



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Déardaoin, 20 Meitheamh 2019

Thursday, 20 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 the House that three Deputies did not have an opportunity to put their questions to the Minister yesterday. I ask everybody to stay in order, although I do not expect any trouble from the Deputies present in any event. We will seek to have as many questions as possible answered.

Deputy Kevin Boxer Moran: Is the Chair implying that Deputies were bold yesterday?

National Broadband Plan Funding

1. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform the way in which the national broadband plan will be paid for between 2020 and 2023; and if he will make a statement on the matter. [25799/19]

Deputy Barry Cowen: The total cost of the broadband plan between 2020 and 2043 will now be almost €3 billion. That includes €1.5 billion of additional funding over and above the amount already allocated in the development plan between 2020 and 2027. Of that amount, €782 million will be required between now and 2023.

On “Six-One” some weeks ago and in answer to a parliamentary question that I asked, the Minister said categorically that no project or development plan would be cancelled, delayed or impacted by the decision to proceed with the broadband plan. Will he explain in detail how the broadband plan will be delivered? He says it will be funded by increased revenue in the future but the Irish Fiscal Advisory Council, IFAC, states that is not credible. The Secretary General

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of the Department has indicated that funding will come from future capital expenditure projects while the Minister states that is not credible. The Economic and Social Research Institute, ESRI, stated this morning that taxes might have to be raised. I believe the money will come either from borrowing or cuts in expenditure. Will the Minister enlighten the House as to how the plan will proceed?

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): As the Deputy is aware, I am responsible for setting the overall multi-annual capital expenditure ceilings and for allocating these resources across Departments. My Department is also subsequently responsible for monitoring expenditure, on a monthly basis, at a departmental level against these agreed ceilings. In this context, the precise schedule of multi-year funding of the national broadband plan will be set out in full in the context of the budgetary process for 2020.

Beyond that, I should explain, as I have on a number of occasions, that the Department of Communications, Climate Action and Environment is the sponsoring agent and the Government is the final sanctioning authority. It is the responsibility of the sponsoring agency for the national broadband plan, although I will be working closely with that Department, to comply with the provisions of the public spending code.

Where the Government is the sanctioning authority, the public spending code makes it clear that the day-to-day oversight functions of a sanctioning authority revert to the relevant line Department which is the Department of Communications, Climate Action and Environment. The Government is then involved at the major decision points.

My Department has engaged with the Department of Communications, Climate Action and Environment throughout the process on the economic appraisal of the national broadband plan. In addition, there was also ongoing engagement between the Department of Communications, Climate Action and Environment and my Department on the cost and affordability of the project, in particular once it emerged that the cost of the project was not capable of being funded within the allocation that had originally been made for the project in the national development plan.

In monetary terms, the impact of the project on the overall fiscal position will necessitate an additional requirement of approximately €200 million in 2021 and 2022 and approximately €300 million in 2023, which will result in a depreciation in the general Government balance of approximately 0.1% of both GDP and GNI* on an annual basis. I will lay out in budget 2020 and in the run-up thereto how I plan to accommodate that.

Deputy Barry Cowen: I ask the Minister to clarify the comments he made previously, especially those he made on “Six-One” and subsequently. He said categorically that no project within the national development plan would be cancelled, delayed or impacted by the decision to proceed with the national broadband plan, even though it is to cost an extra €1.5 billion. The Minister says the project will require an additional €500 million between now and 2023 but we are also awaiting details of the outstanding €400 million overspend on the children’s hospital. In the short term, that amounts to almost €1 billion. Will he indicate where that amount will come from during the budget process? The IFAC states it is not credible that it will come from future revenue. The ESRI states it will possibly come from taxation. The Secretary General of the Minister’s Department says that projects will be forgone, although the Minister disagreed with that statement and said it was not credible. These organisations and individuals have laid their cards on the table quite categorically and it is incumbent on the Minister to do likewise on

behalf of those we all represent.

Deputy Paschal Donohoe: As part of the budgetary process for 2020 and beyond, I will engage with Deputies Cowen and Michael McGrath on the matter, as I am required to do.

I repeat that it is my intention that no other projects will be affected as a result of the decision to move ahead with the national broadband plan. There are other reasons beyond any decision on the national broadband plan that projects can be delayed. A project can proceed in a different way than anticipated due to the planning process, decisions taken by Departments or the time required for the tendering process. All those factors can and do arise. I reiterate that it is not my intention to change other projects as a result of going ahead with this decision on the broadband plan.

The Deputy asked me to put my cards on the table. At a certain point in time, Fianna Fáil will need to do the same on the national broadband plan. The issue I have grappled with is that, if one is committed to 100% coverage and the use of fibre optic technology, and wants it to happen on time, this is, on balance, the only way of doing so. If the Deputy feels differently, as is his right, he will need to explain what his alternative is at a certain point in time.

Deputy Barry Cowen: The beauty of the Minister's position is that he is in government and has responsibilities. He has to decide priorities on behalf of this Dáil because he has the majority to do so. Playing games with me about what I would or would not do is not up for discussion here. I need to know what is available in the public finances to deliver a development plan to which this Dáil has agreed. The Minister is not being straight with people when he does not enlighten them in this regard. I ask him to be conscious of that and of the fact that, as I said, others who are independently appraising the national broadband plan have said his position is not credible. It is worrying that he has not sought to clarify his previous comments on his commitment that no project will be affected. He is now saying projects may be affected but he will not enlighten us as to how they will be affected. He said that projects will be delayed. Some €99 million worth of projects have been delayed because this year's commitments in the national broadband plan have not been acceded to and the costs overrun for the national children's hospital. The Minister has yet to inform us of another €400 million in addition to the €500 million between now and 2023 that he mentioned in his initial reply. What exactly will be delayed? How long will it be delayed? Will it be delayed for long enough to cause people to forget about the commitments that were made on road trips last year?

Deputy Paschal Donohoe: I do not need the Deputy to remind me of my responsibilities. I am well aware of them. The Deputy is not without responsibility.

Deputy Barry Cowen: My responsibility is to hold the Minister to account.

Deputy Paschal Donohoe: If the Deputy feels we have made the wrong decision in the case of the national broadband plan, it is incumbent on him to say at some point what he would do differently. It is clear that he has formed the view that we have made the wrong decision, as he is entitled to do. As already stated, if he believes we are doing the wrong thing, he will have to grapple with the issues with which I have grappled. I reiterate that the decision in this regard will not affect other projects. As we know, every year things happen with other projects that do not result from policy decisions made by me. The original view of the Deputy's party was that Ireland 2040 did not exist and was not going to deliver a material benefit to communities and citizens.

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Deputy Barry Cowen: When did I say that?

Deputy Paschal Donohoe: His party now holds the view that it is of such high value and can make such a difference to people that it is very eager to ensure that it is not affected at all.

Deputy Barry Cowen: When did I say that?

Acting Chairman (Deputy Eugene Murphy): I am moving on.

Deputy Barry Cowen: I ask the Minister to correct the record. When did he hear me say anything like that? I respect the commitments made in the development plan. I acknowledge that it can be a success and can bring benefits, especially in the regions.

Acting Chairman (Deputy Eugene Murphy): I must move on.

Deputy Barry Cowen: I need to know whether the money is there to meet the demands relating to the promises the Minister is making. He is not being straight with the people when he tells them that the money will come from future revenues. He is expecting to have magic money at his disposal.

Acting Chairman (Deputy Eugene Murphy): I have to move on to Question No. 2 in the name of Deputy Jonathan O'Brien.

Deputy Barry Cowen: As I have stated previously, the Minister is the Freddie Mercury of politics, exercising his kind of magic. It is time he came clean to the public on this issue.

Deputy Paschal Donohoe: No, Deputy-----

Deputy Barry Cowen: No, I take exception to the point the Minister is making. He is here because we have the good grace to allow him to be in government and in a position to give stability to this country. He is riding roughshod over us, and it is a mistake he will regret if he keeps going with this answer.

Acting Chairman (Deputy Eugene Murphy): We are not being fair to other Members. At the outset, I asked everybody to stay in order. I will give the Minister 30 seconds to make some brief remarks.

Deputy Paschal Donohoe: I have publicly acknowledged on a number of occasions the role Fianna Fáil has played in maintaining stability at a point of difficulty. I stand by the point to the effect that I heard this plan being dismissed as one of spin even though it is one of substance.

Acting Chairman (Deputy Eugene Murphy): I thank the Minister.

Deputy Barry Cowen: Money is needed to match it.

Deputy Paschal Donohoe: I will be outlining how this plan will be funded. The money is there to make Project Ireland 2040 a reality. That is the truth.

Acting Chairman (Deputy Eugene Murphy): We have gone way over time.

Deputy Barry Cowen: The Minister has stated that projects in health and other areas will be foregone because of the overspend, but he is not showing the same conscience when it comes to this issue.

Acting Chairman (Deputy Eugene Murphy): I have called Deputy O'Brien. I ask Members to allow him put his question.

Deputy Jonathan O'Brien: I am quite happy to let them argue, to be honest.

Acting Chairman (Deputy Eugene Murphy): When Deputies' time is up, they should allow the next person to put his or her question.

Freedom of Information Legislation

2. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform if legislative changes are planned to strengthen the Freedom of Information Act 2014; and if he will make a statement on the matter. [25966/19]

Deputy Jonathan O'Brien: In light of recent court cases, is the Government planning to propose changes to the existing freedom of information legislation?

Deputy Paschal Donohoe: The Freedom of Information Act 2014 revised, updated and consolidated the freedom of information regime in this country, removed the upfront fee for requests and made the system in general more user-friendly.

The success of this initiative is illustrated by the fact that between 2014 and 2017, the latest year for which figures are available, there was a 67% increase in the number of requests made to public bodies. It is expected that the Information Commissioner's next annual report will show that the number of requests in 2018 exceeded the 33,979 received by civil and public sector organisations in 2017 as part of a consistent upward trend.

Some 85% of the freedom of information requests decided on by public bodies in 2017 were granted in full or in part. Just 3.5% of those who made freedom of information requests in 2017 sought an internal review, which involves a reconsideration of the request at a higher grade in the organisation, after the initial decision was made. Almost 60% of requests in 2017 were for personal information, with the majority of those who made requests being clients of the public body concerned.

The Deputy will agree that by any objective standard, all indications suggest that the freedom of information regime is robust and effective in delivering on the objectives of openness, transparency and accountability of public bodies. However, the success illustrated by the recent year-on-year increases in demand has been accompanied by significant challenges, particularly with regard to the demands placed on public resources.

Against this backdrop, the Department's central policy unit for freedom of information has continued to work closely with stakeholders throughout the Civil Service and the public service with a view towards improving freedom of information practice.

Our aims are to ensure that the objectives of those who make freedom of information requests are met as efficiently as possible, to build technical knowledge capacity and to develop an appreciation of the broader significance of freedom of information legislation for the business of relevant organisations.

Deputy Jonathan O'Brien: I agree that the changes have led to a dramatic increase in

the number of freedom of information requests. While the Minister is correct in stating that there has been an increase of approximately 60%, I would like to take issue with the figures he cited when he spoke about requests that are granted. According to information we received in response to parliamentary questions, the percentage of requests that went on to be granted decreased from 62% to 51% between 2014 and 2017. Some of them may have been successful on appeal. In light of recent court cases in this area involving the Information Commissioner, one journalist has described the Freedom of Information Act as being “dead”. There is concern following two recent court rulings. Can I take it from the Minister’s reply that there are no definitive proposals to look at the legislation? The Minister is looking at the capacity to deliver on the existing Act. Is that correct?

Deputy Paschal Donohoe: That is correct. I am aware of the evaluation that has been formed by some people in respect of the operation of the freedom of information legislation. I do not have any evidence to corroborate the suggestion that predictions of the demise of the freedom of information legislation are being borne out. I have monitored what has happened following the three court judgments to which the Deputy refers, one of which relates to the Department of Health. At this point, it is not clear that the consequences of these judgments will affect the operation of the Bill. It is something I will keep under review. I understand that the Deputy’s party is considering the introduction of legislation in this area.

Deputy Jonathan O’Brien: That is correct. We signed off on our Bill yesterday and we look forward to submitting it. The Department of Public Expenditure and Reform is now denying more requests than it is granting. We are concerned about that trend. The Department received 207 requests last year. Sixty were granted and 67 were refused. We are seeing a gradual trend towards more requests being refused than granted. That is borne out by the figures. As already stated, the percentage of requests granted decreased from 62% to 51% between 2014 and 2017. The trend seems to be going in the wrong direction. That is why we are proposing legislation. I understand that the Minister is looking at this matter and will keep it under review.

Deputy Paschal Donohoe: I look forward to seeing and considering the Sinn Féin legislation. The fact that there has been a change or an evolution in the number of requests being granted or denied does not mean that the legislation is no longer working. Rather than believing that the legislation is in some way failing to meet its objectives, surely we should be open to the view that officials who make their own independent decisions on these matters are acting in a way that complies fully with the spirit and the letter of the freedom of information legislation. This important legislation plays a really important role in public life. I will look at the consequences of the relevant judgments in order to determine whether they are having any effect on the operation of the legislation. At this time, my assessment is that they are not having any such effect.

Public Service Pay Commission Reports

3. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform when the Public Service Pay Commission report will be published; the reason it has not been released to date; and if he will make a statement on the matter. [25800/19]

Deputy Barry Cowen: The Public Service Pay Commission report on the Defence Forces was given to the Minister for Public Expenditure and Reform in early May, or so we were led to believe. Can he confirm that, and tell us when will it be published and why has it not been

published to date? Will he be conducting negotiations with the Defence Forces and their representatives prior to, or after its publication?

Deputy Paschal Donohoe: The Public Service Pay Commission was established to advise the Government on public service remuneration policy. In the current phase, which is the second phase of the commission's work, it was tasked by its terms of reference to undertake an examination of whether, and to what extent, there are difficulties in recruiting and retaining staff in key areas of the public service identified in its first report. The Public Service Pay Commission has adopted a modular approach to its work programme for its present exercise. As the Deputy will be aware, the first module was published by the commission in August 2018 and deals with issues relating to nursing, midwifery, non-consultant hospital doctors and consultants. The commission engaged on work in relation to the Defence Forces in accordance with its terms of reference. Written submissions were received, and the commission has now completed its examination of recruitment and retention matters in the Defence Forces and has submitted its report to me for consideration. The report will be submitted to the Government. To answer the Deputy's three questions - I anticipate it will be coming to the Government in the next couple of weeks; I received it in May, although I cannot be sure whether it was early or late May; and we will be engaging with the Defence Forces on the report. However, this will be after its publication, as has been the case with other reports.

Deputy Barry Cowen: I was anxious to know when in May it was received, because it might not have been appropriate if the Minister had it in advance of, or after, the election on 24 May. I do not know, but it is important that we know. Why is there a delay in publishing it and bringing it to the Government? There is a real issue at stake here that was not only recognised at the time it was included in the public service pay agreement in that in recent times, and in the intervening period, it has become patently obvious there are huge issues in the retention of staff within the Defence Forces. Morale, as the Minister knows, is at rock bottom, and it is incumbent on him to ensure this process is adequately, appropriately, and speedily dealt with in order to re-establish that morale, as well as the public's faith in and commitment to the Defence Forces. The Defence Forces have huge work to do, and they continue to do it. We are very proud, and would like to remain proud, of them. We do not want to see its personnel compromised or ill-treated by a process designed to help and assist them, which was entered into by both parties in good faith. I hope the Minister will respond as to when he received the report, and why there is delay in bringing it to Cabinet and publishing it.

I am also conscious of the nursing one to which the Minister referred. It was somewhat flawed, as its chair said, in that the relevant data was not available, which meant its credibility was questioned-----

Acting Chairman (Deputy Eugene Murphy): The Deputy should let the Minister respond. He will have another opportunity to speak.

Deputy Barry Cowen: -----and I hope we will not have the same issues with the commission's report this time.

Deputy Paschal Donohoe: It has only been a number of weeks since the report was received. I would hope the Deputy would understand that when I receive a report, particularly one that is independent of me, it is necessary that I take time to consider it and reflect on how we can best move forward with the report to a successful conclusion with the Defence Forces. I share pride in the work of our forces with the Deputy, and it was an important moment when

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Cabinet made agreed to the deployment of a number of our rangers in Mali, highlighting the expertise and work they can do for us across the world. It is a pity the Deputy could not wait to read the report before his party decided to bring forward a Private Members' motion on the issue. Up to that point, his party had been constructive in the area of public pay and had upheld its commitments regarding the public service stability agreement. If the Deputy understands my need to take time to consider the report, I hope that he reads the report himself before deciding on whether we are handling the issue of Defence Forces pay in the appropriate way.

Deputy Barry Cowen: I appreciate the mechanism and machinery that is in place regarding the public service pay agreement and the commitments contained within it. I also acknowledge the right of the nursing fraternity, Defence Forces, and consultants, subject to the conditions associated with that agreement, to allow for agreements to be acted on, bearing in mind that both parties, including the Minister and his Government, signed in good faith. It is surprising that conditionality appears to have been associated with the request to go to the Labour Court regarding the strike action being taken this week. I sought clarification of that matter from SIPTU officials and despite comments from the Taoiseach, it was clarified to me yesterday. I will investigate that further when the time is right, but we will step back from that for the moment while the machinery of industrial relations and the State are working in that realm.

We have every right to bring forward motions on matters that affect those we represent, especially those who were given a commitment within the agreement that the commission's report would be forthcoming. If nothing else, I hope that motion has forced the Minister to act a bit quicker than he has to date in reflecting on what is contained within the report and making recommendations to the Government. I trust and expect that he will make provision, from within the confines of what is available to him from the State, to act on recommendations that emanate from that agreement, considering both parties entered into it in good faith. This is not just about the headline rates-----

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

Deputy Barry Cowen: -----associated with it but the conditions as well, which have led to the processes we have alluded to.

Acting Chairman (Deputy Eugene Murphy): I expect the Deputy's co-operation.

Deputy Paschal Donohoe: I appreciate the acknowledgment from the Deputy of the good faith I had in participating in this process. I also note the way in which his party has handled the issue of public pay in the years in which I have been dealing with this matter.

Deputy Barry Cowen: The Garda deal was the only bespoke deal, and the Minister gave it that.

