcome the initiative referred to by the Minister to increase the number of British holidaymakers by more than 25%, many told me that, particularly in the context of Brexit, that will be a very difficult hill to climb and that greater emphasis needs to be placed on continental tourists, particularly those from France and Germany, who traditionally visited the region. There is great potential to bring them back again. They know the area and have been there before. If we can, we should try to work more on promotion, particularly of the Wild Atlantic Way and the Hidden Heartlands, as well as more generally in the north west where we have a tremendous product and need to get more tourists from continental Europe to visit.

Deputy Shane Ross: The Deputy will be aware that announcements on the greenways will be made very shortly, including announcements on what is happening in his area. That will probably take place within the next two weeks. I do not want to promise that but-----

Deputy Martin Kenny: I am writing it down.

Deputy Shane Ross: -----the Deputy can anticipate that there will very shortly be information on the greenways. A total of 22 applications were received from 15 local authorities on the greenway strategy, including applications from the north west and Border counties. There were three applications from County Donegal, one from County Mayo, one for the Sligo greenway, one from Leitrim County Council for the Sligo, Leitrim and northern counties railway greenway and one from Louth County Council for a Dundalk-Blackrock greenway. There was also an application from Meath County Council for a greenway that terminates in Kingscourt, County Cavan, of which the Deputy may be aware.

The Government takes the points made by the Deputy about the north west very seriously. I understand that he pointed out that some of the numbers are down. We are very conscious of that and are particularly conscious of the difficulties presented to his area by Brexit. It should be pointed out that in addition to making commitments to the greenways, we have invested a significant amount of capital in the north west and Border counties, including large grant schemes and further opportunities for Fáilte Ireland capital support. I do not know whether the Deputy needs reminding of examples of Fáilte Ireland capital investment in the north west and Border counties. In County Donegal, the Fanad Head lighthouse experience received €469,000 and €396,000 was allocated to visitor facilities at Malin Head. In County Sligo, the Strandhill surfing centre of excellence received more than €1 million, the Carrowmore Neolithic sites was allocated €262,000 and a grant of €201,000 was made in respect of the Sligo pontoon. In County Leitrim, €212,250 was allocated for Lough Rynn and €162,750 was granted in respect of Glencar lake and waterfall. Although the Deputy probably has legitimate cause for making his case, which he makes very strongly and well, particularly in the context of Brexit, it is important that the message does not go out that we somehow have a blind spot for the north west - we do not.

Areas of Natural Constraint Scheme Review

Deputy Jackie Cahill: A review of the areas of natural constraints, ANC, scheme has been ongoing for several years. I acknowledge the work carried out by the Department in the review. It did its best to get the maximum number of farmers and amount of farmland included in the scheme. Two weeks ago, Fianna Fáil representatives met departmental officials who explained the appeals process to us. All reviews lead to anomalies and hard luck cases, and I wish to focus on such cases.

Some 700 townlands fell out of the scheme, having been deemed ineligible this time around. Some 2,200 formerly excluded areas have been deemed eligible. Obviously, from an economic point of view, that is a good financial gain. In my county of Tipperary, there are several farmers in certain townlands who feel hard done by. The strictness of the appeals process will make it very difficult for them to be successful. In a particular area of my county, there are several fairly significant dairy farmers in townlands who are farming on difficult lands. They spent a lot of money through the years draining, improving and maintaining that land. The land carries with it a cost as regards cost of production because there is later turnout and earlier housing of stock, as well as the cost of keeping the drains maintained. Those farmers are being excluded from the ANC scheme even though we were told that they would qualify on the basis of the physical criteria of their land. However, they are being excluded because of their stocking rate. That is extremely unfair. The impression was given at the start that if one's land met the physical criteria, one would qualify as the review would be strictly based on the physical criteria of the land. There are farmers in these areas whose lands are adjacent to intensive dairy farmers, but far less intensively stocked. They are being excluded because of the farming practices of neighbouring farmers. That must be looked at and addressed. My understanding of the guidelines for the appeals process is that it will be extremely difficult to address that issue.

Another group of farmers who feel aggrieved is those whose land is flooded on a fairly frequent basis. They are not being accommodated under the review of the ANC scheme. Some farmers' land is flooded three or four times a year. Last summer's weather was an exception. There are flood plains, whether they border the River Suir or any other major river, that are

flooded frequently. Again, the farmers affected feel very hard done by that this is not a criterion for inclusion in the scheme.

As I said, I am not here to score political points against the Minister of State but to highlight the fact that, as is always the case with reviews, there are hard luck cases and people who fall outside of the remit of the review. There are farmers who have invested a lot of money in improving land that was marginal. I feel very strongly that that land is still disadvantaged, even though it gives a very green image. As I said, the farmers affected farm intensively and have the land that is highly stocked, but that land carries a cost of production and that these farmers are being excluded on the basis of the stocking rate when their land meets the physical criteria is wrong.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Andrew Doyle): I thank the Deputy for raising this issue. I acknowledge his complimentary comments about the departmental officials in how they sought to ensure as many people as possible could be included under the new criteria.

The areas of natural constraint, ANC, scheme was introduced under the rural development programme 2014-20 as a replacement for the disadvantaged areas and less favoured areas schemes which had been in place since 1975. The scheme was originally introduced in recognition of the fact that farmers in particular areas were faced with challenges related to lower productivity and higher production costs compared with farmers in other areas. The ANC scheme is an important support for the 95,000 farmers across the country who receive the payment annually in addressing cash-flow issues. In recognition of its importance, the annual budget for the ANC scheme was increased by €23 million in 2018 and by €23 million in 2019, bringing the total annual budget for the scheme to €250 million.

The scheme is implemented around a tiered payment structure which recognises the different levels of constraint experienced on differing land types. Under the 2019 scheme, those farming on category 1 lands, previously called mountain-type land, will receive €148 per hectare for the first 12 forage hectares, with €112 on remaining hectares up to a maximum of 34 ha. Farmers with category 2 land, previously called more severely handicapped lowland, will be paid €111 on the first ten forage hectares and €104 on remaining hectares up to a maximum of 30 ha. Those with category 3 land, previously called less severely handicapped lowland, will be paid €93 on their first eight forage hectares and €88.25 on remaining hectares up to a maximum of 30 ha. These new rates represent an increase across all land categories, with the higher support being targeted at the greatest constraint.

The ANC scheme has had a long history of review and refinement since its introduction. From the first EU review of the scheme in 1976 through to the fifth review in 1996, Ireland has been successful in increasing the number of hectares eligible under the scheme, from just under 4 million ha to over 5 million ha, and incrementally increasing the level of funding available under the scheme.