Deputy Paschal Donohoe: Other members of his party decided to move ahead-----

Deputy Barry Cowen: It was not Fianna Fáil.

Acting Chairman (Deputy Eugene Murphy): Allow the Minister to respond without interruption.

Deputy Paschal Donohoe: -----and form a judgment in relation to the contents of this report-----

Deputy Barry Cowen: The Minister knows that better than I do.

Deputy Paschal Donohoe: -----before it was published. Fianna Fáil put us in a position where we had to deal with a motion on the Defence Forces' pay and conditions-----

Deputy Barry Cowen: I am listening to the people. I do not need a commission report to tell me there is a problem with retention.

Acting Chairman (Deputy Eugene Murphy): Deputy, please allow the Minister to finish.

Deputy Paschal Donohoe: -----before the report was even published. The Deputy underestimates the difficulty of managing public pay in a sensitive way in our current economy. Both Fianna Fáil and Deputy Cowen have previously shown a responsible attitude to how public pay is managed, and I regret that, on this occasion, they have not been able to maintain that approach when it comes to the Defence Forces. I look forward to publishing the report and engaging with the Defence Forces and others on how we can respond to the issues within it.

Project Ireland 2040 Funding

4. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform the capital projects that will be delayed, deferred or cancelled as a result of capital project overruns; and if he will make a statement on the matter. [25967/19]

Deputy Jonathan O'Brien: I refer again to the capital projects which may or may not be delayed or postponed as a result of the recent decision on the national broadband plan.

Deputy Paschal Donohoe: As the Deputy will be aware, I am responsible for setting the overall five-year multi-annual capital expenditure ceilings, and for allocating these resources across Government Departments. My Department is also subsequently responsible for monitoring expenditure on a monthly basis at a departmental level against these agreed ceilings. Decisions on how and where these allocations are then invested by individual Departments are a matter, in the first instance, for the relevant Minister, in line with the conditions of delegated sanction specified by my Department. It is therefore a matter for individual Ministers to manage their projects within the greatly increased capital ceilings available to them under Project Ireland 2040. As I have previously indicated both in response to Deputy Cowen and at other points, I intend to provide additional capital to ensure the national broadband plan can move ahead, and I stand by the commitments I have made to maintaining projects in other areas. Project Ireland 2040 seeks to reform how public investment is planned and delivered. It sets out an overall vision for Ireland's public capital projects and signals a shift to greater integration in regional investment plans, better co-ordination of strategies, and more rigorous selection and appraisal of projects to secure value for money. A number of decisions have been made within it, relating, in particular, to the work of our delivery board and construction sector group in responding to the various pressures now under way in the delivery of big capital projects.

*11 o'clock***Deputy Jonathan O'Brien:** What we are saying, therefore, is that all the projects that have been publicised will go ahead unless there are delays for reasons other than budgetary ones, such as delays in planning or delays associated with a project just not being ready to commence. Based on what the Minister is saying, all the projects announced will go ahead and none will be cut or postponed for budgetary reasons. The Minister is going to provide the additional

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capital to meet the shortfall associated with the children's hospital and the national broadband plan. That is what I am taking from the Minister. If it is the case, we require an additional €900 million approximately between now and 2023 to meet the costs of the national children's hospital and national broadband plan. Will additional capital funding be provided without having an effect on projects already announced?

Deputy Paschal Donohoe: What I am saying is that, as a result of the decisions made on broadband, and in dealing with the national children's hospital, I will not change other projects. The other projects have associated needs, within communities and the country. I want to make sure they move ahead. Projects do not go ahead every year for reasons that have nothing to do with budgetary policy, but this can, in turn, create options for the Government. This is broadly the case in the management of all capital projects and all capital plans.

Deputy Jonathan O'Brien: We have to presume all the projects will go ahead and that none will be delayed, for whatever reason. Some may be delayed because of planning issues but we do not know from month to month how delayed a project may be. Does the Minister know? Does he know how much could be re-profiled for next year? My understanding is that no projects are to be cancelled for budgetary reasons. If so, an additional €900 million, at a maximum, could have to be added to the cost of the capital programme. If this is added to what the Minister has already doubled down this week in terms of tax cuts, it represents a lot of money. He has not indicated where it is coming from yet. That is why there is concern.

The Minister criticises us in the Opposition for fantasy finances and for seeking to spend so much money. He has not indicated where he is going to find all the money in question, however. Therefore, it is not fair to be criticising us for coming up with figures and then not providing the very figures himself.

Deputy Paschal Donohoe: I have done it for this year in the context of what happened with the national children's hospital. As we moved through the year, we managed to respond regarding the additional funding needs of the hospital and maintain commitments we have made elsewhere.

The national broadband plan will require funding beyond what was included within the capital ceilings. Given the magnitude of that decision and the number of years for which a cost will be incurred, what I have said is the case, and it is what I am going to be honouring. In the run-up to budget 2020, with all its staging posts, I will have to outline how we will come up with the additional funding to deliver on the capital projects. I am confident that, in the context of the very significantly enhanced capital plan we have and our national finances moving into a position of surplus, we will be able to do that.

Public Procurement Contracts

5. **Deputy Joan Burton** asked the Minister for Public Expenditure and Reform his plans to ensure the Office of Government Procurement revises its tendering processes to allow for the purchase of carbon neutral products for use within State offices and buildings; and if he will make a statement on the matter. [25710/19]

Deputy Joan Burton: Has the Minister's Department plans to ensure the Office of Government Procurement revises its tendering processes to allow for the purchase of carbon-neutral

products for use within State organisations and buildings and for use by organisations funded by the State? Although the State is probably the biggest purchaser of materials for projects, we have no guidelines on carbon neutrality.

Minister of State at the Department of Public Expenditure and Reform (Deputy Patrick O'Donovan): I apologise for being a little delayed. I was opening a conference.

The Government supports the move towards more green public procurement and recognises that the public service must demonstrate its commitment to sustainable development and use its influence to persuade others of the changes required to reduce our collective impact on the environment.

Work to promote the incorporation of social and environmental considerations in public procurement is being progressed by the Office of Government Procurement, OGP, under the national public procurement policy framework, which is the overarching policy framework for public procurement in Ireland. Under this framework, proposals to implement environmental considerations in public procurement are being developed through the cross-departmental social considerations advisory group, chaired by the OGP.

The Minister and I have been in discussions with our colleague the Minister for Communications, Climate Action and Environment on green public procurement in the context of our climate action plan. We have agreed that the incorporation of green criteria into public procurement will be achieved in a structured manner, with progressive implementation focusing on areas that have the greatest impact.

In this regard, the OGP, in co-operation with the Department of Department of Communications, Climate Action and Environment, is currently developing a circular for Departments and offices on promoting the use of environmental and social considerations in public procurement. The circular will direct Departments and offices to consider including environmental criteria in their procurement, where such clearly defined, quantifiable, verifiable and measurable criteria have been developed by the Department of Department of Communications, Climate Action and Environment.

An overarching objective of all public procurement is the achievement of value for money. In implementing environmental considerations in public procurement, it is crucial that an approach is adopted that will further Government policy while also ensuring a competitive market place where suppliers can compete aggressively, resulting in the desired pricing outcome. In areas where the market is not yet sufficiently competitive, a phased approach to environmental considerations in public procurement may be necessary to encourage the emergence of new suppliers with innovative solutions. Care should be taken to ensure the addition of environmental considerations to public contracts is achieved in a manner that does not mitigate against small and medium-sized enterprises, SMEs as they may not be in a position to bear the additional costs or administrative burden.

Deputy Joan Burton: I believe the Minister of State will acknowledge that his response is largely a repeat of an answer given previously by the Minister, Deputy Donohoe. Since the Minister's answer was given some time ago, has anything happened? The Government has gone on a bus to Grangegorman and has launched another long document, with 200 headings. This is all about process. May I give the Minister of State some examples?

Is there a cost-benefit analysis, on a carbon emissions basis, on the BusConnects project?

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There are changes proposed to the bus services in Dublin. Some are very acceptable and others are not. The proposal involves the destruction of a great number of trees, which clean the air. It also involves significant losses, potentially of gardens. Hedging is the most effective resource in reducing asthma in children. The of State's response is a repeat of one given by the Minister, Deputy Donohoe. Can the Minister of State identify and give us some examples of the actual progress he is making?

Deputy Patrick O'Donovan: I can, actually. The concept of social considerations, of which environmental considerations are part, was part of an initiative by our Department some time ago before the recent discussion on the climate change agenda was ramped up with the publication of the action plan on climate change. On foot of a visit to my office by a former Member of the Oireachtas, Ms Kathleen O'Meara, who is from the Deputy's party and who is head of Rehab, I wanted to try to advance the concept of social considerations contained in the EU directive, particularly in the area of disabilities. It is in this context that my Department established a working group with the Department of Health, the Department of Justice and Equality and the Department of Communications, Climate Action and Environment. In the development of policy in this area, we have to be very mindful. My interaction with Deputies on all sides of the House on procurement policy invariably comes back to the protection of the SME sector, in addition to efficiency and value for money. It is something we must be mindful of in the context of the directive. We are working through it. It is something we take very seriously. On the specific matter raised by the Deputy -----

Acting Chairman (Deputy Eugene Murphy): The Minister of State will have a further minute to answer.

Deputy Joan Burton: I am trying to open a conversation with the Minister of State so that we might discuss examples. For instance, the Government is ordering six vehicles which will take some account of carbon but there is no other concrete example, although those six vehicles may be followed by 600 others in the next couple of years.

When the Minister of State goes to the self-service restaurant in Leinster House to have a cup of tea or coffee, he might look to find the green bins that would allow people to recycle their waste there. We can start with very small examples that will help people change. Over the last ten to 20 years, many lighting systems in public buildings have been changed so that when a room is vacated the lights go off. Those are the kinds of examples I seek. I can appreciate from the Minister of State's answer that discussions are only starting.

Last night, I was at a community centre with a couple of hundred people-----

Acting Chairman (Deputy Eugene Murphy): The Deputy's time is up. I thank the Deputy.

Deputy Joan Burton: It is threatened with closure. It is in Hartstown in my constituency. Its ceiling lights are deemed by everybody to be the most polluting kind of public lighting.

Acting Chairman (Deputy Eugene Murphy): The Deputy will have more time later. Please.

Deputy Joan Burton: Will the Minister of State please give concrete examples of what the Government proposes?

Deputy Patrick O'Donovan: We are making great strides on public lighting across the country. Deputies will have seen this in the replacement of public street lighting which is now using LEDs which is far more efficient. These are cropping up all over the country. I cannot comment on the specific matters raised by the Deputy earlier. I cannot comment on the hedges because I do not have the details.

From her time in government the Deputy will appreciate that we must be very careful that we do not give a monopoly-type situation an unfair advantage in procurement. That would be very unfair. On transport, we are purchasing buses from an existing framework which must be concluded before we may move on to a new one. However, Irish Rail has already committed to the procurement of carriages. We are moving to a new agenda.

Returning to social considerations, we are doing a lot of work in this area. I welcome the opportunity to have that dialogue but I have already written to all spokespersons for examples of how we can continue the procurement reform agenda in the context of the EU directive. I would look forward to any kind of engagement on this.

Ceisteanna Eile - Other Questions

Irish Government Economic and Evaluation Service

6. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform his views on whether a new analysis should be undertaken by the Irish Government Economic and Evaluation Service on demographics and demographic impacts on the budgetary positions; and if he will make a statement on the matter. [25804/19]

Deputy Barry Cowen: Demographic projections are undertaken by the Irish Government Economic and Evaluation Service, IGEES. It last did so in 2016 with projections up to 2027. Can the Minister speak to the validity of the projections for 2017, 2018 and 2019 where there was a €436 million to €440 million range? Were they accurate? Does the Minister acknowledge that an updated analysis is needed considering how much has changed since the projections were made in 2016? Does he agree that the number of Departments used as a barometer should be increased from three? I am conscious of what the Irish Fiscal Advisory Council, IFAC, said about Government projections, that they were not credible. This would be a means by which that credibility could be somewhat restored.

Deputy Paschal Donohoe: The Deputy is correct that the last time the matter was looked at was in 2016. It estimated the additional cost of demographics was an average of €435 million annually from 2017 to 2021. We do plan to examine it again. I intend that a paper on this will be published as part of our 2019 spending review.

I am not sure whether there is currently a case for the study to be broadened beyond the three Departments, the main reason being that those tend to be the three Departments which are most affected by demographic change. The one area we do need to examine is the Department of Children and Youth Affairs as its expenditure is affected by the scale of the population and its youth.

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Deputy Barry Cowen: I welcome the Minister's commitment to bring forward a paper to consider renewing the study and examining it afresh, considering changes since 2016, especially in the context of a possible crash-out Brexit. There is a contention that the fiscal space of €600 million in coming years could be eaten up by demographics alone. We need the Minister to clarify this as soon as possible.

I ask that a review would consider broadening the scope from the three Departments which the Minister is correct in saying are the most pertinent, but they are not the only ones which can be affected. He mentioned one and there may be others.

Will he tell the House if the figures were correct, and if not how far off they were over the last three years? If they were not correct, why was this? IFAC has argued the figure is far greater.

Deputy Paschal Donohoe: The Deputy asked about the effect of this on budgetary resources in future. I do not believe the figures will have an effect on our figures for budget 2020. Our challenge is that over time, the gradual change in our population may have a very big effect on budgets in the medium term, specifically what will happen as the population gradually gets older and the impact that might have on the Department of Health in particular. There will not be such a change in that trend that it will affect our position next year but it is something the House will have to take into account for future years because of the good things that are happening here with people living longer.

I will take the Deputy's comments on expanding beyond the three Departments on board. I think it will have greater relevance in the medium term. It is something we can consider.

I believe the figures we have used on demographics to date have been accurate, however we must continue to evaluate this and the effect that a growing population has on the Department of Health and the kind of pressure that its services are under.

Deputy Barry Cowen: As the Minister mentioned health, I refer to a response he gave me recently on foot of the current figures and the 10% increase year-on-year which he acknowledged must be addressed as soon as possible. It appears his policy in that regard is to find resources from other areas to meet that demand. That is not the case in capital expenditure, as we discussed earlier in relation to broadband or the national children's hospital because, as the Minister said, projects may only be delayed. However, we know the Minister must find €200 million next year for projects which were delayed this year, which only compounds the issue year-on-year. Eventually someone will be left holding the parcel, but it appears that the Minister is intent that it not be himself.

I acknowledge his commitment on the demographic figures published in the paper, their validity to date, and the improvements that can be made in the future.

Deputy Paschal Donohoe: The Deputy referred to a question I dealt with in the House yesterday on the Department of Health. To give that figure more context, it must be acknowledged that up to the end of April, health expenditure was very much in line with what it had been budgeted for. However, there was a change in May which had an effect on the year-to-date figure. I am engaged in forming a view on what will happen at the end of June, which we will know in the next week and a half, and whether there are any changes or measures which need to be put in as a consequence.

The Deputy referred to our capital ceilings. I have just had a big debate on the national broadband plan. That must be viewed in the context of the fact that the additional funding we have needed to find for current expenditure in the Department of Health has been significantly bigger than any of the figures we have debated this morning concerning capital projects. This is why IFAC was so critical of that development.

Office of Public Works Properties

7. **Deputy James Browne** asked the Minister for Public Expenditure and Reform the position regarding the future of a property owned by the Office of Public Works, OPW, (details supplied); and if he will make a statement on the matter. [25720/19]

Deputy James Browne: I wish to ask the Minister for Public Expenditure and Reform the position regarding the future of the old Garda station in Wexford town.

Minister of State at the Department of Public Expenditure and Reform (Deputy Kevin Boxer Moran): Following the closure of the Garda station on Roche's Road, Wexford, on 22 September 2017 the OPW sought alternative State use for the property. There is no central government requirement for accommodation in the former Garda station and no alternative State requirement for the property has materialised following engagement with Wexford County Council, the Health Service Executive, HSE, and Tusla.

The OPW had agreed to enter into a lease arrangement with the Wexford Rape and Sexual Abuse Support Service for the part of the property known as the sergeant's quarters because the main building exceeded that body's requirements. However, the service advised the OPW on the 19 February last that it was proceeding to source alternative accommodation in Wexford and would not require the sergeant's quarters.

Wexford Community Services Council, also known as St. Brigid's Day Care Centre, which currently occupies the adjoining property, has expressed an interest in acquiring the former Garda station. It is currently conducting a review of the property to establish if it can meet its needs and if acquiring the property would be feasible in light of the potential cost of refurbishment and alteration that will be required. If St. Brigid's Day Care Centre decides to proceed with acquiring the property subject to the outcome of discussions with the OPW, the option of entering into a lease arrangement will be considered. If it decides the property is not suitable for its needs, the OPW will again establish whether there is any alternative State use for the property prior to disposing of it on the open market.

Deputy James Browne: I thank the Minister of State. The old Garda station on Roche's Road in Wexford is an iconic building. There is a lot of history there. A lot of proud gardaí served in that building and the community is very proud of the station. I was there on the day they closed the doors and marched up to the new Garda station on Mulgannon Road. The station has been empty for two years. It has been allowed to fall into very significant disrepair. Large weeds, boarding and wiring have sprung up around the station. It is deteriorating rapidly and there is concern that the longer this goes on, the more costly it will be to repair. There is a history of this in Wexford town concerning the old hospital under the control of the HSE. When the new hospital was opened in the early 1990s, the old building was left vacant and allowed to fall apart. It is still in a terrible state. I do not want to see the same thing happening to the Garda station in Wexford town.

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Deputy Kevin Boxer Moran: The Deputy referred to the closure of the old Garda station. I was there for the opening of the new Garda station. It was a proud day for Wexford and a proud day for the Government, which supplied the resources for a new state-of-the-art station. I have been working on the issue of the old Garda station. Deputy Howlin and others have approached me about this matter. We have sought alternative uses for this accommodation. We have not fallen behind. We are very active in trying to get someone into the station. Potential users have looked at the station and have found it does not meet their requirements. We will continue until we find someone who will make use of it. At this time, a body is interested in the building. We are working closely with it to work out a deal that suits its requirements. If we can do so, it will be good news for that part of Wexford.

Deputy James Browne: St. Brigid's Day Care Centre, which is situated next door to the old Garda station, does phenomenal work as a full-time day-care centre for elderly people. I was there just two weeks ago. That organisation would love to use part of that building but it is a voluntary organisation. Its staff does its very best to keep the doors open. Given the length of time the building has closed, repairing it would give to a significant cost for any voluntary organisation. The OPW has a duty to the community to maintain that building, especially in light of its history. Any voluntary organisation that proposes to take it over should be given as much help as much as possible by the OPW.

As already stated, there is history in this regard in Wexford town. The old hospital was allowed to go to wrack and ruin. We do not want to see the same thing happen to a second building in the town centre. It is already happening to that building. The OPW has a duty to at least maintain that building in the state it was in when it was closed. That was not a very good state, but it has now been allowed to dilapidate into a much more serious situation.

Deputy Kevin Boxer Moran: I do not agree that the OPW has allowed the building to decline. We are seeking an alternative user to take over that building. We are working on this. As I pointed out earlier, several Deputies have come to me with different ideas and approaches. I have worked with them. We have not been able to get anybody to take that building. St. Brigid's Day Care Centre is now interested. We are working closely with that organisation. We will see what the outcome is. Let us allow the discussions to take place before saying that nothing is happening. It is not fair to say that the OPW is not trying to put that building right by finding the right tenant and working with that tenant.

Deputy James Browne: I did not say that. I said the building is not being maintained. That is a fact.

Acting Chairman (Deputy Eugene Murphy): The matter is concluded. Time is up. The Minister of State and the Deputy must take it up between themselves afterwards.

Cross-Border Projects

8. **Deputy Brendan Smith** asked the Minister for Public Expenditure and Reform the outcome of the most recent discussions his officials have had with their counterparts in Northern Ireland in respect of funding for cross-Border projects post 2020; and if he will make a statement on the matter. [25796/19]

26. **Deputy Brendan Smith** asked the Minister for Public Expenditure and Reform the

outcome of the most recent discussions he has had with his British counterpart in respect of the funding of cross-Border projects post 2020; and if he will make a statement on the matter. [25795/19]

Deputy Brendan Smith: As the Minister is aware, successive PEACE and INTERREG programmes have been very important for regional development Border counties, North and South. Community groups and statutory agencies have been able to bring projects that would not otherwise have been funded by the State to completion. I am very anxious, as are communities on both sides of the Border, to hear a clear message from the Government that successor programmes will continue after 2020. It is an important message that needs to be sent out to communities both North and South.

Deputy Paschal Donohoe: I propose to take Questions Nos. 8 and 26 together.

As the Deputy is aware, Ireland and the UK are partners in two EU-funded cross-border co-operation Programmes, PEACE and INTERREG, which have a combined value of more €550 million over the period from 2014 to 2020. These programmes support social and economic cohesion and peace and reconciliation in the Border region of Ireland and Northern Ireland.

The two programmes are important drivers of regional development in a cross-border context. Through EU-funded co-operation a range of organisations, North and South, have engaged in and benefited from a variety of cross-border and cross-community projects.

Support for the two programmes from the European Regional Development Fund is a key element of the European Union's continuing commitment to the process of peace-building and reconciliation in the region over the last quarter of a century.

The Government has been clear and consistent about its commitment to the successful implementation of the current PEACE and INTERREG programmes and to a successor programme post 2020. My officials and I have worked to ensure that this important source of funding for the Border region continues after Brexit.

In this regard, in December 2017 both the EU and UK undertook to honour their commitments to the current PEACE and INTERREG programmes and to favourably examine the possibilities for future programmes.

In May 2018, as part of its post-2020 multi-annual financial framework, MFF, and cohesion policy proposals, the European Commission proposed a special new PEACE PLUS programme that will build on and continue the work of both PEACE and INTERREG. I welcome this proposal. It will be moved forward as part of the draft cohesion policy regulations and the MFF negotiations.

Deputy Brendan Smith: I thank the Minister for his response and I welcome the fact that the European Commission is committed to a post-2020 programme. My questions asked the Minister if there is ongoing contact with the authorities in Northern Ireland and with his counterpart in Britain on the commitment of the British Government and the authorities in Northern Ireland. Unfortunately, the Minister does not have a counterpart to speak to in Northern Ireland because of the antics of Sinn Féin and the DUP. Unfortunately there is not an assembly or Executive working on behalf of the people there. Has the Minister or his officials had ongoing contact with the British Government on its commitment to programmes post 2020? Since the mid-1990s, the programmes have been 85% funded by the European Commission and they

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have been an important funding stream for community and infrastructure development on both sides of the Border. What is the commitment from the British at this time to a successor programme?

Deputy Paschal Donohoe: I thank the Deputy for acknowledging the work and progress that have already taken place. As he is aware, in essence we have an agreement to allow what is in place to continue up to 2023. We have had extensive engagement with the Commission on these projects. I had engagement with my counterpart in the British Government, the Chancellor of the Exchequer, Mr. Philip Hammond, during the period in which decisions were being made on the continuation of these programmes up to that point. It is important that I am open with the Deputy. This matter will have to be picked up again as we move into serious negotiations on the multi-annual financial framework in the first half of next year in particular. There is also the context of having to deal with a new British Prime Minister. My intentions are clear and I know these projects work and are valuable. I want to find a way of ensuring we can continue to make progress with them.

Deputy Brendan Smith: I thank the Minister for his commitment to the programmes. In the post-Brexit era, such programmes will never have been more needed. There could be fragile relations between North and South, although I hope that will not be the case. Those of us privileged to be public representatives of Border communities worked with counterparts in Northern Ireland in the dark days to bring projects together. I am thankful there was great momentum behind the PEACE and INTERREG programmes. There are many pieces of infrastructure throughout the province of Ulster that were funded as a direct result of those programmes being in place. They are bringing benefits to communities and individuals today and unfortunately they will be needed again in the post-Brexit era because of the adverse impact Brexit will have on all our island.

I ask the Minister to ensure the value of these programmes is to the fore in the many discussions that will be necessary at European Union level and with his British counterpart. The Minister is aware that to draw down funding under any of these programmes, a great deal of preparation must be done, which is quite understandable. If community groups and statutory agencies are to plan or prepare applications, they need to have a good idea that such programmes will exist. I sincerely hope they will given their importance.

Deputy Paschal Donohoe: The political analysis offered by the Deputy is fair. We all hope to avoid the worst of Brexit and we are all working to do that. The Deputy and his party have been very clear in their support in trying to ensure we can do that. However, we will move to a very challenging period in the next number of months and the value of these programmes will become even greater if the uncertainty grows.

The greatest contribution that could be made to our efforts in this area would be the restoration of the Good Friday Agreement institutions and the Stormont Assembly so that public representatives in Northern Ireland could actively campaign for these programmes and acknowledge their value. It is extremely important that this should happen as we move into planning a post-Brexit relationship and how that will affect these programmes. I assure the Deputy that I have seen the results of these programmes and I know how valuable they are. I will be working as hard as I can to ensure a good future for these kinds of programmes, which have made a difference for Border communities.

Acting Chairman (Deputy Eugene Murphy): I am very anxious to accommodate the four

Deputies in the House who want to have their questions answered before noon. Deputy Jonathan O'Brien is always very quick in putting his question so I suggest to all Deputies that they put their question in 15 seconds or less in order to accommodate everybody. Question No. 10 is next and is grouped with Questions Nos. 15 and 16. I ask Deputy O'Brien to put his question as quickly as possible.

Deputy Jonathan O'Brien: The subject matter of Question No. 10 has been flogged to death already so I am happy to allow other Members to contribute.

Acting Chairman (Deputy Eugene Murphy): Questions Nos. 15 and 16 are also in this group.

Deputy Paschal Donohoe: I could deal with the other questions in the group but we have missed a question.

Deputy Barry Cowen: Question No. 9 was overlooked.

Acting Chairman (Deputy Eugene Murphy): I apologise. Does Deputy Cowen wish to ask it now?

Deputy Barry Cowen: Yes. I take every chance I get because the Minister only takes questions every six weeks.

Acting Chairman (Deputy Eugene Murphy): That was my mistake.

Departmental Expenditure

9. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform the purpose of the three-year expenditure ceilings; his views on whether they are useful in controlling spending; his further views on the analysis from the Irish Fiscal Advisory Council; and if he will make a statement on the matter. [25802/19]

Deputy Barry Cowen: The question speaks for itself but it relates to departmental expenditure ceilings. I am conscious of the commitment made by the Minister yesterday regarding departmental benchmarks, which seems to suggest he agrees with our contention that the departmental ceilings have become a thing of the past and there is a need for a change.

Deputy Paschal Donohoe: I did not make any comment yesterday that could be interpreted as saying these ceilings are a thing of the past, as Deputy Cowen knows. Nonetheless, the Irish Fiscal Advisory Council expressed views on the implementation of expenditure ceilings. In the next few weeks, our expenditure report of 2019 will set out the revised baseline for current expenditure to 2021, taking account of pre-commitments relating to demographic pressures mentioned earlier, public service pay agreements and the estimated carry-over impact of certain budget measures. The ceilings also contain an amount of unallocated resources in 2020 and 2021, based on the fiscal projections at budget time last year. This will allow choices to be made for next year and the years thereafter. The approach currently adopted in the management of expenditure ceilings is consistent with our efforts to manage public expenditure. In recent years, growth in current expenditure has averaged approximately 4%, whereas the figure a decade ago was 11%

Deputy Barry Cowen: The expenditure ceilings have been significantly exceeded. Last year, for example, the figure for current expenditure was €57 billion but outturn was almost €63 billion. It would appear that despite the best of intentions in setting these ceilings, they are consistently not met in many areas and there are no repercussions or changes in how they are dealt with thereafter. Yesterday, the Minister indicated he wanted to put in place departmental expenditure benchmarks. I would like him to elaborate on that statement. Is this in response to the fact that some Departments consistently exceed their ceilings with no obvious repercussions or mechanism to arrest the process? There are no consequences because of the windfall in corporation tax receipts.

Deputy Paschal Donohoe: I was referring to a different matter yesterday. I said that with the economy in a surplus position, if the fiscal rules in the coming years were interpreted as they were drafted, it would allow a higher rate of expenditure growth than is appropriate for an economy growing at the current rate. This is the approach we used in last year's budget when a decision was made to try to get to a position of balance, and that came about. I indicated that we should have a debate in the Oireachtas on whether different rules should be put in place for expenditure growth in the coming years, given the rate of growth in the economy, the level of employment and the fact that we are aiming to move to a budgetary surplus this year.

Deputy Cowen made a point on different Departments but a small number of these Departments have been in breach of the expenditure ceilings. That is not to underestimate those consequences.

Deputy Barry Cowen: Perhaps the Minister might expand on his final comment regarding not underestimating those consequences, if he will not expand on any other point. There has been, as I have said, a growing dependency in recent years on being lucky with the corporation tax windfall. Those funds have been used to pay down on the various ceilings that have been exceeded. If the Minister is conscious of some consequences that need to be addressed, perhaps he might elaborate.

Deputy Paschal Donohoe: The consequence I was referring to in my earlier remark was the understandable debate that has now arisen regarding the variation in our in-year spending for the implementation of the budget. It is particularly varied in respect of spending in the Department of Health. On the point Deputy Cowen made regarding reliance on corporation tax receipts, I have acknowledged and do acknowledge that that is a risk. That is, however, the reason that this year we put up the VAT rate on the hospitality and services sector. That increase was facilitated by many parties within this House precisely because of the need to broaden our tax base and ensure that we do not become too reliant on a particular tax head. That is also the reason why we have built our budgetary figures for this year off a lower level of corporate tax collection than we received last year.

Deputy Barry Cowen: The Minister is referring to broadening the tax base rather than to tax cuts.

Deputy Paschal Donohoe: It is correct to say that there is a risk but that is why we are continuing on our journey to ensuring that this reliance does not build.

Deputy Barry Cowen: It is a broadening of the tax base-----

Acting Chairman (Deputy Eugene Murphy): No, I am sorry Deputy Cowen.

Deputy Barry Cowen: -----rather than a reduction of taxes.

Acting Chairman (Deputy Eugene Murphy): I cannot allow that.

Deputy Barry Cowen: The Minister should ask his leader.

Acting Chairman (Deputy Eugene Murphy): We must move on. I understand that the Minister is taking Questions Nos. 10, 15 and 16 together. Deputy Jonathan O'Brien has agreed to let the Minister answer without introducing his question. All Members can ask questions once the Minister has given his reply.

National Development Plan

10. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform the capital projects that are to be delayed or deferred in the years of the National Development Plan 2018-2027 as a result of cost overruns such as the national children's hospital and national broadband plan which the Irish Fiscal Advisory Council, IFAC, calculate could reduce funding for capital projects by as much as €17 billion; and if he will make a statement on the matter. [25830/19]

15. **Deputy Eamon Ryan** asked the Minister for Public Expenditure and Reform if he will revise the capital allocation in the National Development Plan 2018-2027 to take into account the new all of Government climate action plan. [25827/19]

16. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform the review which will take place of the National Development Plan 2018-2027 in view of the estimated cost of the National Broadband Plan and the national children's hospital; and if he will make a statement on the matter. [25828/19]

Deputy Paschal Donohoe: I propose to take Questions Nos. 10, 15 and 16 together. To allow a debate, I have covered some of the points Deputy O'Brien already raised with me in earlier questions in the answer I have provided. He knows what I am going to say. I know other Deputies have supplementary questions that perhaps we can deal with now.

Acting Chairman (Deputy Eugene Murphy): That is fine. I call Deputy Eamon Ryan.

Deputy Eamon Ryan: I thank the Minister. I welcome the publication of the climate plan on Monday. We have done good work.

Deputy Thomas P. Broughan: On a point of order, what has happened to Question No. 12?

Acting Chairman (Deputy Eugene Murphy): We have not got to it yet. We are on Question No. 10. I call Deputy Eamon Ryan.

Deputy Eamon Ryan: We are doing good work in our political and governance arrangements regarding how we tackle climate change. The scale of this challenge is beyond compare, however. The Minister for Communications, Climate Action and Environment, Deputy Bruton, yesterday stated that a reduction of 2% is required every year in the next decade. We then have to ramp that figure up to a 7%, 8% and 9% reduction per annum in the following decade. Many of the investments that we make now, particularly in transport infrastructure, will determine what happens in those subsequent decades. The national development plan agreed last June

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had no climate assessment done on it whatsoever. Many of the projects in that plan will hinder rather than help us in reaching those long-term net zero carbon reduction targets. Will the Minister now review the capital spending projections in the national development plan and in Project Ireland 2040 in that regard? Will he then also reconfigure the spending so that it does meet our climate objectives within the iterative process that the Minister, Deputy Bruton, is now setting up in the action plan for climate?

Acting Chairman (Deputy Eugene Murphy): I call Deputy Durkan. Is he contributing on this topic as well? I am sorry, the Deputy is not.

Deputy Bernard J. Durkan: I am not going to delay the debate. I will await the Minister's answer.

Acting Chairman (Deputy Eugene Murphy): That is fine, my apologies. I will allow the Minister to respond.

Deputy Paschal Donohoe: I and other Government Ministers will of course engage with the iterative process that the Minister, Deputy Bruton, has outlined. We will see if there are further choices that we need to make within the current figures and parameters of the national development plan to better meet the objectives laid out in the plan launched on Monday. I differ with Deputy Eamon Ryan regarding what he has said regarding projects in the national development plan and the difference that they can make to addressing climate change.

Within that plan overall, approximately €30 billion has been allocated to improving public transport and to investing in our housing stock to retrofit it to meet our needs from the point of view of emissions. I have heard the Deputy speak critically of the level of funding and where that funding has been allocated. As we move through the Project Ireland 2040 plan, I hope, as does the House, that if there are opportunities, budget by budget, within the figures to make smart changes that we will be in a position to consider them. I am very supportive of the plan and the ambition that the Minister outlined on Monday.

Deputy Eamon Ryan: We currently have 51 major national road and motorway projects either being built or in planning. We do not have a single public transport project at the same stage. We need to shift our transport spending radically towards supporting active travel and public transport. If we do not do that, we will see an ongoing sprawl developing further and further out around the country. It will be impossible to serve such a configuration in a low carbon fashion. If we are to be in a position to make those choices, we have to do an immediate reassessment, particularly of the transport plan. We should stop signing new contracts for new roads that we cannot then reverse. We should instead look to see how we can reconfigure transport spending. It is not enough for us just to state that we are going to switch from diesel and petrol cars to electric vehicles. We will just end up with the same gridlocked system and with people in longer and longer commutes. We will not be able to make the fundamental shift towards net zero with a roads-based system. That reassessment needs to be done straight away.

Deputy Paschal Donohoe: I will comment on the roads aspect first and then on public transport projects. I agree with the Deputy that we need to have a pipeline of big public transport projects underway. We also need to ensure that as resources are available, and they are, we have projects that already have planning permission and are ready to go. I recollect the debate that I had with Deputy Ryan some years ago on the metro and the DART interconnector. He made the point then that what we should have done was move ahead on the planning process

for one of those projects, even though the funding was not then available to deliver them. That is why I really hope that in debates now underway on BusConnects and the new metro that we will be able to have projects that will move through the planning process, and a whole cluster of them, and that they will be ready to go. Turning to the road projects, I differ with what the Deputy has said on that issue. There are road projects that are needed from a road safety and connectivity point of view. There is a very good case for those projects going ahead quickly.

Deputy Eamon Ryan: I-----

Acting Chairman (Deputy Eugene Murphy): No, the Deputy's time is up. He has had his two slots. I thank Deputy Jonathan O'Brien for his co-operation. It allows us to move on. I am sorry, but Deputy Eamon Ryan has been given his allotted time. We move on to Question No. 11. I call Deputy Cowen and I request that he ask his question as quickly as possible.

Flood Risk Insurance Cover Provision

11. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform the outcome of consultation between the Minister of State with responsibility for the Office of Public Works and Flood Relief and an organisation (details supplied) on the provision of insurance in areas protected by demountable flood defence systems; the most recent data from an independent source on the insurance coverage in areas protected by demountable defences; and if he will make a statement on the matter. [25805/19]

Deputy Barry Cowen: This question relates to the insurance industry and the difficulties being experienced by people availing of a wide range of products offered by the insurance sector. In this instance, we are dealing with those businesses operating in flood plain areas where man-made projects and defence mechanisms have been put in place. What data are available to show that there has been an improvement in those businesses obtaining insurance as a result of the work carried out?