Until 2018, under the Common Agricultural Policy, lands eligible under the ANC scheme were defined based on a range of socio-economic indicators such as family farm income, population density, percentage of working population engaged in agriculture and stocking density. This approach has now changed on foot of new EU regulations. From 2019, eligible areas under the ANC scheme must instead be designated using a set list of biophysical criteria. Under this change, where a member state has not introduced the new system for payment, the regulation

sets out that the old scheme remains in place but payments must phase out on a digressive basis, which would result in significant cuts in payments. The purpose of this change in approach is linked with a concern at EU level that areas were not being designated as disadvantaged in a consistent manner across the various member states.

The biophysical criteria set out in the legislation to underpin the new system of designation are low temperature; dryness; excess soil moisture; limited soil drainage; unfavourable texture and stoniness; shallow rooting depth; poor chemical properties; and steep slope. The Department undertook the process of identifying eligible areas at townland level. Essentially, where the agricultural lands in a townland display one or more of the biophysical criteria listed and meet the 60% threshold set in the regulation, they are identified as constrained.

In parallel to this biophysical approach, two processes set out in the EU regulations were used to refine the identification of eligible land. First, a number of areas were identified as having “overcome the constraint” by reference to high levels of stocking density and arable land cover and are thus not eligible under the 2019 ANC scheme. This is referred to as “fine-tuning” in the EU regulations and was a mandatory step for all member states. Second, some areas were identified as eligible for the 2019 ANC scheme as they faced other specific constraints. In Ireland’s case, this process identified townlands as eligible areas of specific environmental importance and townlands facing structural issues related to farm size, field size, farm fragmentation and the level of permanent pasture.

Deputy Jackie Cahill: I thank the Minister of State for his reply, but to get to the heart of the issue, land that qualified under the biophysical criteria is now, because of the fine-tuning, being excluded from the scheme. There is not a huge number of such cases, but my understanding of the appeals process is that farmers have no hope of winning an appeal, which is extremely unfair. If the land qualified under the biophysical criteria, we are obliged to ensure the farmers concerned are made eligible under the scheme. The Minister of State said farmers’ lands had overcome their disadvantage. The criteria were used and the farmers showed that the lands still met the biophysical criteria and the 60% threshold; therefore, the fine-tuning is changing the goalposts. As I said, I am not laying the blame at the door of the officials on Kildare Street because they have done all in their power to ensure the maximum number of farmers qualify, but I am laying it at the door of those in Brussels. To introduce this fine-tuning to take farmers who have satisfied the physical criteria out of the scheme is wrong and the appeals process will not rectify the position. As I said, when there is a review, there are always people who are unhappy, but the farmers in question have a justifiable case. They have extra costs of production which, to me, makes their land eligible for ANC payments. It is wrong of those in Brussels to introduce this fine-tuning. The clear understanding of farmers on the ground was that the biophysical criteria were to be the only determining factors. The Minister of State was right when he said the last time there was a review of disadvantaged areas, as they were formerly known, there were many criteria that could take farmers out of the scheme. Even population density was used as a reason for inclusion or exclusion. That was also very unfair. As I said, there are farmers in district electoral divisions who have the misfortune to be located beside intensive farmers and who are being excluded from the scheme, which is extremely unfair. The review taking place must allow the farmers who met the biophysical criteria to receive payments. It is a big ask, but it is in Brussels that we must win this argument. We need to take it back to Brussels and say we have a small number of farmers who meet the biophysical criteria but who are being excluded because of stocking rate. That is not fair.

Deputy Andrew Doyle: I will finish some of the statistics. The Department received 1,537

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appeal notifications in respect of 759 distinct townlands. The closing date for receipt of such appeal notifications was 8 April. I am told that the relevant information underpinning the decision on the relevant townlands has been provided in response to all of the appeal notifications and that, to date, the Department has received 376 full appeals to the independently chaired appeals committee in respect of 273 townlands.

There are two criteria and one is stocking density, which as the Deputy noted had the effect of fine-tuning out people. There is also a fine-tuning of people to be included as well.

Deputy Jackie Cahill: We will not concentrate on that.

Deputy Andrew Doyle: I am just making the point that what is good for the goose is good for the gander. Member states can designate an area of up to 10% of the area in their territory. This approach was taken to designate the offshore islands in 2015. Areas with specific constraint are those where 50% of the district electoral division, DED, is covered by Natura 2000 directive lands and the natural heritage areas, where the landholding in the DED is in multiple blocks and fragmented, and where the average farm size in a DED is less than 80% of the national average, or 25.5 ha. The areas also include locations where more than 50% of the townland is in permanent grassland and the average field size is less than 4 ha. Criteria were used to keep areas in this.

I accept there are always difficult cases but the Department officials went to the Commission and had quite a job in persuading its officials that this would be in line with the Commission's demand for member states to be consistent in how they designate these areas. The 10% allowed some flexibility but we can see how they had to justify the balance. I accept the matter is not sitting well in some areas but the net result is that 760 are out but more than 2,200 are in. The coverage under areas of natural constraint has seen a net increase.

An Ceann Comhairle: Deputy Kelly is not yet here to speak to his issue, and although Deputy Wallace is here to speak on the national children's hospital, there is no Minister of State here to reply to him. It is Thursday, which is normally the day for the Minister of State, Deputy Catherine Byrne. As we are running a little ahead of schedule we can suspend for a few minutes.

Sitting suspended at 4.55 p.m. and resumed at 4.58 p.m.

National Children's Hospital

An Ceann Comhairle: In the absence of Deputy Kelly, we will take the item in the name of Deputy Wallace. I thank the Minister of State, Deputy Catherine Byrne, for being here for her normal Thursday evening slot.

Deputy Mick Wallace: This will probably be my last Topical Issue matter so I thank the Ceann Comhairle for allowing it and the Minister of State for taking it. I have said many times that I find it a bit unfair on the Minister of State that she is wheeled out on a Thursday evening to listen to all and sundry on different matters.

I have covered this topic so many times in recent months and struggled to get answers. The Minister of State has probably not brought them with her either. On the previous day with the Minister for Public Expenditure and Reform, Deputy Donohoe, I asked 25 questions and he

answered two of them poorly, leaving 23 unanswered. I did not get any answers to them since. The Government's handling of the children's hospital issue is one of the most disappointing things I have seen in my eight years in here, and it would probably only be beaten by the tolerance of what went on in the National Asset Management Agency in that time.

The PricewaterhouseCoopers report indicated it was not a good idea to retender but provided no evidence as to why that was the case. It was incredibly disappointing. The Tánaiste told me when I asked him about this that a gross underestimate that should have been flagged earlier was evident. Public benchmarking gives advance estimation of what the works would cost, but when I inquired about who decided not to do this public benchmarking, I was not told. I do not understand why people cannot answer questions. I have asked so many questions about the nature of the contract, and although I have received some written answers, there is still confusion about it. I realise at this stage that a bespoke contract was used rather than the black and white construction works management framework, which is a disaster. For the life of me I still do not understand why the Government has not abandoned it.

I have heard politicians and the media discussing what we heard at yesterday's committee meeting and it is making me pull out my hair.

Deputy Bernard J. Durkan: Do not do that.