Deputy Kevin Boxer Moran: The Deputy will acknowledge the Office of Public Works, OPW, has no responsibility for oversight or regulation of the insurance industry in relation to flood risk insurance, or to insurance matters generally. The Government's strategy is that in return for its investment in flood defence schemes in the most at-risk communities, households and businesses should be able to access flood insurance. The OPW has a very specific role in the exchange of information with the insurance industry regarding completed flood defence schemes. That is to an agreed standard of protection desired by the industry.

On 24 March 2014, the OPW agreed a memorandum of understanding with Insurance Ireland, which is the representative body for insurance companies in Ireland. This memorandum of understanding has a specific focus on agreeing a basis on which information can be provided to the insurance industry on flood relief schemes completed by the OPW. The Department of Finance and the OPW meet with Insurance Ireland on a quarterly basis to discuss issues in respect of this transfer of data. To date, OPW has provided details to Insurance Ireland on 18 completed schemes nationally. Insurance Ireland surveys its members to ascertain the extent to which flood insurance cover is available in these areas.

Insurance Ireland has informed me that the most recent survey, in March this year, indicates that 95% of policies in areas benefitting from permanent flood defences include flood cover

while 74% of policies in areas benefitting from demountable defences include flood cover. Taken together, 84% of policies in areas benefitting from flood defence schemes include flood cover. The insurance sector has acknowledged that demountable defences are designed and when properly erected meet the desired standard. The OPW has given Insurance Ireland detailed information it sought to explain the protocols and procedures in place to maintain, test, and erect demountable defences. Discussions are continuing with the Department of Finance to explore options to address the industry's concerns about the human element of demountable defences.

Deputy Barry Cowen: I thank the Minister of State for his response. There was some detail in it but a lot more is required by those of us who have constituents who are anxious to see progress on the matter, whether those constituents are residents or business owners. Commitments were made, on behalf of all of us, that the way in which this issue was to be addressed would automatically lead to insurance being offered and being offered at a reduced rate in light of the mitigating measures put in place. Is it possible for the Minister of State to share with the House detailed analysis of the progress that has been made in order for us to make a judgment and to ascertain whether the improvement we had sought and expected has been achieved in light of taxpayers' money being spent in this area?

I am also conscious that the Minister for Finance, who is beside the Minister of State, when adjusting his figures during the course of the year to find €99 million to offset the overrun on the children's hospital for this year, included a small amount from this area. He said that measures in this area would be delayed. Will he give an assurance to the House that this funding will be reinstated and doubled next year to cater for the need in this area?

Deputy Kevin Boxer Moran: I was looking at my data this morning and 95 schemes to protect those people who are most vulnerable to flooding are under way at present. That number will tell the Deputy what this Government has done over the last ten years and, in particular, over the last three years. It is a lot of schemes. I have met people and travelled right around the country. I have seen where flood defences, particularly hard or dismountable defences, have led to people now getting insurance. People are now seeing the work done by the OPW and local authorities right across the countries and are benefitting from it. I can and will get information in that regard if that is what the Deputy requires.

On the Deputy's comment regarding the Minister and the €3 million taken from my portion of the Vote, I agreed that this money could come out of flood defences. There has been a lot of talk today about contract overruns, what we are spending money on, and where money will come from in future. A scheme on which I have been working in Cork has been going on for ten years. It is costing €150 million. It is the biggest such scheme in the history of the State. Ten years later, and after the three years I have spent as Minister of State, shovels are still not in the ground. Delayed schemes such as this are where the delay to which the Minister has referred will come into play. It is a scheme which will protect people and on which I am working.

Deputy Barry Cowen: I would be the first to acknowledge and appreciate the 95 projects that are ongoing. I am thankful they are under way. It is the stability enjoyed by this Government over the years it has been in office that has allowed commitments in respect of this issue and others to be made and, it is to be hoped, honoured. It is our overriding interest as Members of this House to give value to those who voted for us by providing that stability, despite the difficulties that are obvious in many other areas. That is our duty and our obligation. Were it not for Brexit we would be gone out of here and the Government would not be involved in those

projects. The Government does, however, retain responsibility and has, at the discretion of the House, the ability to deliver on that responsibility. I appreciate that. I am simply asking for the details associated with those projects and that development on that side of the balance sheet be correlated with the data of the insurance industry in order to show us that the money was well spent and has resulted not only in protection and mitigating measures being put in place, but in insurance now flowing to the people affected.

Deputy Kevin Boxer Moran: I have always worked in the interest of everybody out there. I have let every Member here, regardless of party, know when I was visiting, protecting, or bringing money to his or her area. I am somewhat taken aback by the Deputy's remark that if it was not for Brexit he would be gone out of here. A statement like that is not fair to the ordinary members of the public. It is unfair. People need stability at this time, not threats. The Deputy's remarks are wrong and are not fair to the Irish people.

Departmental Budgets

12. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform the Votes from current expenditure profiles of the Departmental Vote groups that may require Supplementary Estimates later in 2019; and if he will make a statement on the matter. [25629/19]

Deputy Thomas P. Broughan: At the end of the first quarter of this year the Minister told me that most of the Votes were showing an underspend. Our excellent Parliamentary Budget Office reported on the figures at the end of May, which again showed underspending. What is the situation at the moment? There seems to be common alarm between Government and Fianna Fáil regarding the level of expenditure in the Department of Health in particular. They seem to be doing a sort of double act with regard to constraining the health Vote.

Deputy Paschal Donohoe: As set out in the most recent fiscal monitor, total gross voted expenditure at the end of May was just over €26 billion. This is €145 million, or 0.6%, below profile. Gross voted current expenditure is €65 million below profile. Of the 17 ministerial Vote groups, 12 are below profile on current expenditure. Gross voted capital expenditure was also below profile at the end of May. At the moment, the figures for both current and capital expenditure are below profile but it should be said that this still represents a very large increase in overall Government expenditure for the year, much of which is driven by our increased investment in capital expenditure, including expenditure on schools, hospitals, roads, and buses. I have already acknowledged, as has the Minister, Deputy Harris, that the key area that changed in May was that of health expenditure. While it is still below profile, there was a significant change in that single month.

Deputy Thomas P. Broughan: The public will find this hard to understand. Spending is below profile but the Minister seems to be referring to the health spend as compared to last year. Has he taken on board the very serious criticism, for the second year running, from the Irish Fiscal Advisory Council, IFAC, with regard to expenditure generally? The Minister's colleague, one of his predecessors, Deputy Noonan, said at a party meeting that there is no point in having a dog if it does not bark. Of course when he was a Minister during an earlier crisis years ago, Deputy Noonan said that the dogs bark but the caravan moves on. I am therefore not sure what Fine Gael's view of IFAC or of its prescription is. With regard to the three-year expenditure ceilings and the spending speed limits in respect of net policy spending, does the Minister intend to respond to the council's criticisms? Is he able to show that the budget he framed back

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in October was adequate to fund all of our Departments?

Deputy Paschal Donohoe: It is precisely because I am responding to the points made by IFAC that, even though spending is below profile both from the point of view of Government as a whole and of many of our Government Departments, I am still acknowledging that a change in health expenditure occurred in May. The fact that we are still below profile is important but I have to signal to the House, the Oireachtas, and Government that the big shift seen in May will need careful examination, particularly as we move into June. That is what I am doing. I will work within Government and with the Minister, Deputy Harris, to respond to the issue if it develops further.

Deputy Thomas P. Broughan: I will waive my supplementary question and pass over to my colleague, Deputy Durkan, to ask his question.

National Debt

13. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which he through the medium of public expenditure and reform continues to influence the repayments of the debt accrued during the economic crash; if the performance here compares favourably with other European economies similarly affected; and if he will make a statement on the matter. [25818/19]

Deputy Bernard J. Durkan: I will make no opening remarks and will accept the Minister's reply.

Deputy Paschal Donohoe: As indicated in our annual report on debt last year, while our debt to gross domestic product ratio has been declining, this is primarily due to an increase in national income, rather than a reduction in the debt itself. At the end of 2018, our debt ratio as a percentage of GDP was 64.8%. Measured by GNI*, that figure was 107%. The Department of Finance suggests that Ireland will meet the target of a debt to national income ratio of below 60%, as required under the Stability and Growth Pact, in 2020. In terms of debt as a percentage of national income, Ireland ranks 13th among the EU 28 countries for 2018.

To provide a basic summary, if our national income is measured in terms of gross domestic product, we are doing well. The debt to national income ratio is falling and will continue to fall, but we need to be aware that gross domestic product is not always the most accurate way to measure our national income. When account is taken of gross national income the figures appear in a different light. That is the basis upon which we are acting.

Acting Chairman (Deputy Eugene Murphy): I thank all Members and the Ministers for their co-operation in getting through as many questions as possible.

Written Answers are published on the Oireachtas website.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Dara Calleary: For the past months we have witnessed a number of high profile and worrying criminal events across the State that are causing great concern. There has been a raft of ATM thefts on both sides of the Border. There is also insidious evidence of an increase in gang activity and drug related activity in Drogheda in particular. The Garda armed response unit had to be brought into Drogheda. It appears that Drogheda has been left short of gardaí for the past year and criminal activity was allowed fester in the context of that shortage.

Drogheda, as we all know, is a fantastic town. I had the pleasure of visiting it last year during the Fleadh and the welcome was phenomenal. The people of Drogheda took charge of their own destiny by having a very dignified and silent protest calling on criminal gangs to step back and calling for action to protect their town and the people in it.

These criminal gangs and others involved in the drug trade are spreading their malignant activity across the State as pressure comes on them in Dublin. People living in towns, villages and small communities across the country are justifiably concerned about this activity. They are concerned about the poor and slow response to what is happening.

Last night RTÉ carried a report from Longford, a small and proud town which has armed gardaí - once again - on duty on its streets as we speak. There have been two arson attacks, four stabbings and 43 violent incidents there over the past months. People are worried, concerned and fed up. This morning the Garda Representative Association was interviewed on RTÉ's "Morning Ireland" and spoke about gardaí not being able to engage actively with the feuding families as they are operating a fire brigade service, going from call to call. The
12 o'clock GRA representative said that the force is operating on a very tight overtime budget and there simply are not enough gardaí patrolling the streets. He believes that the only answer is gardaí on the street in their faces so they cannot behave like that. This is the view of the GRA, which represents the gardaí on the street.

I refer to Longford and Drogheda but are there other towns or communities that will have the armed response on their streets over the next weeks? What is the Government doing to engage actively with these problems before they require that level of response? What is the Government doing to prevent eruptions of gang violence around the country before communities are terrorised and before people are threatened in their own communities? Does the Tánaiste believe that extra resources are needed to tackle this issue in the State?

The Tánaiste: I thank Deputy Calleary for raising this issue. I am aware of reports about a number of violent and public order incidents that have occurred in Longford recently. I am not in a position to discuss specific details about Garda operations in the area but I can assure the House that gardaí will not permit a small number of individuals - in this case families who are feuding - to put local communities in fear for their safety. Criminal acts of this nature have no place in civilised society and An Garda Síochána is determined to bring the perpetrators of these acts to justice as soon as possible and to protect and reassure the broader communities.

The House will be aware that the Garda Commissioner and his management team are solely responsible for the allocation of Garda resources, including personnel, with regard to new and emerging crime trends. Neither the Government nor the Minister for Justice and Equality are permitted to intervene in Garda operational matters, and we should not. We do, however, have a responsibility to make sure that the resources are available to the Garda Commissioner and

his teams to make sure they can respond appropriately.

The Government has made unprecedented resources available to An Garda Síochána. Budget 2019 saw the allocation of €1.76 billion to An Garda Síochána to help it carry out its vital functions. In December 2018 the Government endorsed the report of the Commission on the Future of Policing in Ireland, accepting all 157 recommendations. A four year high level implementation plan was also published, with progress overseen by a dedicated programme office in the Department of the Taoiseach. There is a considerable amount of work to be done, including drafting new policing legislation that will ensure the broader concept of community safety will be embedded in statute. Key to this is policing in partnership with communities, other Departments and agencies that provide essential services and supports to communities and individuals who are at risk. The Garda recruitment campaign is currently under way, which will ensure that An Garda Síochána remains on target to reach the figure of 15,000 sworn members by 2021. The number of sworn gardaí is now in excess of 14,000 with 200 more gardaí having attested on 7 June. A further 200 gardaí will attest before the end of this year.

I share the Deputy's concern. We need to ensure that the Garda is resourced to respond to new criminal threats, be they gangland crime or families feuding. We need to ensure the necessary resources and skills are available from a training and equipment perspective for An Garda Síochána but the allocation of resources and planning on the ground has to come from the Garda Commissioner.

Deputy Dara Calleary: I fully accept that operational issues are for the Garda Commissioner, but when extra gardaí were assigned to Drogheda the Minister for Justice and Equality, Deputy Charles Flanagan, and the local Fine Gael Deputy made sure they were there for the press conference and the pictures. The gardaí were assigned after the events took off and after the problem took hold. Today we are referring to Drogheda and Longford, which are two fine communities, but there are communities across the country living in fear of low-level anti-social behaviour up to drug and criminal gang activity. They do not want to be the next towns with armed support units. There needs to be proactivity on the part of the Minister and the Government, while respecting the line and respecting that operational issues are a matter for the Garda Commissioner. We need proactivity from the Government and the Minister, Deputy Flanagan, to respond to concerns in the communities around the country as they see their own communities, families and day-to-day activities being targeted by gangs. These places do not want to be the next towns with armed support units. I put it to the Tánaiste that proactivity at Cabinet level and working with the Garda Commissioner is what we need, not false promises or false issues about legislation.

The Tánaiste: Deputy Calleary has accused the Government of many things but I do not believe it is credible to accuse the Government of not being open to new thinking, better policing and new ways of doing things from a policing perspective. There is a constant programme of reform, reassessment and independent assessment of policing in Ireland - for obvious reasons - over the last years. This continues. The resources continue to increase. The number of gardaí continues to increase, which is needed. This is happening not just in Longford and Drogheda but also in many other parts of the State and in our constituencies, as we know only too well.

The presence of the Minister for Justice and Equality with the Garda Commissioner at times of stress and fear in towns such as Drogheda in response to gangland crime is more than appropriate to reassure people that right at the top of Government we can understand the concerns and the need for a response. The actual response does need to be designed by police officers in

An Garda Síochána with the Garda Commissioner's office. If the Garda Commissioner needs more resources or stronger legislation in certain areas he will get both. This is the kind of relationship needed between the Garda Commissioner and the Minister for Justice and Equality, which is a very strong and important relationship.

Deputy Pearse Doherty: I wish to raise the issue of online safety, a matter that was raised by my colleague, Deputy Mary Lou McDonald, yesterday, along with members of Fianna Fáil and the Labour Party. We all know that, despite the best efforts of their parents, children and teenagers are able to access on the Internet and social media inappropriate material which can have a negative consequence for them, their families and society at large. The Irish Society for the Prevention of Cruelty to Children, ISPCC, has stated that online safety is the child protection issue of our generation. High-profile cases such as that which has been in the news this week rightly draw the public's attention to this issue. Such cases need to be a call to action. When more and more young people are accessing social media sites, the Internet and different applications, we all have a responsibility but particularly those of us in these Houses, to take action.

Some good work has been done. For example, the action plan for online safety made a positive contribution and it is important to acknowledge that. However, there is other important work that needs to be done. The Digital Safety Commissioner Bill 2017, introduced by my colleague, Deputy Ó Laoghaire, in February 2018, received unanimous support in the Dáil. Since then, however, it has been stuck on Committee Stage. That Bill proposes the appointment of a regulator with real powers in a stand-alone office. The proposed commissioner would give meaningful support to the State in its efforts to combat cyberbullying, the prevalence of harmful communication and material, micro-targeting and online abuse. That Bill is supported by the ISPCC, Cybersafe Ireland and the Office of the Ombudsman for Children. The Minister for Communications, Climate Action and Environment has also indicated his support for the broad thrust of the Bill and has stated that he is in the process of producing his own legislation. As yet, however, neither the heads or a Bill have been published. He indicated that he will draw on the ideas in Teachta Ó Laoghaire's Bill and from other sources.

We heard from Deputy Howlin yesterday that he has ideas on this issue too. I see from press reports this morning that the British model he suggested may be running into some technical problems. All of us in this House have suggestions and ideas about what needs to be done. None of them is necessarily wrong and some complement each other. It does not matter what we call the legislation, who introduces it or who gets the credit for it, what matters is that we need to do this quickly in order to protect our children.

Let us consider two options. We have available to us a Bill that got unanimous support in this House almost a year and a half ago. It is on Committee Stage. The Government could use that process to feed in all the different contributions and strengthen that Bill if needs be. If it is not in favour of doing that, let us convene an all-party committee on online safety, working with everyone and taking on board their ideas, to get a Bill drafted on an inclusive basis and to bring it before the House before the summer recess. We need to work together on this. We have lost far too much time. Will the Tánaiste support either of these options?

The Tánaiste: I thank the Deputy for raising this issue and I appreciate the spirit in which he has raised it, which represents an effort to get us to respond collectively. Government and Opposition have done really good work collectively on some big issues, climate action, housing and other social changes that I am glad to say this country has managed to deliver in recent

years. This is another one but it is a very difficult issue to get right. That is why the Minister for Communications, Climate Action and Environment, Deputy Bruton, has been very clear in speeches he has made about his commitment to introducing new legislation in this area. The Government's view is that the days of self-regulation online are over and that states now need to get involved in putting in place appropriate levels of regulation to ensure we can protect vulnerable people, particularly children. Media coverage of events that have happened in the past few days are a reminder of that but it has been an issue for some years. Any parent in this Chamber is more than aware of the dangers of allowing a child to even use his or her mobile phone.

The State needs to respond but this is an international challenge that lots of countries are grappling with. The Minister has opened up a consultation process for stakeholders on a series of questions with a view to trying to bring forward comprehensive legislation. I do not think he will be concerned whether Deputy Ó Laoghaire's Bill is used as the basis for that or whether it is new legislation. This is a cross-party issue. We would welcome the input of others who have been working on this. We worked with Deputy Howlin on the Bill he produced and the Government has shown a willingness not to get party political about who brings forward the legislation. The issue is that we have to get it right. Rather than try to get this done before the summer without perhaps having as broad a consultation as necessary to get it right, we need a slightly longer timeframe to consult with all the political parties, non-governmental organisations, NGOs, academics and industry interests involved in this area in order that we can by the end of the year bring forward legislation sponsored by the Government but supported, I hope, by many other parties.

Deputy Pearse Doherty: I welcome the Tánaiste's comments but clarity does not come from speeches, it comes from legislation. The problem is that there has not been collective work on this. Deputy Ó Laoghaire produced a Bill. We are willing to have it strengthened by anybody and everybody. Let us get this right and bring all the ideas together. The Bill has gone through pre-legislative scrutiny. Deputy Ó Laoghaire has asked the Minister to sit down with him and discuss the Bill. The Minister has not even responded.

I have approached this matter from the point of view that in this House we have the collective wisdom, ability and motivation to get this right. We have a Bill that is at an advanced stage. We are open to dealing with all and hearing the various views on how to strengthen it. That is possible. There is a committee dealing with that legislation. Let us use that and if we cannot, let us set up a committee on online digital safety and take all the views together so that we get this right.

The Tánaiste is right to say there is an international aspect to this but the State has failed to ratify the Budapest Convention. The latter would give gardaí more powers in respect of online safety, access to data and so on, particularly in the context of child pornography.

I have asked two specific questions from the point of view that I have already introduced legislation and worked with the Minister to get it over the line and we have another Bill that we are working on with the Minister to do likewise. Let us do the same with this Bill. We have wasted 18 months. The Tánaiste stated that there is a public consultation process but that finished two months ago and the report relating to it has not been published. Is the Tánaiste open to allowing the Bill progress and letting us take everyone's feedback on board? Is he open to the establishment of an all-party committee on online safety in order that we might take an inclusive approach to this matter?

The Tánaiste: I do not want to speak directly for the Minister. He is interested in results and in getting the right Bill enacted as soon as possible. He is not interested in trying to get something done quickly only to find out a few months later that we have missed something. I will certainly ask the Minister to meet Deputy Ó Laoghaire, who is interested in this area and has done a lot of work on it. I am familiar with the issues with which the Deputy is trying to deal in his legislation but I do not have the detail of it all.

The Government wants to work with Sinn Féin, the Labour Party, Fianna Fáil and all of the other parties in this House to try to get this right. It is a significant concern for families, parents and young people around the country. Many vulnerable people are being targeted online whether through cyberbullying or exposure to extreme content, pornography or violence or something else and we recognise that we need to respond to that. We have a Minister who is very open to it and who wants to work with all in this House to make that happen.

Deputy Brendan Howlin: To mark the 100th anniversary of the democratic programme of the First Dáil, the Children's Rights Alliance is running a campaign to ensure that the values of that important programme are upheld, No Child 2020. The idea is that no child be left behind. We do not have to tolerate the extent of child poverty that exists in our country. One in 11 children is living in conditions of consistent poverty according to the Central Statistics Office, CSO. When the former leader of the Labour Party, Tom Johnson, drafted the original Democratic Programme, his vision was of a new role for the State to meet the basic needs of working people, the majority of whom lived in appalling poverty in 1919. The Democratic Programme gave special mention to children, saying that it was the first duty of Government to make provision for their well-being, paramount among the provisions made by the State of the means and facilities for children's education and training. The Democratic Programme also called on the State to ensure that no child wanted for shelter, clothing or food. The document also highlighted the importance of healthcare and the participation of children in a free Ireland.

The Children's Rights Alliance has taken just five basic issues for today that it believes could be quickly and realistically addressed to make a significant gesture to honour the centenary of the Democratic Programme and address the real issue of reducing child poverty. Those five asks are that every child has a hot nutritious meal every day; has access to affordable and quality healthcare; has access to free education; can participate in arts and culture in his or her community; and lives in affordable and quality housing. Does the Government endorse these five basic issues as the minimum that the House can set as an objective to achieve for every child in the State on the centenary of the First Dáil? What specific actions does it propose to put in place to ensure that we honour the centenary of the First Dáil by fulfilling these wishes for children?

The Tánaiste: The Deputy raised a broad range of issues. Regardless of whether it is the centenary of the First Dáil, we should be looking after our children. The requirement to do that is a big priority in the Constitution. If a country cannot look after its most vulnerable and its children, it has to ask itself some straight questions. We have areas where we have made huge progress. Even during the recession, Governments continued to prioritise expenditure in education. We will continue to do that and we will improve the quality of education and the resources that are available to teachers. Hot meal programmes in schools, particularly DEIS schools in areas where income may be challenging for families, are also important. On the arts, for example, I am sitting next to the Minister for Culture, Heritage and the Gaeltacht, Deputy Madigan, who has responsibility for Creative Ireland, the new arts policy, which has a children's element to it.

Housing is perhaps the most challenging area of domestic policy for this Government. We have far too many children in emergency accommodation. The Government is determined to change this because it is not acceptable to have families and children in emergency accommodation for long periods or at all. That is why we are spending so much money and time on a social housing building programme. We will assist over 27,000 individuals and families this year with their social housing needs. Clearly, there is still more to be done to get on top of that issue.

I agree with the Deputy on all the principles he has outlined but, as he knows because he has been in government, the practical response, cost, policy changes and legislative protections are what are required from Government to make these things a reality. In many of these areas, Ireland is an international example of how to get things done but we still have work to do in some areas, particularly with the housing challenges, which are a hangover from a deep recession that was driven by a collapse in the property industry.

Deputy Brendan Howlin: As the Tánaiste knows, the Children's Rights Alliance is a broad amalgamation of organisations and bodies which are interested in the welfare of children. It has looked at all the issues that face children in this State and asked for just five focused aims to be achieved. I am asking the Tánaiste if we can just address these five items as a priority in this House? Can we set ourselves the target of doing these five things for children? I grant that some of them are easier than others. Access to the arts is very important and the passport for the arts for children who, in many instances, can never avail of the arts and which is in place in other European countries can be emulated here. That is not a big ask. There are more difficult matters, including ensuring that every child has affordable and quality housing. That is a bigger ask. If we set ourselves the task of addressing all of these issues, we could do so. It would be a fitting memorial to ensuring that, as we celebrate the 100th anniversary of our first free Parliament, we do so representing the values of those who sat here 100 years ago. Will the Tánaiste agree to commit the Government to look at these five issues and to see, on a cross-party basis, how far we can advance them all before the end of this year?

The Tánaiste: These are important areas and the Government is committed to all of them. Nutrition and a hot meal every day is the first matter. On access to healthcare, we know there are some challenges but we are investing heavily in overcoming those obstacles. Huge progress continues to be made in education and the arts. On the difficult issue of housing, we had a five-year housing plan, which was very ambitious when it was launched, and it is now delivering. It is not where it needs to be yet but we are getting there. I assure the Deputy that the concerns that have been outlined by the Children's Rights Alliance on housing for children and families is a big priority for the Government.

Another area where we need to protect children is against online exposure, which we talked about earlier, and that will be a big priority for us too. These five areas are all central to the way in which the Government needs to respond to the interests of children but there are other areas which we also need to pursue.

Deputy Richard Boyd Barrett: The abysmal failure of the Government's housing policy is well known and acknowledged at this stage. There are 100,000 households on the housing lists, some waiting a decade or more. There are extortionate rents in Dublin running at an average of €1,600 per month, which means someone would need to be able to spend more than €18,000 a year on rent to afford that. House prices are completely unaffordable, costing an average of €383,000 in Dublin. One would need to have saved €40,000 and have a salary of €100,000 or more to afford that. In my area, average house prices are €570,000 which does not even bear

thinking about. One in five of our population is paying 40% or more of income on housing, one in ten is paying 60% or more and one in 20 is paying an incredible 75% of income on housing.

These failures are well known but the Government often asks if we have any solutions. I want to propose a few solutions that presented themselves from developments this week. As we speak, the city government in Berlin has proposed a five-year rent freeze because rents have gone through the roof and become unaffordable. The Government says this is not practical but it is being done in Berlin. Could we not do what is being done Berlin and freeze rents? This is the major reason people are being driven into homelessness and emergency housing. As they are also planning to do in Berlin, could we regulate vulture and cuckoo funds which are wrecking the housing sector and driving prices and rents through the roof? More than 11% of housing sold in 2018 was bought by vulture and cuckoo funds, worsening the housing crisis as they profiteer from it.

There are more than 200,000 empty houses in Ireland. There are 360 vacant sites which could be built on. The Economic and Social Research Institute has stated loopholes mean there should be a hell of a lot more sites on the register. It is asking for something we have demanded for a long time, namely, an aggressive vacant site and property tax that would force such sites and homes into use for people who desperately need them.

I turn finally to affordable housing. This week, I attended a meeting of the Joint Committee on Housing, Planning and Local Government. The National Development Finance Agency and the Housing Agency pointed out that, effectively, there is no affordable housing scheme. They noted that it is being done on a site-by-site basis and they simply cannot come up with formulations to make it affordable. In one of the few pilots that was promised to be delivered three years ago in Enniskerry, not a single house has been built but there is talk of rents of €1,200 a month. The two bodies acknowledged that it is not affordable. Could we not have an affordable scheme based simply on the principle that only one third of one's income would be required to pay rent, with rents set on that basis? I have presented a few practical proposals to which I would like the Tánaiste to respond.

The Tánaiste: It is good to hear some practical proposals but many of the proposals the Government has put into practice are working. Independent reporting, such as the Goodbody report published in recent days, has revised the forecast and indicated there will be between 21,000 and 22,000 new builds this year. Added to that, the number of vacant properties and derelict stock that will come back into use means approximately 25,000 new properties will come onto the market for use this year. That is very much in line with where we said we needed to be in the Rebuilding Ireland plan. We will push on now beyond that and get up to well over 30,000 in the coming years. In the number of planning permissions, which is a real indication of the appetite to build new properties and get them done, there have been significant increases. The number of commencement notices has increased by 41% as of April. That is a steady increase and acceleration of where we have been in recent years.

The core problem, as the Deputy recognised, is supply. One of the reasons we have such reliance on the private rental market for social housing solutions is supply, which is why we are building significantly more social housing than has been done for many years. We will continue to do that and will add approximately 10,000 social housing units to the stock this year. The core issue we need to resolve, which, to be fair to the Deputy, he raises all the time, is the delivery of supply in multiple sectors, namely, social housing, affordable housing, affordable rent, cost-rental models and a more conventional purchase market, for both apartments and family

homes. All those things are progressing. The figure on the housing lists is now 70,000, which is down 20,000 because it was at 90,000 for some time. Since Rebuilding Ireland was started, the output of new homes that have been delivered and are available to the market and families is 52,000. There have been 42,000 new builds, 7,000 properties were vacant and are now filled, while 3,000 unfinished properties that were in ghost housing estates are now completed and have families in them.

That is progress. It is not yet fully where we need to be but it is significant progress. If we continue to make the kind of progress we have made, in accelerating output of supply, many of the other issues the Deputy understandably raises, such as the pressures that individuals and families are under, will be solved. If there is focus not on the delivery of supply but instead on freezing rents overnight, if landlords are driven out of the market because certainty is not given through allowing for modest inflation and so on in the marketplaces, we will not receive the kind of investment we need.

Deputy Richard Boyd Barrett: In Berlin, there is a five-year temporary emergency freeze until the problem is resolved. There is no reason we could not do that and it would not necessarily drive people out of the market. It would be temporary and would recognise the emergency.

On the issue of housing lists, let us be clear. If the numbers on housing assistance payment, HAP, and rental accommodation scheme, RAS, transfer lists and so on are included, the figure rises to 100,000. RAS and HAP tenancies are very precarious. Many of the people in emergency accommodation come from RAS and HAP tenancies. They are not secure forms of housing.

On supply, let me ring the alarm bells. The Construction Industry Federation appeared before the housing committee yesterday and stated categorically that the supply targets will not be met. The industry cannot deliver housing that is affordable to people, people are not buying it because they cannot afford it, but it cannot be delivered any more cheaply. That means the State must intervene and deliver affordable housing on public land.

I reiterate a question the Tánaiste did not answer. Where is the affordable housing? The few pilot programmes will not be affordable. We were told at a meeting of the housing committee this week that Japanese knotweed in Ticknock will prevent the housing being delivered at affordable levels. We do not have a national affordable housing scheme based on income affordability.

The Tánaiste: There is a €310 million affordable housing programme, which was agreed in the previous budget. It will take some time to deliver but it is progressing.

It is important not to stigmatise HAP and RAS. The whole point of HAP is to provide more certainty than was previously the case with rent allowance payments. Approximately 300 new HAP tenancies are put in place per week, which provide affordable accommodation in the private rental market. We want more people who seek conventional social housing to be able to get it but the only way we can ensure that will happen is to deliver on the build programme that is under way. It is well funded and resourced. We are spending billions of euro building a significant increase in the social housing stock. It is happening and we can see it in our cities and other parts of the country.

The Deputy calls for State intervention as if it is not already happening. We have introduced rent pressure zones, which are the alternative to rent freezes because they limit rent inflation, and we have extended the powers of rent pressure zones to include cuckoo funds in respect of

the rent they charge after the initial rent is set. We are intervening in many areas in the housing market but we need to be careful our interventions are not counterproductive, as many of the interventions the Deputy proposes would be.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

Deputy Dara Calleary: I return to the Tánaiste's conversation with Deputy Pearse Doherty about online safety. On 1 May 2017, Deputy Naughten, the then Minister for Communications, Climate Action and Environment, was quoted as stating:

The legislation is complex and slow. It's not going to happen overnight but we have a number of options. We're in talks with the industry to see if we can fast-track elements of it.

We are now in June 2019 but we are no further. We want to work collectively with the Government on the issue and to get it right. I ask and challenge the Tánaiste to lay down a timeline for when it will be done. The House should not break for the recess without some sort of timeline laid down to show that the work that needs to be done will be done on this occasion, and that we will not just move on and forget it. That quotation from 2017 is very similar to what the Tánaiste delivered to Deputy Pearse Doherty in June 2019.

The Tánaiste: Deputy Naughten made a significant contribution in the area when he was in government. In 2017, he put in place an action plan for online safety which focused on education and enforcement, and 25 short-to-medium-term actions-----

Deputy Mattie McGrath: Why did they not keep him?

The Tánaiste: -----which are all being put in place. The truth is we now know it is not enough. That is why the Minister for Communications, Climate Action and Environment, Deputy Bruton, is very focused on this area and has already set up a consultation process to hear from NGOs and experts, and he wants to hear from other political parties.

Deputy Dara Calleary: Lay down a timeline.

The Tánaiste: We will progress this legislation as a priority as soon as we can but we need to get it right. I suggest the Minister, Deputy Bruton, is probably the appropriate Minister to give the Deputy the timeline in regard to how this is possible. I do not think it is possible to put comprehensive legislation on online safety in place before the summer recess. However, it is possible to do that later on in the year.

Deputy Pearse Doherty: We will come back to the issue and the proposals, and write to party leaders. The Dáil needs to take control of this issue and inject urgency into it.

I want to raise the issue of the publication of the Mental Health Commission's annual report. Once again, it highlights deficiencies that are seriously affecting the issue of children being admitted to adult mental health units in the State. We see from the report that 84 children were admitted to adult mental health units last year. The head of the commission, Mr. John Farrelly, said the placement of any child in any adult unit indicates a service provision gap. He goes on to say that no child should access mental health services through a unit that was not equipped

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to deal with their needs. I am sure the Tánaiste will share the view that this is totally unacceptable. It has gone on for far too long and it is time to end this practice once and for all. It is time to deliver on A Vision for Change. How many years is it that we have this promise to deliver the number of beds that are required? It is time to make sure all beds are commissioned. Only 44 of the 74 beds were operational last year. Will the Tánaiste outline to those children and others what is the plan to make sure no child has to access mental health services through adult services?

Minister of State at the Department of Health (Deputy Jim Daly): I thank the Deputy. I have just come from the launch of the report. We are aware of the issue. To answer on the issue of young people being admitted to adult services, sometimes the issues can be multifactorial and the reason for it can be down to geography or the particular age of the person, for example, somebody could be 18 and a half. While I am not defending the practice, I am simply saying that, in some circumstances, it is beyond our control. In other circumstances, it is not acceptable and we do not want to see it happening.

There is a protocol in place when a young person is admitted to an adult unit. The head of the HSE mental health service has to be notified, as does the Mental Health Commission, and there are very strict guidelines and protocols to protect the young person. Ultimately, it is a capacity issue in some cases. We will take possession of the Central Mental Hospital in Portrane towards the end of this year, probably in November, and it will hopefully be commissioned early next year. That will obviously help with capacity across the country because it will take some of the more acute cases. Therefore, we have improvements in capacity coming down the stream. We obviously have staffing challenges, of which the Deputy is aware, in some of the places where we have capacity.

We are aware of the challenge. The Department and the HSE are continuing to work towards ensuring that practice is kept to an absolute minimum.

Deputy Brendan Howlin: There is widespread concern about the low income thresholds now required to be accepted on council housing waiting lists. These thresholds, as the Tánaiste knows, have not moved in several years and are, therefore, lowering in real terms because they are not linked to inflation. The threshold for a single person can be as low as €25,000, rising to a maximum of €35,000. The Government has repeatedly announced a review of the income eligibility criteria. Does the Minister for Housing, Planning and Local Government accept there are many working people who cannot dream of getting a loan and buying a house but do not qualify under these thresholds? That is particularly true in the band 3 counties. When will we see the review coming to its conclusion and the revised income thresholds announced?

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I thank the Deputy. It is fair to recognise that when Deputy Jan O'Sullivan, from Deputy Howlin's party, was in the role, she made sure that an additional allocation was made to the thresholds, recognising that, over time, there would be inflation. People would have been excluded from being able to apply for social housing much sooner had the then Minister of State not done that, so it was quite a prescient move to make.

A review is under way in regard to income thresholds but it is being conducted by the Housing Agency, so it is independent of the Department. When that work is presented to me, I will be able to bring it forward in regard to what is happening with the thresholds.