Deputy Mick Wallace: It is being said that because construction inflation may have exceeded 4%, the contractor will be allowed to charge so much extra. Why was inflation removed from being the contractor's risk? That does not make sense. Why was the 4% figure used? Who made this decision, which means if there is inflation above 4%, the contractor is entitled to more money. The FIDIC contract template was recommended as best international practice, and if this had been used we could have attracted European contractors rather than the couple of fish in a bowl in Ireland.

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However, FIDIC set the benchmark at 12% or 13% before the problems of construction inflation would kick in. For the life of me can someone in Government tell me who made the call that the benchmark would be 4%?

The talk yesterday was that construction inflation is the big problem and so on. That is rubbish. It is part of the problem. We are not talking about a cost of €1.7 billion. The cost will not stop at €2 billion. The Government does not have a clue where it will stop because of the nature of the arrangements it has made. The nature of the contract is so poor it cannot know where the price will stop. How can that be a satisfactory arrangement for the Government? It is beyond me. I do not understand how the Government can possibly stand over it.

Minister of State at the Department of Health (Deputy Catherine Byrne): I am taking this matter on behalf of the Minister, Deputy Harris. I begin by congratulating Deputy Wallace on his election as an MEP to the European Parliament. I wish him well. I am sure we will still hear his voice loud and clear from across the waters.

I want to remind the House of the significant progress that has been made on this project. After false starts and failures to build this hospital over many years, difficult issues such as planning, completing the enabling and underground works and contract negotiations have been dealt with and this project is now in the major construction phase.

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Considerable work has already been undertaken on the project with Phase B, above ground works, well under way at the St. James's site. Works at the paediatric outpatients and urgent care centre at Connolly Hospital are complete and the centre is on target for a phased opening from the end of July. Works at Tallaght outpatient department, OPD, urgent care centre are also under way with a target hand over date of July 2020.

The contract in place to build the hospital has allowed early phases of work to start while the detail on later phases was finalised and agreed, resulting in a saving in total delivery time. Another advantage of the contract approach is that it has brought issues on cost to the fore much earlier in the life of the project than is the case where traditional procurement approaches are deployed.

The contractors are now required to take all risk for quantities thereafter and their recovery of additional costs is limited to clearly defined scope changes and, post July 2019, inflation in excess of 4%. Given the cost escalation of this project over that originally committed to by Government in 2017, three options were considered in December 2018 for completing Phase B: carry on with the current contractor, retender in the hope of getting a lower quote, or break up the contract into smaller parts and retender.

The realistic and least risky option available to the Government in order to avoid long delay and, potentially, the non-delivery of a children's hospital was to carry on with the current contractor for Phase B. Any change now would definitely create delay, very likely cost increases and significant contractual difficulties. All of these presuppose that other contractors would want to take on this project, which is not at all certain in the current construction environment.

As Deputies will be aware, the PwC report of the independent review into the escalation in the cost of the new children's hospital was considered by Government on Tuesday, 9 April, and published that same day.

The Government noted the recommendations of the report and agreed that the Minister for Public Expenditure and Reform and the Minister for Health would revert to Government to outline an implementation plan for the recommendations contained in the report. Work in regard to this implementation plan is ongoing.

Any consideration of retendering at this stage ignores the contractual position, the substantial work done to date and runs the risk of delaying if not outright derailing this much-needed facility.

The focus now is on the enhancement of the delivery and oversight arrangements to reduce the risk of future cost increases to the greatest extent possible. This is a vital and much-needed project that will have a transformative effect on the provision of paediatric care in Ireland. I will respond to Deputy Wallace's questions.

Deputy Mick Wallace: The Minister of State said that the realistic and least risky option available to the Government to avoid long delay and potentially the non-delivery of a children's hospital was to carry on regardless. I do not accept that. The notion that the hospital will not be built is untrue. It will be built by somebody and if the Government improved the contract, it would save a lot of money. That is a fact.

Given that so many mistakes have been made, and the Government has accepted it has made many mistakes, how come nobody is being held responsible? Why are the legal team, Cantor

Fitzgerald, not being held to account? Do they not have insurance? I do not understand that. There is no sense to it. If the Government is not going to hold consultants to account when they fuck up, it should stop hiring them. The idea of hiring consultants is to ensure they will take responsibility for their decisions. We are hiring consultants and paying them crazy amounts of money but not asking them to be accountable for what they did. We are not calling in the professional indemnity. Why were they hired in the first place? The Government says it will learn from these mistakes. I do not believe it will. If it cannot hold private consultants to account I suggest it stops hiring them. I suggest the Government should hire people of quality to work in Departments who have the know-how to be able to deal with these problems.

I refer to the people who oversaw what went on with the children's hospital - the contract and the way the board worked. It is nonsense. The Government is putting up with it, and it is losing this country hundreds of millions of euro. If it retendered it could change that but it does not want to retender because it would not look good and the project might be stalled while the Government parties are running in the next election. That is nonsense and it is not the way to run a country. I am being serious.

I cannot get over the fact that the Government has managed this project so poorly. There are so many questions that have not been answered. I would say I have asked 50 questions in this House that were not answered. There is so much confusion about everything. The Government is now hiding behind consultants who gave bad advice and a board that is not accountable. How laughable is it that a guy who was involved with an illegal board - with McCann Fitzgerald - and who was on the hospital board is now moving over to the Land Development Agency? How many mistakes does someone have to make in these bodies before the Government stops offering them work in other bodies? I predict that the Land Development Agency will be another part of the problem. It will be another quango that will not deliver for the people in the same way this hospital board has not delivered. The consultants who were hired and paid crazy amounts of money in terms of the children's hospital have not been held to account and have not come up with goodies. When will things change? This is absolute rubbish.

Deputy Catherine Byrne: I thank Deputy Wallace. I am sorry that I cannot answer some of the detailed questions he has asked but I will relay them to the Minister.

I fundamentally disagree with the Deputy on the way the project has been run from the outset. We are not just talking about a building. It is about having a facility for all the children of Ireland. It is about having a facility in a community that I know personally has changed the lives of people who are working in the construction industry now. There are many tentacles, so to speak, to this project besides building the new national children's hospital. It is about a community being revitalised as well. I have no other opinion on that.

The independent review of the cost of the new national children's hospital undertaken by PwC pointed out that a project of the complexity of the hospital can never be fully de-risked. The report states that a number of risk areas remain that have the potential to place further cost pressures on the budget, some of which are outside the control of the National Paediatric Hospital Development Board. One risk related to construction inflation and further likely costs arising from the impact of excessive inflation post July 2019, that is, in excess of 4%, as provided in the contract and measured using the average of the published tender price index. The primary focus of the National Paediatric Hospital Development Board is to manage risk with a view to preventing further cost escalations.