Deputy Brendan Howlin: The work is done. Has the Minister not asked about it?

Deputy Eoghan Murphy: A series of reforms are being progressed for social housing at the moment, and one of those reforms is around the threshold limits. I am still waiting for that particular piece of information to come from the Housing Agency. When I have it, I can bring that suite of reforms to Cabinet and then to the House. I am trying to do that as quickly as possible but I am depending on an agency that is separate from the Department.

Deputy Brendan Ryan: The Minister should look on his desk.

Deputy Eoghan Murphy: It is not on my desk.

Deputy Richard Boyd Barrett: Why is the Government sabotaging and subverting the democratic and legislative process through the use of money messages on Bills that do not involve any levying of taxes, which we are not allowed to do, or spending of money? It is abusing the money message on a whole series of Bills - in fact, it is 55 Bills at the moment. In our case, a Bill passed twice through the Dáil to give access to medicinal cannabis but was blocked by a money message. A Bill to stop evictions was blocked by a money message. A Bill to give objective sex education in schools was blocked by a money message. Most recently, we had the climate emergency measures Bill, on which the Government has, in my opinion, misled the Ceann Comhairle, claiming there are possible legal actions and fees having to be returned, which do not actually exist, in order to block a legislative measure to keep fossil fuels in the ground. Is that not abuse and sabotage of the democratic and legislative process?

The Tánaiste: The Government does not determine whether a money message is required. That is a determination of the Ceann Comhairle and I am very confident he is well able to make his own decisions.

Deputy Richard Boyd Barrett: They lobbied for it.

Deputy Regina Doherty: What difference does that make? That is a ridiculous statement.

Deputy Mattie McGrath: The programme for Government gives a commitment to strengthening Garda numbers to tackle crime. We have a huge issue at present in the Clonmel Garda district, which includes Carrick-on-Suir. The Tánaiste is probably aware there is a huge issue with mental health issues and associated drug crime. It is an epidemic and is leading to many suicides. The community there is calling for action. Sergeant Mick Hubbard, Garda Pat Kelly and others in Carrick-on-Suir are doing their utmost but they do not have the numbers, nor does Clonmel have the numbers to help them out. We need the drugs squad in Tipperary to be beefed up. In addition, up to 1,000 gardaí are doing civilian work in the Garda Síochána. The Garda Commissioner, Drew Harris, has said the Garda will replace those with civilians and let trained gardaí out on the streets. We need the numbers. Deputy Calleary raised the issue of Drogheda and Longford and we will be as bad as that, if we are not as bad now. We need immediate action, not firefighting afterwards, and we need to support the gardaí who are there.

The Tánaiste: I answered quite a detailed question on Garda resources earlier, when Deputy Calleary raised the issues in Longford and Drogheda. The Government is providing funds to raise the number of gardaí to 15,000, which will give the Commissioner a lot more human resources to allocate to the kinds of challenges the Deputy raises. That, combined with the reforms that are under way in regard to policing, particularly community policing and civilianisation of many Garda stations, will ensure we can get trained gardaí out and into the community

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to increase the Garda presence. All of that is under way and I hope we will be able to make an impact in places like Carrick-on-Suir and elsewhere.

An Ceann Comhairle: We move to the Deputies carried forward from yesterday. I call Deputy O'Loughlin.

Deputy Fiona O'Loughlin: I want to raise the issue of credit unions. As the Tánaiste knows, they are volunteer-led, community-based and not-for-profit. Indeed, they are part of the social fabric of our towns. I know this is the case in Newbridge in particular, where for few years we did not have a credit union and moneylenders were very active. Credit unions should not be equated with the banks. Last Friday, with a single stroke of his pen, the Minister for Finance, Deputy Donohoe, did exactly that. The credit unions pay a number of levies but, as of last Friday, the industry-funded levy has doubled for this year and will quadruple for credit unions by 2022. This is completely wrong. It is punishing our credit unions and their members. I ask the Government to reverse this decision and keep the levy as it is at this time.

An Ceann Comhairle: I call Deputy Eugene Murphy on the same matter.

Deputy Eugene Murphy: I have had strong lobbying on this issue from people in the credit union business. This levy will go up to 50% for the credit unions and they tell me it is going to cost them millions. It will certainly affect credit going to people who need it. Credit unions are community-based, helpful financial organisations. Deputy Fiona O'Loughlin is right that, last week, with the stroke of a pen, the Minister, Deputy Donohoe, changed that. The Government will argue that the banks are paying 100% but my argument is that credit unions are not the same as commercial banks. They play a very important role in our society. I am asking that the Minister for Finance reverse this change because there will be serious consequences down the line, particularly for poor people.

The Tánaiste: I appreciate the role of credit unions. They are not the same as banks. They have played a unique role for many families across the country in terms of affordable credit and they will continue to do so. Credit unions have a really important role to play now and in the future. In regard to the changes that have been made, my understanding is that they were made following much consultation with credit unions-----

Deputy Eugene Murphy: No.

The Tánaiste: I am afraid they were.

Deputy Eugene Murphy: The credit unions were shocked by the decision.

The Tánaiste: I will ask the Minister to communicate with both Deputies on the rationale for the changes that have been outlined following a consultation with the credit union movement, which was more than aware of the proposed changes and was involved in seeking them in most cases.

Deputy Eugene Murphy: That is not true.

Deputy Bernard J. Durkan: The monuments and archaeological heritage Bill proposes to replace all such legislation from 1930 to 2014. I ask the Minister for Culture, Heritage and the Gaeltacht, Deputy Madigan, to update the House on the progress of this Bill and to indicate when it is expected to come before the House and likely to be enacted.

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): I thank the Deputy for his question. The important legislation he mentioned will consolidate and modernise the protection of monuments in the State. We hope that the Bill will come forward in the autumn but I can update the Deputy later with some further information.

Deputy Anne Rabbitte: Under the programme for Government and climate action change, what steps is the Government taking to avoid the EU fine of €4 million and €10,000 daily levied on the ESB's Derrybrien wind farm in south Galway?

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): I will have to get the details from the Deputy and check out what the issue is around that particular site.

Deputy John Brassil: The programme for Government commits to improving health services in the primary and community setting, with the aim of averting unnecessary admissions to acute hospitals. In that context, I raise the issue of oral nutritional supplements. I understand that the medicines management programme has developed an online reimbursement application system for oral nutritional supplements for patients living in the community. This will result in patients finding it more difficult to access the right medical nutrition interventions for their conditions. I have heard concerning reports that the professional group representing dieticians has formally withdrawn its support for this scheme in the absence of sufficient consultation. I understand that the Irish Nutrition and Dietetic Institute and an expert multidisciplinary group have written to the Department of Health and the HSE highlighting the increased clinical risk which the application system will have for patients.

An Ceann Comhairle: Thank you, Deputy Brassil.

Deputy John Brassil: Concerns have been raised that the plan will cost the health service money in the long run and will result in additional admissions to acute settings.

An Ceann Comhairle: Thank you. I call the Minister of State, Deputy Jim Daly.

Deputy John Brassil: I ask the Tánaiste and the Minister for Health to confirm if it is the Government's intention to continue with the roll-out of this plan on 1 July despite the grave concerns raised by experts working in the area?

Deputy Jim Daly: I undertake to get an update for the Deputy before the day is out.

Deputy Gerry Adams: I wonder if the Tánaiste remembers when Deputy Enda Kenny was Taoiseach?

The Tánaiste: I do.

Deputy Gerry Adams: Good man.

Deputy John Brassil: Deputy Adams was the leader of Sinn Féin.

Deputy Dara Calleary: Which Minister wants to answer that question?

Deputy Jim Daly: Next question.

An Ceann Comhairle: I am afraid you can only ask one question, Deputy Adams.

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Deputy Gerry Adams: The Tánaiste's answer is the straightest I have got today. One could not deny the former Taoiseach, Deputy Enda Kenny.

Deputy John Brassil: Back in the glory days.

Deputy Gerry Adams: I ask that question because it is related to the question I am going to put to the Tánaiste now, which is about the Government decision to abolish the motorised transport grant and the mobility allowance. Following a *rí rá*, provision was made for those citizens with disabilities to have a temporary arrangement but no other citizens have had access to any transport scheme since then, including many citizens with disabilities from my constituency of Louth. The health (transport support) Bill has been on the Government's legislative programme for years. A memorandum was brought to Government on proposals for a new transport payment scheme but it was withdrawn. How much longer do we have to wait for this scheme? Will I have to come into this House at some point in the future and ask if Members remember when Deputy Leo Varadkar was Taoiseach? How much longer will citizens have to wait for this scheme?

Deputy Regina Doherty: Will Deputy Adams be around that long?

The Tánaiste: Surely, Deputy Adams will not be around then.

Deputy Jim Daly: He may not be a Member of this House but he will be around.

The Tánaiste: From memory, I recall a conversation at Cabinet on this issue.

Deputy Gerry Adams: It is disgraceful.

The Tánaiste: This is a serious issue. It is an issue that I know the Minister of State, Deputy Finian McGrath, and the Minister, Deputy Harris, are examining seriously. I will have to come back to the Deputy with a more accurate timeline. I do not want to give him a timeline off the cuff.

Deputy Michael Moynihan: I raise the issue of respite care, in respect of which there is a commitment in the programme for Government. It was announced with huge fanfare that an additional €10 million was being provided for respite care. There is a chronic crisis in regard to access to respite, particularly for families of persons with intellectual disabilities. Service providers are telling families that there is no respite available for 2019, and have been doing so for the past couple of months, but they have been offered a shared care service. People at a high level in the services are saying that funding for respite care is not being made available by the HSE to the regions and that the Government is at sea in terms of the crisis in this area. Attempts to access home help hours for some families have been shut down. Is the Tánaiste aware of the massive crisis around respite care services for the remainder of 2019 and that there is an even greater crisis coming down the track in this regard?

Deputy Jim Daly: I am responding on behalf of my colleague, the Minister of State, Deputy Finian McGrath. The Government is aware of the pressures on the disability sector in particular. A budget of €1.9 billion has been spent so far this year on the provision of services for people with disabilities. We all acknowledge that is not enough but there is not an endless pot of money available to us. As acknowledged by Deputy Michael Moynihan, there has been an additional €10 million investment this year in new respite facilities, not all of which have not come on stream. Most of them are at an advanced stage. This area continues to be a challenge

and we will continue to try to meet that challenge as best we can. There is no silver bullet to the issue of demand.

Deputy James Browne: I refer to page 21 of the programme for Government and the commitment to improving housing supply. The Tánaiste, when Minister for Housing, Planning and Local Government, made a promise that there would be nobody in emergency accommodation by July 2017. Two years on, the numbers have increased at a demoralising rate. One of the causes is the Government's obsession with bureaucracy. Housing estates that are planning approved, shovel ready and agreed with housing bodies to be supplied for social housing are at a standstill because Irish Water is holding up the issuance of a letter of offer by five, six and seven months, even in cases where there is agreement in place with Irish Water. This is the case in Wexford, and no doubt elsewhere. When will the Government address this issue of delays?

Deputy Eoghan Murphy: I thank the Deputy for his question. It is important to note that last year was a record year in terms of the delivery of social housing homes. We will increase the social housing stock by 10,000 units this year, which is important. We want to make sure there are no unnecessary delays in delivering those homes. There is a dedicated unit working with utilities and my Department to ensure that any snags that might arise in regard to connections of water, electricity or in regard to roads will not delay a site. If there is a particular site about which the Deputy has concerns, he might provide me with the details outside the Chamber and I will progress the matter.

Deputy Denis Naughten: Maintaining a strong and viable suckler beef herd is a commitment in the programme for Government. The climate action plan, as we know, was published this week. It sets a target for reducing agricultural emissions by 10% between 2017 and 2030. Based on calf registrations, we had suckler cow emission reductions of 5% in 2018 alone and if the 2019 trend continues, we will have achieved the 13 year target for the suckler sector in 24 months.

In that context, I seek assurances that the Government will not accept a European Commission proposal for even greater cuts to the suckler herd. Such cuts would cause significant job losses across the midlands and west, forcing up to 20,000 people in the region to commute long distances in order to access employment, a development that would add significantly to our overall level of transport emissions.

The Tánaiste: A vibrant suckler herd is an important part of Irish agriculture. That does not mean that we do not need to constantly strive for more efficiency and to ensure that the emissions footprint of our herd continues to decrease. That goes for the dairy herd too. There is substantial efficiency built into the latter and, from the perspective of emissions, we produce milk in a more efficient way than any other country on the planet. We rate reasonably well in the context of beef but we can do more, while at the same time keeping farmers in business. In the context of the support fund Commissioner Hogan proposes to bring forward and the funding that the Government will bring forward with that, there is a reference in the regulation to a voluntary temporary adjustment to production. The Deputy will be aware that in 2016, when the dairy sector experienced extreme volatility, Ireland received exceptional aid which also involved a voluntary supply reduction sector.

An Ceann Comhairle: I thank the Tánaiste.

The Tánaiste: Just to make the point-----

An Ceann Comhairle: I am sorry, but the Tánaiste is exceeding his time.

The Tánaiste: This is a temporary and voluntary measure. It will be a matter for farmers to judge for themselves when they see the full package relating to that regulation, which is still being finalised.

Deputy Kevin O’Keeffe: My question is for the Tánaiste and the Minister for Rural and Community Development, Deputy Ring. A number of years ago, the Government launched the repair and lease scheme to allow properties on high streets to be leased out to social housing tenants. There does not seem to be a proper level of take-up in respect of the scheme. I see it when driving through villages at home in east Cork. There are still many properties in respect of which I thought landlords and owners would have applied to the scheme. Will the Minister comment on this? Could we relax the rules of scheme a bit or introduce an alternative scheme? The village and town renewal scheme was in place approximately 15 years ago. We need to do something in order to have these properties developed. We have ended up with villages and towns affected by the doughnut effect whereby main streets and side streets are empty and there is ribbon development along the sides roads. How can we increase uptake in respect of the scheme?

Deputy Eoghan Murphy: The repair and lease scheme comes under the Department of Housing, Planning and Local Government. It was introduced as a way to get private housing stock back into use by making it available for social housing. The initial take-up was not very successful so we reviewed and reformed the scheme to make it easier for landlords to access it. There has been an improvement in the level of take-up since then but many people who approached local authorities about the repair and lease scheme have gone into the buy and renew scheme instead. The local authorities have taken the houses from them, renewed the houses themselves and brought them back in as part of the social housing stock. We have also worked on above-the-shop living. People no longer require planning permission if they want to convert areas above shops into homes. That is specifically targeted at getting life and vibrancy back into towns and villages because that is a very important part of what we are trying to do. Between the urban fund and the rural regeneration fund, there is €3 billion for towns and villages to do precisely the kind of thing the Deputy wants to do, namely, ensure that we do not have a doughnut effect in some of our towns and villages.

Deputy Tom Neville: There is a reference on page 38 of the programme for Government to investment in social, regional and economic structure. This relates to something that has arisen with regard to expansion in a number of towns and villages in County Limerick. Many sewerage and wastewater treatment schemes are at capacity. If we are to foster development within the communities in question, we should consider expanding some of these wastewater treatment facilities. Any programme in that regard should be State-led. This would facilitate housing developments of ten, 12, 15 or even 20 houses that will produce a new population for these communities. I refer specifically to Oola in County Limerick. It is perhaps six miles from Tipperary town, on the fringes of the county. The people there have produced a programme of work and shown a timeline for the next years of how population growth can happen. The lack of wastewater treatment capacity will affect this and I ask the Minister to consider this.

Deputy Eoghan Murphy: Significant funding has been made available to Irish Water for investment in wastewater treatment plants because it is crucially important, as we deliver more housing, that the connected infrastructure is also in place. Separate work is happening in respect of smaller wastewater schemes. Work has been done on rural water groups by the Water

Forum and a couple of other groups in order to see if we can have additional capital funding for smaller schemes such as those to which the Deputy refers.

Deputy Tony McLoughlin: My question is for the Minister for Rural and Community Development. I have been approached about funding for shows. In recent years, some money has been available for them and for Tidy Towns. Will the Minister provide an update about funding for shows and Tidy Towns in future? It is important that these people get funding.

Minister for Rural and Community Development (Deputy Michael Ring): I thank the Deputy for asking the question. This matter was raised by Deputy Eugene Murphy a number of weeks ago. He indicated that we had cut the allocation for shows. I want to put on the record of the House that there is no budget for shows. I used discretionary money for two years to give the shows some funding. The Irish Shows Association thanked me for that funding. Deputy Eugene Murphy, the *Irish Farmers' Journal* and the *Roscommon Herald* got it wrong. I hope they will correct the record.

Deputy Dara Calleary: They are all wrong except for the Minister.

Deputy Michael Ring: I gave the shows €812,000 one year and €600,000 the next. I gave Tidy Towns-----

Deputy Dara Calleary: Sligo and Westport.

Deputy Michael Ring: -----€1.4 million over the past last two years. Deputy Ó Cuív referred to the rural regeneration scheme last week and he got it wrong because he said that no funding had been drawn down. Last year, I stated that I would not spend the budget but we spent 99.9% of it. They got it wrong again. Will Deputies Ó Cuív and Eugene Murphy listen to Deputy Calleary because they do not seem to know what is going on? If they want to ask me directly, I will give them any of the answers they want. I am delighted to give the shows and Tidy Towns funding.

(Interruptions).

Deputy Michael Ring: With regard to the rural regeneration scheme, if the Deputy checked with Údarás na Gaeltachta-----

Deputy Dara Calleary: Mayo money.

Deputy Michael Ring: -----he would have discovered that it has drawn down funding for Gteic in Connemara and will draw down further funding in the coming weeks. I thank the Ceann Comhairle for the opportunity to correct the record.

(Interruptions).

An Ceann Comhairle: It seems that we regularly have shows here that cost nothing.

Deputy Brendan Howlin: We should apply for a grant.

(Interruptions).

Deputy Dessie Ellis: I have repeatedly raised the issue of the misuse of quad bikes and motorbikes on our streets and in parks. A committee was set up by the Minister to look at the issue. It seems that this committee is of the opinion that the Garda has enough powers to deal

with this matter. That flies in the face of what I have heard at every joint policing committee and safety forum meeting I have attended. At such meetings, gardaí have clearly identified problems with the road traffic legislation, including in the context of powers of seizure. Communities are still being terrorised, with fatalities and injuries continuing to occur. The Government has repeatedly kicked this can down the road in the hope that it will go away. When will the Government bring forward real proposals to deal with this scourge before more people are injured or fatalities continue?

Minister of State at the Department of Justice and Equality (Deputy David Stanton): The supply of mechanically-propelled vehicles to persons under 16 and 17, depending on the vehicle, constitutes an offence under section 30 of the Road Traffic Act 2004 and a cross-agency group was established in April 2018 to consider the law governing these issues. The gardaí have been extensively consulted as has the Office of the Attorney General. Their advice is that current legislative provisions are sufficient. The Government is open to creating further legislation at any time, should the Garda Síochána recommend that this is necessary. The cross-agency group has recommended that the most effective response to scrambler misuse involves a combination of targeted enforcement measures, awareness-raising and youth engagement programmes. These measures will be progressed in conjunction with the relevant Department and agencies.

Deputy Dessie Ellis: This flies in the face of everything that I am seeking.

An Ceann Comhairle: Deputy Ellis has asked his question.

Deputy Dessie Ellis: Gardaí are stating that this is not the case. I do not understand where we are getting this information. This is raised at every committee meeting.

An Ceann Comhairle: Maybe the Deputy could have a private conversation with the Minister of State.

Deputy Dessie Ellis: It needs to be dealt with and we need to go back and ask them from where they are getting this information.

An Ceann Comhairle: Please, Deputy.

Deputy Dessie Ellis: It is not accurate. There is something wrong.

An Ceann Comhairle: I call Deputy Fitzpatrick.

Deputy Peter Fitzpatrick: Only last week, a woman in Dundalk was sexually assaulted. The Minister for Justice and Equality, Deputy Flanagan, has given €1 million in grant aid for CCTV in all villages and towns. The Government needs to look at local authorities' views. Most local authorities agree with the use of CCTV. Were it not for CCTV, there would not have been any convictions for the murder of Ana Kriégel. Will the Tánaiste outline what we can do to get more CCTV in villages and towns in order to stop predators and allow people going for walks, etc., to feel safe?

Deputy David Stanton: The Department is funding CCTV in many areas and is open to applications in this regard.

An Ceann Comhairle: That concludes questions on promised legislation. All Members were reached today.

Proposed Service by Defence Forces with United Nations in Mali: Motion (Resumed)

The following motion was moved by the Minister of State, Deputy Paul Kehoe, on Tuesday, 18 June 2019:

That Dáil Éireann approves, pursuant to section 2 of the Defence (Amendment) (No. 2) Act 1960, as applied by section 2 of the Defence (Amendment) Act 2006, the deployment of a contingent of the Permanent Defence Force to MINUSMA, established under United Nations Security Council Resolution 2100 (2013) and extended in subsequent Resolutions and subject to renewal of the UN mandate/authority for the mission thereafter.

An Ceann Comhairle: I must now deal with a postponed division on the motion regarding deployment of a contingent of the Permanent Defence Force to MINUSMA. On the question that the motion be agreed to, a division was claimed and, in accordance with Standing Order 70(2), that division must be taken now.

Question again put:

<i>The Dáil divided: Tá, 77; Níl, 39; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Aylward, Bobby.</i>	<i>Adams, Gerry.</i>	
<i>Bailey, Maria.</i>	<i>Barry, Mick.</i>	
<i>Barrett, Seán.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Brassil, John.</i>	<i>Brady, John.</i>	
<i>Breen, Pat.</i>	<i>Broughan, Thomas P.</i>	
<i>Brophy, Colm.</i>	<i>Buckley, Pat.</i>	
<i>Browne, James.</i>	<i>Burton, Joan.</i>	
<i>Bruton, Richard.</i>	<i>Collins, Joan.</i>	
<i>Burke, Peter.</i>	<i>Connolly, Catherine.</i>	
<i>Byrne, Catherine.</i>	<i>Coppinger, Ruth.</i>	
<i>Byrne, Thomas.</i>	<i>Cullinane, David.</i>	
<i>Cahill, Jackie.</i>	<i>Ellis, Dessie.</i>	
<i>Calleary, Dara.</i>	<i>Ferris, Martin.</i>	
<i>Canney, Seán.</i>	<i>Funchion, Kathleen.</i>	
<i>Carey, Joe.</i>	<i>Healy, Seamus.</i>	
<i>Casey, Pat.</i>	<i>Howlin, Brendan.</i>	
<i>Chambers, Jack.</i>	<i>Kenny, Martin.</i>	
<i>Chambers, Lisa.</i>	<i>Martin, Catherine.</i>	
<i>Collins, Michael.</i>	<i>McDonald, Mary Lou.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>McGrath, Mattie.</i>	
<i>Creed, Michael.</i>	<i>Mitchell, Denise.</i>	
<i>Curran, John.</i>	<i>Munster, Imelda.</i>	

<i>Daly, Jim.</i>	<i>Murphy, Catherine.</i>	
<i>Deasy, John.</i>	<i>Murphy, Paul.</i>	
<i>Doherty, Regina.</i>	<i>Nolan, Carol.</i>	
<i>Donnelly, Stephen.</i>	<i>O'Brien, Jonathan.</i>	
<i>Donohoe, Paschal.</i>	<i>O'Reilly, Louise.</i>	
<i>Dooley, Timmy.</i>	<i>O'Sullivan, Jan.</i>	
<i>Doyle, Andrew.</i>	<i>O'Sullivan, Maureen.</i>	
<i>Durkan, Bernard J.</i>	<i>Ó Broin, Eoin.</i>	
<i>English, Damien.</i>	<i>Ó Caoláin, Caoimhghín.</i>	
<i>Farrell, Alan.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>Grealish, Noel.</i>	<i>Penrose, Willie.</i>	
<i>Halligan, John.</i>	<i>Pringle, Thomas.</i>	
<i>Harris, Simon.</i>	<i>Ryan, Brendan.</i>	
<i>Haughey, Seán.</i>	<i>Sherlock, Sean.</i>	
<i>Humphreys, Heather.</i>	<i>Smith, Brid.</i>	
<i>Kyne, Seán.</i>	<i>Stanley, Brian.</i>	
<i>Lahart, John.</i>		
<i>MacSharry, Marc.</i>		
<i>Madigan, Josepha.</i>		
<i>Martin, Micheál.</i>		
<i>McGrath, Finian.</i>		
<i>McGrath, Michael.</i>		
<i>McGuinness, John.</i>		
<i>McHugh, Joe.</i>		
<i>McLoughlin, Tony.</i>		
<i>Mitchell O'Connor, Mary.</i>		
<i>Moran, Kevin Boxer.</i>		
<i>Moynihan, Aindrias.</i>		
<i>Moynihan, Michael.</i>		
<i>Murphy O'Mahony, Margaret.</i>		
<i>Murphy, Eoghan.</i>		
<i>Murphy, Eugene.</i>		
<i>Naughten, Denis.</i>		
<i>Naughton, Hildegarde.</i>		
<i>Neville, Tom.</i>		
<i>Noonan, Michael.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Connell, Kate.</i>		
<i>O'Dea, Willie.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Dowd, Fergus.</i>		

<i>O’Keeffe, Kevin.</i>		
<i>O’Loughlin, Fiona.</i>		
<i>O’Rourke, Frank.</i>		
<i>Phelan, John Paul.</i>		
<i>Rabbitte, Anne.</i>		
<i>Ring, Michael.</i>		
<i>Rock, Noel.</i>		
<i>Ross, Shane.</i>		
<i>Scanlon, Eamon.</i>		
<i>Smith, Brendan.</i>		
<i>Stanton, David.</i>		
<i>Troy, Robert.</i>		
<i>Zappone, Katherine.</i>		

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

Question declared carried.

National Minimum Wage (Protection of Employee Tips) Bill 2017 [Seanad]: Second Stage (Resumed)

An Leas-Cheann Comhairle: I must now deal with a postponed division relating to Second Stage of the National Minimum Wage (Protection of Employee Tips) Bill 2017 [Seanad], taken on Tuesday, 18 June 2019. On the question, “That the Bill be now read a Second Time”, a division was claimed and in accordance with Standing Order 70(2), that division must be taken now.

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

<i>The Dáil divided: Tá, 75; Níl, 41; 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>Bruton, Richard.</i>	
<i>Brady, John.</i>	<i>Burke, Peter.</i>	
<i>Brassil, John.</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>Creed, Michael.</i>	

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<i>Byrne, Thomas.</i>	<i>Daly, Jim.</i>	
<i>Cahill, Jackie.</i>	<i>Deasy, John.</i>	
<i>Calleary, Dara.</i>	<i>Doherty, Regina.</i>	
<i>Casey, Pat.</i>	<i>Donohoe, Paschal.</i>	
<i>Chambers, Jack.</i>	<i>Doyle, Andrew.</i>	
<i>Chambers, Lisa.</i>	<i>Durkan, Bernard J.</i>	
<i>Collins, Joan.</i>	<i>English, Damien.</i>	
<i>Collins, Michael.</i>	<i>Farrell, Alan.</i>	
<i>Connolly, Catherine.</i>	<i>Halligan, John.</i>	
<i>Coppinger, Ruth.</i>	<i>Harris, Simon.</i>	
<i>Cullinane, David.</i>	<i>Humphreys, Heather.</i>	
<i>Curran, John.</i>	<i>Kyne, Seán.</i>	
<i>Donnelly, Stephen.</i>	<i>Madigan, Josepha.</i>	
<i>Dooley, Timmy.</i>	<i>McGrath, Finian.</i>	
<i>Ellis, Dessie.</i>	<i>McHugh, Joe.</i>	
<i>Ferris, Martin.</i>	<i>McLoughlin, Tony.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Mitchell O'Connor, Mary.</i>	
<i>Funchion, Kathleen.</i>	<i>Moran, Kevin Boxer.</i>	
<i>Grealish, Noel.</i>	<i>Murphy, Eoghan.</i>	
<i>Haughey, Seán.</i>	<i>Naughton, Hildegarde.</i>	
<i>Healy, Seamus.</i>	<i>Neville, Tom.</i>	
<i>Howlin, Brendan.</i>	<i>Noonan, Michael.</i>	
<i>Kenny, Martin.</i>	<i>O'Connell, Kate.</i>	
<i>Lahart, John.</i>	<i>O'Donovan, Patrick.</i>	
<i>Lawless, James.</i>	<i>O'Dowd, Fergus.</i>	
<i>MacSharry, Marc.</i>	<i>Phelan, John Paul.</i>	
<i>Martin, Catherine.</i>	<i>Ring, Michael.</i>	
<i>Martin, Micheál.</i>	<i>Rock, Noel.</i>	
<i>McDonald, Mary Lou.</i>	<i>Ross, Shane.</i>	
<i>McGrath, Mattie.</i>	<i>Stanton, David.</i>	
<i>McGrath, Michael.</i>	<i>Zappone, Katherine.</i>	
<i>McGuinness, John.</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>Naughten, Denis.</i>		
<i>Nolan, Carol.</i>		

<i>O'Brien, Jonathan.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Dea, Willie.</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 Laoghaire, Donnchadh.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Penrose, Willie.</i>		
<i>Pringle, Thomas.</i>		
<i>Rabbitte, Anne.</i>		
<i>Ryan, Brendan.</i>		
<i>Scanlon, Eamon.</i>		
<i>Sherlock, Sean.</i>		
<i>Smith, Brendan.</i>		
<i>Smith, Bríd.</i>		
<i>Stanley, Brian.</i>		
<i>Troy, Robert.</i>		

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

Question declared carried.

Deputy John Brady: In the context of the result of this vote, the democratic will of this Dáil must be listened to by the Government.

Deputy Mary Lou McDonald: Hear, hear.

An Ceann Comhairle: We are not having a debate now.

Deputy John Brady: This relates to the important legislation we have brought forward. The Minister spoke during the debate - before any vote was taken - and stated that she and he Government were going to bury this important legislation behind a money message.

An Ceann Comhairle: There is no provision for this. I ask the Deputy to resume his seat.

Deputy John Brady: There is no argument whatsoever in favour of a money message. I ask the Government, particularly the Minister, not to hide behind a money message and to listen to the Members of the Dáil who voted in support of this important legislation.

An Ceann Comhairle: There is no provision for this type of intervention. Will the Deputy please resume his seat?

National Maternity Services: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Stephen Donnelly on Wednesday, 19 June 2019:

That Dáil Éireann:

recognises:

- the need for Ireland's maternity services to be as safe as possible for women and babies, including the need for women to be listened to and respected;
- the hard work, skill and dedication of all staff across Ireland who provide maternity services;
- the growing crisis in maternity care for reasons including:
 - outdated and inadequate hospitals;
 - limited diagnostics;
 - poor staffing ratios;
 - insufficient parental supports;
 - wide geographic variations; and
 - lack of community-based options for mothers;
- the deep concern these pressures are resulting in for current and expectant mothers and fathers; and
- the increased burn-out and stress for clinicians, together with a retention and recruitment crisis and chronic staff shortages;

notes:

- that the 2008 KPMG Independent Review of Maternity and Gynaecology Services in the Greater Dublin Area identified the need for maternity services to be co-located with adult acute services;
- the repeated announcements from 2013 onwards, including in the Capital Plan 2016-2021 and the National Maternity Strategy 2016-2026, that Dublin's three maternity hospitals and Limerick's would be relocated, with:
 - the National Maternity Hospital to St. Vincent's University Hospital campus;
 - the Coombe Women and Infants University Hospital to the St. James's campus (to happen in parallel with and be tri-located with the National Children's Hospital);
 - the Rotunda Hospital to the Connolly Hospital campus at Blanchardstown; and

- Limerick Maternity Hospital to the University Hospital Limerick campus;
- the lack of progress on these essential projects, including:
 - on-going delays regarding the National Maternity Hospital; and
 - no progress and no budget allocation to begin the relocation process for the other maternity hospitals;

further notes:

- the numerous reports into localised maternity care issues in recent years, including Portlaoise and Portiuncula hospitals;
- the lack of progress in implementing various recommendations from these reports;
- the clinical, patient and political buy-in to the National Maternity Strategy 2016-2026, and the lack of implementation of that strategy, with no new development funding for it in 2019;
- the lack of progress on numerous issues raised in recent years by midwives, including staffing ratios, working conditions and pay inequalities, with:
 - just two midwifery-led units in place; and
 - a shortfall of 200 midwives below the recommended safety-levels in the National Maternity Strategy 2016-2026;
 - Ireland's low-rate of obstetricians per capita, being the third lowest in the Organisation for Economic Cooperation and Development, and being further exacerbated by a high-level of unfilled posts; and
 - the rise in State payments in compensation for incidents in maternity units, up from €4 million in 2007 to almost €120 million in 2017; and

calls for:

- a definitive time frame and funding deployment for the relocation of the stand-alone maternity hospitals;
- progress to start in 2019 on all projects not yet commenced;
- a guarantee from Government that new public maternity hospitals will not have separate external or internal entrances, nor separate facilities within the hospitals, for private patients;
- funding and a task force to implement the National Maternity Strategy 2016-2026, including choice around birth, types of antenatal care, access to anomaly scanning, breast-feeding, counselling services, public health, domestic violence supports and appropriate staffing levels;
- an active clinical programme for the development and review of clinical guidelines for maternity services;

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- an immediate statement of maternity services available at all sites, including prenatal screening, access to foetal medicine, counselling, genetic testing and laboratories being used;
- investment in community-based pathways to ensure choice for mothers;
- indemnity to cover practice nurses who give antenatal care;
- measures to address the chronic staff shortages, including ending pay disparity; and
- investment in a national foetal magnetic resonance imaging (MRI) programme and bereavement care.