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The establishment of the new children's hospital provides a unique opportunity to introduce the new model of care for all paediatric services to help tackle current and future challenges in child health and deliver the huge advantages that are possible in children's healthcare. As someone who lives quite close to the new national children's hospital, I note the impact it will have, not only on the lives of many children from across the country, but also on those of the community in an area which has been left behind over many years.

Deputy Mick Wallace: That is ignoring the point of my question.

Acting Chairman (Deputy Bernard J. Durkan): One speaker at a time, Deputy.

Deputy Catherine Byrne: I do not know of any project in the time of this Government or the last, or the one before that, that did not exceed some of its costs. The Government and the Minister for Health have given a commitment that every precaution will be taken to reduce the risk of inflation. Ultimately, when this is completed we will have an excellent hospital, probably one of the best in Europe if not the world. I welcome that on the Government's behalf and the many children who will use it. As a mother and grandparent who has spent many days in and out of Crumlin hospital, the opportunity that awaits the children and the staff of this new hospital will overcome any overspend.

I welcome that Deputy Wallace has come to the House this afternoon for what might be the last time. I wish him every success as a member of the European Parliament. There are many things which he and his colleagues of every party and none can advance for Ireland, including in health. I wish him all the best.

Regeneration Projects Funding

Deputy Alan Kelly: I welcome the Minister of State and thank him for taking the question. Tipperary town and the issues it faces have been discussed in this House for many years by myself and many other Deputies from Tipperary. People feel it has not had any economic bounce in recent years, and that when it comes to priorities, Tipperary is a town that has been forgotten. There are various social issues and a lack of infrastructure. The N24 bypass has not been developed around the town. It is a town with a great history and fantastic people. It is located in a special part of the country. There is great tourist potential up the road. It is close to the hub of Limerick. It has a rail service and a gas line. It is on a main thoroughfare. It has access to educational facilities nearby. It has a lot going for it but economically and socially it has suffered. There is a crazy scenario where we cannot get DEIS status for schools there, something we have discussed here previously.

I applaud that the Government decided to appoint a taskforce for Tipperary town and has appointed a chairperson, Alison Harvey. Her appointment was welcomed universally across the town and area and by all the Deputies here. However, despite having held several initial meetings, Alison Harvey cannot do her work because she has not been provided with funding. She has no resources. I have spoken to her at length and she is very much enthused about this work. She believes there is great potential in the town. A team of students from Queen's University Belfast are in the town as I speak examining how the town might be improved, the footfall in the town and at the town centre and how it might be regenerated, and potential benefits.

We very much welcome Ms Harvey's appointment and the plan that she will put in place.

We welcome her enthusiasm and the structure around the work she wants to undertake. She has exceptional ability and I have dealt with her on other projects in the past. She gets things done. Contrary to what was said here in the last 48 hours in response to other Deputies, I wish to leave here with a positive news and information that the funding for the task force will be provided by this Government. In the grand scheme of things, for a town that has been let down, it is not a huge amount of funding but would have a dramatic impact. I know the Minister of State is himself familiar with the town, and has turned up to public meetings which I also attended. Fair play to him, he is a near neighbour. I have been in discussions with his colleague, the Minister, Deputy Eoghan Murphy and the Minister of State, Deputy English whose interest in this I wish to acknowledge. I ask the Minister of State to give the House some positive news that funding is being provided for the task force and that it will be able to get to work immediately because we all want that and want to work with them.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I am taking this question for the Minister of State, Deputy English and the Minister, Deputy Eoghan Murphy who are unable to attend. As Deputy Kelly noted, Tipperary town is a town I know very well. I could not agree more with him about the town. It has many things going for it but it is equally true that even during the Celtic tiger years it was a town which was behind the curve of much of what was happening in the country. I was in the House when the question he asked was referred to and I am glad that I have some good news for him.

Supporting the development and growth of towns and villages across Ireland is a major priority for the Government and to this end policy interventions are being pursued across a number of Departments and are being implemented by local authorities around the country. In particular, €2 billion is available under the urban regeneration and development fund, with a further €1 billion available under the rural regeneration and development fund.

The national planning framework, which underpins Project Ireland 2040, clearly articulates the importance of making our cities, towns and villages more attractive and liveable in order to offer a quality of life that is improved for those who live or want to live in those towns. It emphasises the need to regenerate and rejuvenate urban centres to provide for increased population and employment activity and enhanced levels of amenity and design quality in order to sustainably influence and support their surrounding areas. It is precisely these outcomes that the Government and Departments are supporting under the national planning framework and the various funds that are available.

Community interaction and engagement in this process is essential and it is very encouraging to see the level of local commitment to the rejuvenation of Tipperary town as evidenced by the establishment of a Tipperary town centre forum, a local initiative which is supported by Tipperary County Council

The Minister of State, Deputy English, has taken a keen interest in the issue and met with local stakeholders and officials from Tipperary County Council on 24 January to discuss how a three-year action plan could be developed, and then delivered, for the town.

It is proposed to engage specific planning expertise to support the development of an action plan for the town and to carry out a consultation exercise to allow all stakeholders in the town to input into the overall process. A key output of the action plan will be the identification and development of key rejuvenation projects for which the strongest possible bids can be submit-

ted for funding under the national funding programmes.

A submission from Tipperary County Council seeking funding to support the forum has been considered by my Department and I can confirm that my Department will provide financial assistance to the council to assist with the costs of bringing in expertise to help drive the regeneration project. This funding will allow specific planning and stakeholder expertise to be brought in, as well as dedicated project management expertise to support the overall process.

A funding allocation has been ring-fenced within the Department and will be communicated to the council shortly, together with the finalisation of the council's own expected contribution from its own resources. This amount will be made public when it has been communicated to the council in Tipperary.

Deputy Alan Kelly: It is not every day that I compliment a Minister of State on coming to the Chamber with positive news but I do appreciate it. Basically, in the past 48 hours, we have had confirmation that the funding is in place. I will not die in the ditch over the announcement of the amount, but I presume the amount is appropriate to the submission that was put in by Alison Harvey working with Tipperary County Council based on the meeting in January. The Minister of State might refer to that in his reply. I presume the amount will be announced once the letter has gone to the council in the coming 24 or 48 hours. It is appropriate that the council would be notified first. Pat Slattery, the man working on this, and his team will be notified. I will take the word of the Minister of State that this is what will happen. If I am wrong, he might let me know, but I take it that is the position. I have no problem with his colleagues making the announcement as long as it happens. That is not something I will die in the ditch over.

This is important and I appreciate the Minister of State coming back with positive information. I am focused on the economic issues because I believe the social issues can be addressed with an economic stimulus. Economically, this town has great potential. I have worked with Corajio Limited to create the Sky Innovation Park, which is a massive retail building that has been re-orientated to become an inward investment site. A range of former retail units is available and the planning designation has been changed.

Deputy John Paul Phelan: Which road is that on?

Deputy Alan Kelly: It is off the roundabout on the Limerick road. It is a fantastic building. IDA Ireland officials have it on their list and officials in Enterprise Ireland are aware of it. Considerable work has gone into it. The point is to get investment into Tipperary town following this work, especially through IDA Ireland. Limerick gets so many jobs, and I welcome that as a mid-west person, but Tipperary town, like Nenagh, is only out the road. There are fantastic assets there as well as fantastic people and fantastic educational opportunities. We should be able to market the town. If we do that and get one anchor tenant to bring several hundred jobs into this town in the next year or two, these developments will serve as the stimulus to change the town. It is a fabulous town already but it would be a better town and more prosperous economically in future with these developments. That would address many of the issues there now.

Deputy John Paul Phelan: I confirm for the Deputy that the Department will provide financial assistance to the council. As I understand it, the assistance will be in line with the submission received. The details will be communicated to the council first but they should be communicated to the wider public as soon as possible thereafter.

I could not agree more with the Deputy about Tipperary - this coming from a Kilkenny

man. I have always been struck driving through. I was in Tipperary town a good deal in recent months in the run-up to the plebiscite in Limerick. I was passing through a good deal. In fairness, Tipperary County Council has invested money in the Limerick road and on improving the streetscape there. I know the building to which the Deputy is referring. It has been idle for some time but it would be perfect for the type of investment he is talking about.

Not only will the Department provide the funding but that funding has been ring-fenced. What is happening at present is the finalisation of the Tipperary County Council contribution. Once that is done and the letter is communicated, then the public, the Deputy and everyone in Tipperary will know as well.

Health and Safety (Funfair) (Amendment) Bill 2017: Second Stage [Private Members]

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

Fianna Fáil is bringing forward the Bill to strengthen current health and safety legislation for recreational users of funfairs and fairground equipment provided in Ireland. The Bill will give statutory effect to the Health and Safety Authority, HSA, to ensure the compliance of funfair operators with health and safety provisions. Under our proposals, any funfair operator must carry out a duty of reasonable care towards recreational users. This is the central plank of the Bill.

The Bill was drafted initially two years ago by Deputy Niall Collins. The Deputy is out of the country on Oireachtas business and not in a position to take the Bill this evening. I have worked on the Bill in the same committee and that is the reason I am taking it.

Under the Bill, the HSA would be empowered under the Safety, Health and Welfare at Work Act 2005 to ensure funfair operators have a duty to safeguard recreational users of fairground equipment, including roller coasters, and maintain the equipment in a safe condition. The draft legislation provides for penalising operators found to have failed to take reasonable care to maintain fairground equipment in a safe condition.

The first aspect of the Bill sets out exactly what is fairground equipment. Section 1 defines “fairground equipment” as including “any fairground ride or any similar equipment which is designed to be in motion for entertainment purposes with members of the public on or inside it, any equipment which is designed to be used by members of the public for entertainment purposes either as a slide or for bouncing upon, and any swings, dodgems and other equipment which is designed to be in motion wholly or partly under the control of, or to be put in motion by a member of the public or any equipment which may be prescribed, in the interests of public safety, for the purposes of this section”. The definition covers most of the hurdy-gurdy rides that we all know and love.

The legislation includes provisions to penalise operators found to have failed to take reasonable care to maintain fairground equipment in a safe condition.

There are no provisions in Ireland’s workplace health and safety law to protect users of fairground equipment. This is in contrast to other common law jurisdictions, including the United Kingdom, where workplace health and safety legislation applies directly to the fairground and amusement park industry. Significantly, UK law protects not only people at work but also

members of the public and volunteers who may be affected by a work activity with legal duties to protect the health and safety of those using fairground machines. In addition, the UK has a large body of documentation on guidance and safety practice. This is sorely missing in Ireland.

Unless the current legislative gap is bridged in Ireland further tragic accidents may occur. One such accident was revealed in a “Prime Time Investigates” programme broadcast on RTÉ more than two years ago. In the programme, the parent of a 12-year-old girl revealed how his daughter had broken her neck on a roller-coaster. Shockingly, it transpired that the legislative deficit in the area means no State body has direct responsibility to investigate health and safety incidents in theme parks and funfair rides or equipment. During the programme, the HSA said the legislation it operates under does not extend to the investigation of such incidents. Replies to parliamentary questions by the Minister for Business, Enterprise and Innovation reiterated that the authority “does not have the statutory responsibility for ensuring the health and safety of users of fairground equipment”. It is simply not justifiable that in 2019 no State body has the power to investigate reports of accidents or injuries on fairground sites in respect of the use of funfair equipment.

Our Bill attempts to fill a legal lacuna in the regulatory framework. We look forward to working constructively with stakeholders and Members and we will take on board amendments on Committee Stage to further improve the Bill.

The Bill was first drafted two years ago. As Members know I live in County Waterford. The Minister of State and others present will be familiar with Tramore, which is a popular resort. We met the stakeholders from there two years ago. They are broadly supportive of what the Bill seeks to achieve.

We are only on Second Stage and no Bill is perfect at the outset. We welcome further dialogue as well as any amendments to the Bill. There is need for the lacuna to be sorted.

The Minister of State might ask me some questions. Our Bill will not encourage fraudulent insurance claims. We have made provision to guard against this. Under section 2, where a person enters a funfair for the purpose of committing an offence, that is, to injure himself or herself intentionally or to act with reckless disregard, the funfair operator shall not be liable for a breach of the duty imposed. We believe this provision will address that issue and deter fraudulent behaviour.

Another question the Minister of State might ask is whether the Planning and Development Act 2000 covers this safety issue. While the Act enables safety certificates to be issued for fairground equipment by local authorities, and we are all familiar with those provisions, the Department of Housing, Planning and Local Government has confirmed in a parliamentary question that planning legislation does not assign responsibility to a specific body to investigate accidents at funfairs. Licences are received from local authorities, and we have learned that the number of licences handed out over the last couple of years is fairly standard, in that it was 340 in 2018 and 343 in 2014. The Department of Business, Enterprise and Innovation also confirmed in a parliamentary question that the Health and Safety Authority, HSA, does not have any statutory responsibility for ensuring the health and safety of users of fairground equipment. I refer again to the issue of the child who was injured in a fairground, and the fact that the HSA assistant chief executive at the time said: “To my knowledge there is no other statutory body that would have a role to investigate in relation to a public safety incident in a fairground or funfair”.

This Bill is not intended to be a killjoy. It is intended to ensure the health and safety of all persons who use funfairs and hurdy-gurdies, so that if, unfortunately, an incident happened, the HSA would be in a position to enter, investigate and try to make sure another incident would not happen again. A huge hole in legislation needs to be bridged to protect users of fairground equipment such as rollercoasters. In regard to the “Prime Time Investigates” programme broadcast on RTÉ in February 2017, the parents of the injured child were absolutely appalled and the father said:

But when we raised the issue and our concerns that this could happen to someone else and find that no one is responsible, that no one is looking after the health of our children, that there is no oversight, to find that neither the Health and Safety Authority or no other body is overseeing the health and safety, protecting our children. That has been quite a shock to us and this is something that needs to be dealt with.

This Bill was born out of that RTÉ “Prime Time Investigates” programme, when we learned about that young girl, who I believe has recovered sufficiently, thank God, and that nobody was able to investigate that incident. The operator of a funfair, or the provider of fairground equipment, must apply to the local authority for a licence to make sure the equipment is sound, safe and can be used. Unfortunately, accidents happen, and when an accident happens, there has to be someone responsible who can go in, check it out, see what went wrong, and try to ensure it never goes wrong again.

This is a very short Bill. Section 1 deals with the definitions. Section 2 inserts an additional section after section 8 of the Safety, Health and Welfare at Work Act 2005 to provide employer duties and duty owed to persons at a funfair. Section 3 is a standard provision providing for the citation and commencement of the Bill. I see no reason there cannot be cross-party support for this. It is an amending Bill, but the amendment is meant well, and aims to ensure the health and safety of anyone who uses this equipment. It is welcomed by the stakeholders, who are very concerned about health and safety because this is their business and livelihood. They do not want any issues, but if there is an issue they want to be able to deal with it. The central plank of this is that we have to ensure a duty of reasonable care to recreational users. I hope the Minister of State will give it his best consideration, and that he will see that this is an extremely fair Bill. It aims to sort out an area where we discovered an anomaly in the 2005 legislation.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I thank Deputy Butler who is right in her comments about her own experience of Tramore which is in her constituency. When I was young, which seems like a long time ago, for many in south Kilkenny Tramore was the hurdy-gurdies and it remains true to this day. I also thank Deputy Collins for drafting this Bill we are discussing this evening. It shines a light on the very important issue of public safety at funfairs and, indeed, at outdoor events generally. To highlight such matters is worthy at any time but all the more so at this time of year as we enter the summer season when hopefully, Irish weather permitting, we get the chance to attend and enjoy more of such events in comfort and safety. The Government does not wish to oppose this Bill this evening - in fact, the Department has been engaged on this subject for some time now. We are carrying out a review of safety at funfairs at the moment, a process which I expect to be finalised and reported on within the next few months. This is ultimately likely to be part of a broader examination of public safety at outdoor events involving my Department, the Department of Business, Enterprise and Innovation, and other key players. It is against this background and context that I will now speak on to the specific matters raised in the Bill.

A key aim of this Bill is to impose a duty of care for public safety on funfair operators as well as a duty to maintain fairground equipment in a safe condition. This is an objective the Government stands fully behind. It is important to reassure people as they head into the summer that the current safety regime places significant obligations on funfair operators and equipment owners already. However, like all systems and processes, safety at funfairs needs to be reviewed and improved if necessary.

A second key focus of the Bill is that it proposes that the HSA would be responsible for ensuring compliance with the proposed duties on funfair operators. It would provide that the HSA use its full powers of inspection, enforcement, and investigation in respect of public safety at funfairs, as well as in regard to employee safety, which is the primary objective of the HSA at present. The issue of appropriate and adequate inspection, enforcement and investigation by a competent body is a key consideration of the current review. I again point out that the issue of funfair safety fits within a broader public safety landscape, involving several Departments and pieces of legislation. Furthermore, there is an extensive historical background to the development of safety at public and sporting events both in Ireland and internationally. This clearly points to the need to locate safety at funfairs within broader policies and regimes governing public safety at events.

I have some concerns that the Bill is only seeking to amend one of the statutory regimes dealing with safety at funfairs. There are key provisions in the planning Acts, which were, in fairness, referenced by Deputy Butler, that govern funfair equipment and notifications. I am not sure if it was a deliberate omission or a considered approach, but I would say that it is a considered approach based on the Deputy's comments. While I recognise the relevance of the expertise and experience of the HSA, given the Bill's intention to increase the operational remit of the HSA, has the Deputy considered whether this could have unintended consequences for the HSA's core existing work?

On the specifics of the Bill, I note there is effectively a checklist of requirements in respect of what would constitute reckless disregard, rather than proper care and attention, by funfair operators. My initial reaction to these particular provisions is that they do not fit well with the general legislative approach taken on matters such as these. As a result, I have some reservations about this aspect. However, ultimately, whether we would support these will depend on the results of our own review of the current safety regime, which I will talk about shortly in a little more detail and on the legal advice.

For the avoidance of doubt, I want to be clear that there is currently a safety regime governing funfairs in Ireland. Section 239(2) of the Planning and Development Act 2000 currently places a statutory duty on organisers of funfairs and owners of fairground equipment to take such reasonable actions to ensure that persons at a funfair do not suffer injury or damage because of dangers arising from the funfair or associated activities. Section 239(3) sets out the personal responsibility of each of us to take care of both ourselves and children in our care when attending funfairs and using funfair equipment safely. We have a duty to be careful, not reckless, or to do things to put ourselves or others at risk. This regime is intended to ensure that everyone who attends and enjoys these events can do so in a safe and secure way. Section 239(4) (a) of the Act also requires that the owner of fairground equipment shall not make it available to the public unless such equipment has a valid certificate of safety. Further, the organiser of a funfair is required to give notice of the event to the relevant local authority and such notice is to be accompanied by a valid certificate of safety. In circumstances where the provisions in respect of notice and valid certificates of safety have not been complied with, section 239(8) of

the legislation provides that the relevant local authority may serve notice requiring the cessation of the fairground-funfair operations. Failure to comply in this regard is an offence.

In recognition of the public safety concerns highlighted in 2017, the Department initiated a review of the provisions of section 239 on the control of funfairs. The review is also examining the issue of public safety at funfairs and theme parks in the context of more general approaches to safety at public events. The overall aim is to learn from other contexts where there is experience and expertise in similar areas, as appropriate. The review will enable a series of balanced measures to be introduced that will further strengthen our regime for the governance, inspection, investigation and enforcement of complex public safety issues in respect of funfairs specifically, with the potential to point to a more integrated approach to public safety at events more generally. The intention will be to ensure that any change deemed necessary to other legislation such as the Safety, Health and Welfare at Work Act 2005 will also be duly considered in that context. The Department has met representatives of key organisations and stakeholders from the industry and individuals as part of this process, including the Health and Safety Authority, HSA.

A key issue is the investigation of accidents at funfairs. Understandably, this is a core concern in Deputy Niall Collins's Bill. It should be noted that provisions in criminal justice and safety, health and welfare at work legislation provide for a range of responsibilities and roles in the investigation of accidents. Such investigative powers are only granted by the Oireachtas to competent specialist bodies. This is an area being considered in the review.

As I speak, the review is at an advanced stage, with report drafting well under way. Further engagement with relevant stakeholders, as well as local authorities, the Department of Business, Enterprise and Innovation and the HSA, is now required to finalise the conclusions and recommendations. The review report will address the concerns highlighted in this Bill as well as the notice and certificate of safety regime under the Planning Acts, including the process for appointment of authorised persons to issue safety certificates and the inspection, investigation and enforcement regime for public safety at funfairs.

There is clearly a need for a co-ordinated approach, with a clear allocation of roles and responsibilities, in the area of public safety. Public safety at crowd events is viewed as one of the higher risk scenarios in the emergency management arena. The national steering group, NSG, on major emergency management, which is made up of representatives of the Departments of Housing, Planning and Local Government, Health and Justice and Equality and the three principal response agencies, namely, the Garda, the Health Service Executive and, via the City and County Management Association, local authorities, recognises that the issue of public safety is complex. It can involve a number of Departments and agencies in risk management, with different configurations required during the hazard identification and risk mitigation, planning and preparedness, and response phases. However, the NSG's members recognise the benefits of a co-ordinated approach to dealing with event promoters and are raising the issues that they have identified with the Government task force on emergency planning, which is seen as the most appropriate whole-of-Government forum to take forward these issues.

This Bill raises important public safety issues that are worthy of consideration, support and progression. In light of the provisions in section 239 of the 2000 Act, the Department is already engaged on this subject. I expect the work on the review to be concluded in the coming months and I anticipate that my Department and the Department of Business, Enterprise and Innovation will work together closely on this. When the review report becomes available, I anticipate that

it will bring forward a series of balanced measures to address what are long-standing and complex public safety issues in respect of funfairs specifically, with the potential to point to a more integrated approach to public safety generally. I expect this issue to be taken up and progressed in a more co-ordinated way across the whole of Government.

I note and commend the spirit and ambition of this Bill. It targets enhancing public safety, which is important to all of us. However, I reiterate that the issues I referred to need to be considered further in order to ensure a coherent, joined-up and appropriate public safety regime that is modelled on best international practice. While there are challenges in aspects of the Bill, I nonetheless welcome it. I thank Deputy Niall Collins for drafting it and Deputy Butler and her colleagues for proposing it in the House. Deputy Collins can be assured that my Department and I will work to ensure that the intent behind it is given due consideration in the ongoing review and in the recommendations and actions that flow from same. I expect visible and real progress in this area by the end of the year so as to ensure that public safety continues to be maintained and enhanced at funfairs and other events.

Deputy Louise O'Reilly: I am speaking on behalf of my colleague, Deputy Quinlivan, who cannot attend.

I thank Deputy Niall Collins and his colleagues for introducing this important Bill, which seeks to impose on funfair operators a legal duty not to injure a person intentionally and a new duty not to act with reckless disregard for a person at a funfair in respect of any danger that exists there. Such a breach of duty by a funfair operator would result, on summary conviction, in imprisonment for a term not exceeding 12 months, a fine not exceeding €1,500 or both or, on conviction on indictment, a fine, imprisonment for a term not exceeding five years or both. Sinn Féin believes that these provisions are fair and just and, therefore, we are happy to support the Bill.

I understand that the Bill originated after an RTÉ “Prime Time” report a couple of years ago highlighted a worrying lack of regulation and standards in the funfair industry. As the Minister of State alluded to, the Planning and Development Act 2000 places a statutory duty on funfair organisers and the owners of fairground equipment to take reasonable care to ensure that funfair attendees “do not suffer injury or damage by reason of any danger arising out of the funfair or associated activities.” In the programme’s immediate aftermath, however, and notwithstanding the existing regulations, the absence of inspections or oversight came as a major shock to most people due to the considerable size and speed of some attractions in funfairs.

The Bill will give the HSA an oversight role in receiving and investigating complaints by users of funfairs and theme parks. It should be noted that most operators of funfairs around the country - there are plenty in my constituency, including in my town of Skerries - operate to a high standard and never run into any problem. However, this legislation does not seek to deal with areas where there are no problems, only with areas where issues may arise. While we acknowledge that safety is paramount in most funfairs, it is an unfortunate reality that serious and fatal incidents do happen at funfairs and theme parks in Ireland and internationally. In the 1990s, a young woman was killed in County Tipperary when the chair of a funfair ride she was on snapped and threw her to the ground, fatally injuring her. In 2011, a 31 year old woman was killed after being thrown from a funfair ride in Dublin city centre. In 2015, a rollercoaster at Alton Towers in England was involved in a serious accident that resulted in a number of people being seriously injured and having limbs amputated as a result. In 2016, nine people were injured when stairs collapsed at an attraction at a theme park in County Meath. These incidents

are rare, but we will all agree that one death or serious injury is one too many.

Fairgrounds are a common sight coming into the summer, especially at festivals and community events. Over the course of the summer, many of us will visit funfairs and attractions, maybe with younger relatives or, if we just fancy a day out, on our own. Since children and teenagers are the most common users of such attractions, putting stronger protections for them in place is welcome.

I am glad to hear that the Government will not oppose the Bill. The Minister of State might tell us whether he intends to give the Health and Safety Authority the additional resources to police funfairs and ensure they are compliant with the law.

Section 1 seeks to include “swings” in the definition of “fairground equipment”, which is appropriate in light of what we have learned recently about the potential dangers and hazards that are occasionally associated with the unsupervised use of swings. In this context, we should not lose sight of the importance of people taking responsibility for their own actions. This Bill seeks to impose a duty on fairground operators to ensure their equipment and attractions are in perfect working order, but it does not seek to replace people’s duty of care and responsibility for their own actions. That has to be paramount. There is only so much that the owner of a fairground can do. All he or she can do is ensure that the equipment is in working order, that supervision is provided where required, and that safety notices, etc., are provided where required. I am sure we can all agree on that.

I acknowledge the part played by Deputy Niall Collins and his colleagues in bringing forward this legislation. I reiterate that Sinn Féin is happy to support it.

Acting Chairman (Deputy Bernard J. Durkan): Deputy Rabbitte has ten minutes.

Deputy Anne Rabbitte: I will not need ten minutes. I will speak for a few minutes.

Deputy John Paul Phelan: The Deputy has been on the hurdy-gurdies for the last two months.

Deputy Anne Rabbitte: They were some hurdy-gurdies I was on.

Deputy Louise O’Reilly: That is a word I avoided.

Deputy Anne Rabbitte: I welcome the Minister of State’s support for the Bill. My speech is well tethered as a result of his expression of support. Like anyone else who watched the episode of “Prime Time” which has been mentioned, I was shocked to learn that this sector is not governed by any rules or regulations. I compliment my colleague, Deputy Collins, on the introduction of a speedy response to what he witnessed when he watched the programme in question. It simply cannot be justified that in 2019, no State body has the power to investigate reports of accidents or injuries on fairground sites involving the use of funfair equipment.

The power of enforcement under this legislation is set out in chapter 2 of the Safety, Health and Welfare at Work Act 2005. This Bill seeks to amend section 8 of the 2005 Act to put in place a framework in primary legislation that outlines the specific duties of funfair operators, thereby ensuring the highest health and safety standards are in operation among funfair operators. This will minimise the potential dangers to users. There will have to be adequate user protections and warnings, for example. Given that there have been fatalities and injuries in this jurisdiction and elsewhere, as Deputy O’Reilly has outlined, Ireland needs to strive for the

highest health and safety protections for recreational users of funfairs.

When the House debated tourism earlier this afternoon, we spoke of the need to develop Ireland as a green tourist destination and to grow our tourism product. Both of these needs fit together very well. As we seek to expand this country's tourism industry, we need to ensure it is a safe destination where the highest rules, regulations and requirements are adhered to. People who travel here will be comforted if they know we take these matters very seriously. We look forward to working with all stakeholders on this Private Members' Bill. I encourage Deputies on the other side of the House to advance any amendments they may seek to make to the Bill to ensure it addresses other matters. We would welcome such proposals.

I find it shocking that the HSE did not carry out any inspections of fairground and funfair equipment, such as roller coasters, between 2011 and 2016. We all have hurdy-gurdies in our own counties. We make a point of bringing our kids to them for a day out. We even bring our friends' kids. We are really putting ourselves at risk, which we never thought we would do. We assumed that there were rules and regulations. We would never have put anybody else at risk. We would not allow our kids out on a swing or down on a slide at home without checking it to ensure it is safe. When we walk into amusement parks, we let our kids go up on wheels at high speed. We stand and gaze at them while automatically assuming everything is hunky-dory. That is the case 99.9% of the time, but if anything happens, God forbid, there is no fallback and no protection for parents or friends.

I will not speak for much longer on this legislation. I welcome the Minister of State's support for this timely Bill, which is certainly needed in 2019. I encourage the Fine Gael side of the House to afford this legislation the time it needs. What is the quickest pathway we can avail of to bring it through? We do not want to kill Christmas and we do not want to prevent people from having fun. We want to ensure people can get out there in the knowledge that it is safe to do so.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): We can take action on any legislative proposals or administrative changes that are required by the end of the year as long as the review I spoke about in my first contribution is finalised by then. We hope to have the review finalised in the next couple of months. It is not accurate to suggest that there are no rules and regulations. The issue that has emerged relates to the level of inspection. Depending on the outcome of the review, there are actions that will need to be taken. The Government will not oppose the Bill because we fully stand with the aims behind it, which relate to public safety at public events. Everyone in the country will be familiar with the scenarios that have been outlined, having been to funfairs as children. Most parents, if not all, have brought children to funfairs on many occasions. Much of what we are discussing relates to domestic tourism, which continues to have great potential for growth. I hope we might yet get a repeat of last year's summer, despite the colder weather of recent weeks. Such weather would attract more people to funfairs and fairgrounds throughout the country.

The proposals in the legislation are ultimately an attempt to scrutinise the existing systems and processes, which is an important thing to do from time to time. It is sad in a way. I realised a few minutes after Deputy O'Reilly spoke about an incident in County Tipperary in which a girl was killed that I have a vague recollection of it. I would have been a child at the time. My mother probably shouted at me as I ran out of the car on the prom in Tramore. As I said earlier, it is important to point out that the Planning and Development Act 2000 places safety requirements at funfairs in the hands of operators. I agree with Deputy O'Reilly's point that we

have personal responsibility too. Matters are complicated when we are talking about dealing with mechanically operated equipment of any sort. People have a responsibility to ensure they do not place themselves or anybody else in danger. Equally, it is important that equipment is always up to the standard of safety that is required.

The Government fully supports the spirit and ambition of this Bill, which correctly targets the enhancement of public safety. As I said in my first contribution, the issue we have is that the question of safety at funfairs and fairgrounds needs to be considered in the broader context of public safety. Ireland is lucky to have very good public servants who deal with issues of public safety, often in circumstances of storms and bad weather and emergencies like those that have been mentioned by several Deputies. Some of those officials are here today. My only criticism of the Bill is that it is aimed solely and specifically at funfairs rather than the broader public safety context I have mentioned. The Government will take action in the wider context on foot of this legislation and the review I mentioned earlier. I thank Deputy Niall Collins for bringing forward the Bill.

6 o'clock

The Government will work with Members across the House to make sure the regime for the governance, inspection, investigation and enforcement of safety at fairgrounds is optimal and that learning from this process is applied to public safety at other events, in line with international best practice. It is intended, following the completion of the review, that there will be action in this area before the end of the year.

Deputy Mary Butler: I apologise for stepping out during the debate but the national broadcaster is interested in this Bill and I had to nip out to be interviewed on it. I welcome the fact that the Government is not opposing this Bill. The Minister of State said that the Department is carrying out a review of safety at funfairs which is expected to be finalised and a report produced within the next few months, which is very welcome. This Bill is shining a spotlight on the fact that there are no regulations governing situations where a person is injured. I have no doubt that we can tease out some of the questions posed by the Minister of State earlier when the Bill goes before the Joint Oireachtas Committee on Business, Enterprise and Innovation for detailed scrutiny. I am chairman of that committee and look forward to this Bill coming before us. We will deal with it in a timely manner.

The Minister of State made reference in his closing statement to the broadness of what is covered. A funfair is a place of entertainment where fairground equipment is used. That can cover an awful lot of items and is one of the definitions in the Bill. As I said earlier, fairground equipment includes any fairground ride or similar equipment which is designated to be in motion for entertainment purposes. The Bill does not refer to things like bouncy castles, which are hugely popular. Indeed, I know of a young child who fell off a bouncy castle last week and broke his wrist in two places. Perhaps that is what the Minister of State means when he says that the departmental review will include all kinds of entertainment items, which is very welcome. As I have already said, what we are doing here today is shining a spotlight on an anomaly in the 2005 Bill and as legislators, that is what we are expected to do. The Minister for Housing, Planning and Local Government said that one of the issues being looked at in the review is that the current rules do not assign responsibility to a specific body to investigate accidents at funfairs. This Bill is quite narrow in its scope but that was deliberate on the part of Deputy Niall Collins. He is seeking to amend the current Bill whereas the Government is looking at overhauling the entire system.

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It is important that we are having this conversation and the sooner this legislation is enacted, the better because nobody wants to see anybody being hurt. The operation of funfairs is a tough business. Operators are very dependent on the weather and unfortunately we have not had a good summer so far. They are very dependent on weather and on trends and the last thing funfair operators want to see is people getting hurt. They do not want that experience. Funfair operators also provide employment for college students at weekends and during the summer months.

Unfortunately, I did not hear Deputy Louise O'Reilly's contribution but I understand there is broad support for this Bill across the House. I welcome the fact that the Government is supporting it and look forward to scrutinising it in detail at the aforementioned Oireachtas committee, which will invite contributions from all relevant stakeholders. I am sure we will improve the Bill, if necessary.

Question put and agreed to.

The Dáil adjourned at 6.05 p.m. until 2 p.m. on Tuesday, 18 June 2019.