Debate resumed on amendment No. 1:

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

“recognises:

- the need for Ireland’s maternity services to be as safe as possible for women and babies, including the need for women to be listened to and respected;
- the hard work, skill and dedication of all staff across Ireland who provide maternity services;
- the growing crisis in maternity care for reasons including:
 - outdated and inadequate hospitals;
 - limited diagnostics;
 - poor staffing ratios;
 - insufficient parental supports;
 - wide geographic variations; and
 - lack of community-based options for mothers;
- the deep concern these pressures are resulting in for current and expectant mothers and fathers; and
- the increased burn-out and stress for clinicians, together with a retention and recruitment crisis and chronic staff shortages;

notes:

- the publication of the National Maternity Strategy 2016-2026, Palliative Care for Children with Life-Limiting Conditions in Ireland – A National Policy by the Department of Health, the Health Service Executive’s (HSE) National Standards for Bereavement Care following Pregnancy Loss and Perinatal Death, and the 2014 Report on End-of-Life and Palliative Care in Ireland by the Joint Committee on Health and Children;
- the submission of the National Standards for Safer Better Maternity Services by the Health Information and Quality Authority (HIQA) to the Minister for Health;

— that the 2008 KPMG Independent Review of Maternity and Gynaecology Services in the Greater Dublin Area identified the need for maternity services to be co-located with adult acute services;

— the repeated announcements from 2013 onwards, including in the Capital Plan 2016-2021 and the National Maternity Strategy 2016-2026, that Dublin's three maternity hospitals and Limerick's would be relocated, with:

— the National Maternity Hospital to St. Vincent's University Hospital campus;

— the Coombe Women and Infants University Hospital to the St. James's campus (to happen in parallel with and be tri-located with the National Children's Hospital);

— the Rotunda Hospital to the Connolly Hospital campus at Blanchardstown; and

— Limerick Maternity Hospital to the University Hospital Limerick campus;

— the lack of progress on these essential projects, including:

— on-going delays regarding the National Maternity Hospital; and

— no progress and no budget allocation to begin the relocation process for the other maternity hospitals;

further notes:

— the numerous reports into localised maternity care issues in recent years, including Portlaoise, Portiuncula, University Hospital Galway, Cavan, and Drogheda hospitals;

— the lack of progress in implementing various recommendations from these reports;

— the clinical, patient and political buy-in to the National Maternity Strategy 2016-2026, and the lack of implementation of that strategy, with no new development funding for it in 2019;

— the serious inequalities and absence of resources which exist within the HSE to provide services to children with life-limiting and complex medical needs, and to those under palliative care;

— that new-born screening services in this State only screen new-born babies for 8 conditions, whereas Britain screens for 9, Switzerland 13, Sweden 24, Portugal 25, and Italy 40;

— the lack of progress on numerous issues raised in recent years by midwives, including staffing ratios, working conditions and pay inequalities, with:

— just two midwifery-led units in place; and

— a shortfall of 200 midwives below the recommended safety-levels in the National Maternity Strategy 2016-2026;

— Ireland's low-rate of obstetricians per capita, being the third lowest in the Organisation for Economic Cooperation and Development, and being further exacerbated by a high-level of unfilled posts; and

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— the rise in State payments in compensation for incidents in maternity units, up from €4 million in 2007 to almost €120 million in 2017;

and calls for:

— a definitive timeframe and funding deployment for the relocation of the standalone maternity hospitals;

— progress to start in 2019 on all projects not yet commenced;

— a guarantee from Government that new public maternity hospitals will not have separate external or internal entrances, nor separate facilities within the hospitals, for private patients;

— the Government to ensure that the new National Maternity Hospital is built on the St. Vincent's Hospital campus as quickly as possible, remains entirely within public ownership and has legally guaranteed independence from all non-medical influence in its clinical operations within the laws of the State;

— funding and a taskforce to implement the National Maternity Strategy 2016-2026, including choice around birth, types of antenatal care, access to anomaly scanning, breast-feeding, counselling services, public health, domestic violence supports and appropriate staffing levels;

— swift approval, dissemination and implementation of the National Maternity Standards for Safer Better Maternity Services;

— an active clinical programme for the development and review of clinical guidelines for maternity services;

— expansion of the new-born screening programme and guarantee that every child born in this State has the right to be screened at birth for any disease for which there is a viable treatment;

— an immediate statement of maternity services available at all sites, including prenatal screening, access to foetal medicine, counselling, genetic testing and laboratories being used;

— all maternity hospitals to have access to foetal anomaly screening, with the requisite staff and equipment;

— investment in community-based pathways to ensure choice for mothers;

— indemnity to cover practice nurses who give antenatal care;

— measures to address the chronic staff shortages, including ending pay disparity;

— the Government to work with nursing and medical unions in the recruitment and retention of medical staff so that all maternity hospitals meet the Birthrate Plus standard for midwifery staffing, as well as international standards for consultant obstetricians and gynaecologists;

— the implementation of the recommendations of the 2014 Report on End-of-Life and

Palliative Care in Ireland by the Joint Committee on Health and Children, prioritising those parts relating to care for children with life limiting conditions; and

— investment in a national foetal magnetic resonance imaging (MRI) programme and bereavement care.”

- (Deputy Louise O'Reilly)

Amendment put and agreed to.

Motion, as amended, agreed to.

Sitting suspended at 1.30 p.m. and resumed at 2.10 p.m.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy Sean Sherlock - to discuss consultation with workers at GSK Cork on the announcement of its sale to Thermo Fischer Scientific; (2) Deputy Caoimhghín Ó Caoláin - to discuss HSE approval of access to Spinraza for children with spinal muscular atrophy up to 18 years of age; (3) Deputy Sean Fleming - to discuss the future of the An Post mail centre in Portlaoise; (4) Deputy Fiona O'Loughlin - to discuss the crisis in Naas General Hospital; (5) Deputy James Lawless - to discuss delays with the new school building for Naas community college, County Kildare; (6) Deputy Martin Ferris - to discuss a brown crab fishery management plan; (7) Deputy Joan Collins - to discuss the decision to close a 27-bed unit in St. Mary's Hospital, Phoenix Park; (8) Deputy Peadar Tóibín - to discuss ways to address the commuter crises throughout Ireland; and (9) Deputy Louise O'Reilly - to discuss scoliosis waiting lists for children.

The matters raised by Deputies Sean Sherlock, Sean Fleming, Louise O'Reilly and Caoimhghín Ó Caoláin have been selected for discussion.

Climate Action Plan to Tackle Climate Breakdown: Statements

An Leas-Cheann Comhairle: I call the Minister, Deputy Richard Bruton, to make his statement under Standing Order 45. He has ten minutes.

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): I thank the House and, in particular, the Oireachtas Joint Committee on Climate Action for the huge effort put into helping to develop this proposal. We are talking about massive change in our society. We have learned from other big changes we have managed to make in Ireland in recent years, such as the changes in our Constitution, that the first and most important element is to ensure there is an understanding of the issues and that we build on a broadly shared consensus or common ground about the importance of making change and why we are

seeking to make it. That is why it was particularly important the Oireachtas first asked the Citizens' Assembly to assess this issue, and it was ambitious in the types of changes it put to us as policymakers in the Oireachtas. The Oireachtas committee took that on and put in many long hours of work and evaluation and hearing from witnesses to bring forward a really comprehensive report. We are now at the final stage where the Government is laying on top of that work an action plan that is committed to start this journey and achieve the targets we have set for ourselves.

It is important, in discussing why we are doing that, that we do not become bogged down in targets and then find we are off course and the bad boys in the class. This is really about ourselves. This is about us making a decision that we want our society to be resilient in the face of a perilous menace that is coming in our direction. Global warming is having a massive impact on the globe and on our society. We have seen that in a tangible way. The world will have to react and change the way we do things. The choice for Irish people is whether we want to be ahead of that change so that we are resilient in the face of the types of the policy changes and impacts this will bring. It is important to think in those terms. The successful farm in 2030, 2040 and 2050 will be the one that has made decisions that are appropriate now in order for it to be competitive in an environment when there will be increasingly more emphasis on the environmental sourcing of products and so on. The successful enterprise will be the one that has recognised it can do things in smarter ways and it can be a part of the new technologies that will transform the world in a decarbonised economy. The successful home will be the one that has anticipated this and is making sure that the building fabric used, the heating systems installed, and the way in which the family members conduct their travel and other day-to-day activities are resilient in the face of these changes that are coming in our direction. It is important for Irish people to see it in that sense, namely, that this something about us not only being responsible in a global sense, which is important, but future proofing our own activities and making sure we can pass on the globe and our country to the next generation in a better state, more resilient in the face of what is a clear change.

What we have done in this plan is to seek to pick the items that are the most sensible thing to do on a pathway ultimately to achieving the ambition of net zero carbon by 2050. That is a major challenge but it must be bitten off in chunks. What we have done is identified the technologies. It is the first time we have had a comprehensive look at what are the technologies that, at least burden for the Irish people, can deliver the changes we need and that create the most opportunity. That is why there is a shift in this plan, for example, towards taking on more electric vehicles. That is a technology that is not only fast improving but it will be cheaper in the long term for the people who make those decisions. Similarly, with decisions to retrofit, the decision to change the fabric of one's home or to change the heating system in turn will prove to be the correct ones to have made. It is important to see it in that light.

I am also conscious that a number of Deputies and commentators had said this is too big a burden for people to contemplate. There is a risk of over-stating the scale of the burden. Ultimately, three quarters of what we are asking people to do would be the right things to do even if there was no climate crisis. These are about doing things in our lives, whether it be the way we handle waste, how we plan our travel or how we heat our home, which would make absolute sense even if there was not a looming climate crisis, but in the face of a climate crisis make dramatically more sense.

The other aspect is the scale. This is a gradual pathway. Many have talked of the thought of 500,000 home retrofits as a big step up. It is a step up. We are only doing a little over 30,000

per year at present. We need to get up to 50,000. On the other hand, at the end of the period, we will have retrofitted approximately 30% of existing houses. This should not be seen as an obligation being imposed on people suddenly. This is a pathway that we need to take together and we, as a Government, have to seek to make that as easy as possible for people, knowing that we cannot pay for it all but still making the changes. That is why it is so important that we rethink the way in which we deliver retrofits. Deputy Dooley recognises the value of moving away from the one-off model that we now have to aggregating and scaling up. Doing things in a more aggregated way, one can get better value for money, one can give people access to information in a more co-ordinated way, one can develop smart finance to underpin it and one can develop easier pay mechanisms. One can do many things that make that journey easier for people, and we recognise that. However, one must also have a target. One must recognise that things need to be done and we cannot wait and hope they will be done. We must have accountability.

The same is true in the electric vehicle area. People have balked at the idea, with 2.7 million vehicles now on the road, that by 2030 we would have somewhat over one third of the vehicles as electric or plug-in hybrid electrical vehicles. One must bear in mind that every year we freshly license 280,000 vehicles. Over the coming decade, we will be freshly licensing more than 3 million in this country and we need to make sure that 1 million of those are electric vehicles in order to deliver our objective. That is also a challenge but the Members will see that, as the cost of batteries comes down and as the technology develops, this will be cost-effective.

It is important in undertaking this that we make sure that we keep our community together. There is a real risk that people start to pit rural areas versus urban areas or agriculture versus industry. If we allow that split to develop, we will signally fail to achieve what the younger generation is demanding of us. We must take careful steps to ensure rural areas have the supports. I come from a farming background and I have been on many trade missions. The future for Irish agriculture is in enhancing our credentials as sustainable providers of food. That is the direction for high-margin farming that will underpin family farm income into the future. We must help, through the CAP and other mechanisms, people to make the changes on their farms that Teagasc has outlined and that are well known so that they can sell Ireland as being that high-quality strong environmental agriculture. Similarly, we need to ensure that those who are most exposed or least equipped to manage this change are supported in that work and the significance of a just transition team advising Government and the implement group is really important.

Lastly, as time is limited, I believe the governance model, which was designed by the Oireachtas and which has been fully implemented in this plan, is absolutely the right approach. We must have accountability, not at a high level but in each sector. Each Minister with responsibility for sectors is looking just as much at how he or she stays within a carbon budget in his or her sector as how he or she stays within a financial budget. Of course, we are providing €30 billion to help build the infrastructure but it will take much more than that State investment to see the change realised. This accountability and the model that we used successfully in the Action Plan for Jobs of driving that accountability from the centre of Government, from the office of the Taoiseach, is really important to achieving our targets.

I thank so many people who have been a part of designing this strategy. It is a strategy that will continuously consult, adapt and change in the light of experience. This weekend, I will visit Cork where ordinary people will express their views now that the plan is out, although we held a great deal of consultation before we put it together. I hope that we can work together. In the same way as the Oireachtas committee has worked together, we can work together in imple-

menting this plan and keeping our community together in working for something on which no doubt we will be judged on in ten, 15 or 20 years' time in terms of whether we realised those objectives and that when we faced them squarely in the eye, we were willing and able to make the changes to allow those targets to become a reality.

Deputy Timmy Dooley: Fianna Fáil gives a guarded welcome to this new climate action plan. We welcome the momentum it provides following the declaration of a climate and biodiversity emergency in May. We welcome that after eight years of knowing inaction and deliberate delay in some respects, we have some sort of indication that the Government may be about to treat the climate breakdown with the seriousness it deserves. That is largely down to the work the Minister has done in the relatively short period he has been in office.

However, this is no climate revolution. I think we accept that. Students and young people will not and, indeed, should not stop their calls for real action. The State has not become a leader on climate change overnight. Indeed, it is fair to say that this Government, far from being led, has followed.

The House should first express, as the Minister has done, its gratitude to the Citizens' Assembly for its extensive deliberations and comprehensive proposals on how climate action must be prioritised across all sectors. The Joint Oireachtas Committee on Climate Action undertook an extensive examination of these proposals leading to a landmark cross-party report in March which included 42 separate recommendations. There was some difference of opinion, particularly on the taxation matter, but we largely agreed on the kind of work that has to be done to achieve the preservation and protection of the globe, as the Minister rightly identified. I thank the other members of the committee for their commitment. It is appropriate that work be recognised.

Thanks to input from a considerable range of experts, the committee members have a good overview of Government policy on climate change, but some background may also be useful for this House. The other day, it was interesting to see the Taoiseach and Ministers take one of the three hybrid buses in operation. I am not sure all of them would have been aware that the Government has now three climate-related plans in operation. The first, the national mitigation plan, was produced in 2017, as the Minister will be aware. We had the national development plan in 2018. It now seems these previous two plans may have been left behind in the other two hybrid buses because we have moved on. The national mitigation plan was strongly criticised by national and international authorities for failing to tackle our rapidly rising emissions, which led to Ireland's climate laggard reputation. The Government was then quick to highlight increased investment in climate action under the subsequent national development plan but neglected to mention that these proposed investments did not include any analysis of their climate impact. Unsurprisingly, this latest strategy clarifies that the Government's national development plan will not achieve the reduction in polluting emissions that is required. It remains the case that Ireland is not on track to meet its 2020 or 2030 commitments and the fear is that there are those in government who appear to support paying millions of euro in non-compliance costs rather than spending the millions on actions that will benefit citizens in due course.

This new climate plan is also to be welcomed in that it has adopted the recommendations of the Oireachtas joint committee to introduce mechanisms to hold the Government and relevant Departments to account for their climate obligations, including an enhanced climate action council, a new standing committee on climate action and the introduction of five-yearly carbon budgets. Thanks to the committee, this House will have the opportunity to instil discipline

and end years of haphazard planning at State level. It is noted in the new climate plan that a delivery report on progress will be produced each quarter. Can the Minister say when the first quarterly report be published? He might come back to us on that. He might also clarify the additional support and use of State resources that will be provided to the new council. Will the Minister confirm that the climate action (amendment) Bill noted in the plan will be prioritised and enacted in 2019 and not merely published in 2019? We would like to get moving on that.

On the targets, I am somewhat concerned that certain recommendations and timelines from the cross-party Oireachtas committee report have been rejected despite the fact the main Government party supported these measures in the Oireachtas committee's recommendations just three months ago. The Government's new action plan does not include a net zero target to decarbonise the economy by 2050, stating that further analysis is necessary. How can we claim to support climate justice at international level if we appear to be questioning the need to put a Paris-aligned target in legislation? This target is also needed to send a clear signal to citizens, businesses and investors that there is no wriggle room to get out of the kind of action that is needed. It seems to have been forgotten that the Government produced an energy White Paper in 2015 which included a 2050 objective to reduce Ireland's energy emissions by up to 95%. The new climate action plan states that it includes "a decarbonisation pathway to 2030 which would be consistent with the adoption of a net zero target in Ireland by 2050". The modelling for the new plan is also based on a net zero target. At EU level, the Government has known for some time that a net zero objective is being strongly supported. The Minister might be clear as to why the Government was unable or unwilling to include this target in legislation. He also noted that further analysis is necessary. He might outline what additional analysis the Government believes is necessary to address this matter.

At Wednesday's meetings of the Committee on Budgetary Oversight and the Joint Committee on Climate Action on the new plan, Fianna Fáil sought information on the annual costs and savings of implementation of these measures. There also are real costs of delayed action, such as through congestion and air pollution. The Minister might clarify the costs and savings of the actions detailed in the plan. He previously stated that 75% of the measures will not result in a net cost. Can he, therefore, provide specific information on the 25%?

I would welcome further information on the reassessment of expenditure commitments in the national development plan in light of the new climate strategy. Some €14 billion, or 65%, of the €22 billion investment envisaged for climate action in the national development plan is expected to come from non-Exchequer sources. The Minister might clarify how much of the costs of the new climate plan are expected to be met by non-Exchequer sources. I note the introduction of a 70% renewables target in the new climate plan which the committee also recommended. A mix of renewable energy sources will need to be supported in the first round of the new renewable energy support schemes, including community projects. The Minister might elaborate further on this point in due course.

It is particularly important also that the State's offshore wind resource potential receives support under the new scheme. The Oireachtas committee raised the need for a legislative framework for regulatory and licensing aspects of offshore wind as a matter of priority and recommended that the maritime area and foreshore (amendment) Bill be enacted by end of 2019. It is encouraging that in the new climate plan the Government has committed to completing the necessary analysis in aligning planning procedures and prioritising this Bill in 2019. The Government will certainly receive support from Fianna Fáil in trying to achieve that.

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As I stated, Fianna Fáil has given this plan a guarded welcome but it is hugely lacking in certain aspects, particularly in regard to transport. The plan includes no commitments to support rural transport services. The joint committee was clear that we need an assessment of rural travel demand, a target for modal shift and emissions reductions, as well as proposals for an integrated public transport network to include LocalLink, Bus Éireann, private bus operators, and the school bus services. The plan merely notes that a review will take place. There is not even an explanation of this commitment in the text, unlike all other actions. Can the Minister please explain why this is the case and why measures to improve rural public transport were not included?

The report of the joint committee included several recommendations on public transport and active travel and that the current transport infrastructure programmes should be revised to achieve at least 10% expenditure for cycling infrastructure. The Minister stated yesterday that it is not possible to run a bus up every rural laneway and boreen and I get that. He might enlighten the Dáil as to how houses at the end of every laneway and boreen will be able to afford an electric car. It would be useful if the Minister addressed this question. Perhaps we need to have some further discussion with the Minister for Transport, Tourism and Sport on that issue.

On the specific commitment that Ireland will achieve 950,000 electric vehicles, EVs, by 2030, has the Minister any costings on the necessary infrastructure required? We understand that at the moment there is huge interest in EV grants available through the SEAI and that the SEAI may struggle to meet that demand. Has any analysis been undertaken on the levels of grants and incentives that would need to put in place to achieve the figure the Minister has set out of almost 1 million vehicles?

We also understand the National Transport Authority, NTA, purchased 200 highly polluting diesel buses last year which will be in operation for 20 years and will continue to undermine our public health. Professor John FitzGerald indicated at the Committee on Budgetary Oversight that if the cost of carbon detailed in the updated public expenditure code had been applied to those buses, their purchase would not have been permitted. There is a gap in the thinking there. Were such purchases examined as part of the plan? Will they be cancelled in light of the revised public expenditure code, as well as the climate emergency declared last month?

I also note that no reference is made to the Department's upcoming clean air strategy, notwithstanding the recent EPA findings on hugely damaging levels of air pollution. Can the Minister provide a specific date for publication of the Department's new clean air strategy, which we have been waiting for more than a year?

In conclusion, there are many other areas we need to address. Yesterday at the committee, I spoke in particular on the issue of the just transition, so that we are very clear that we do not leave communities behind. If we are to achieve what we are setting out to do in this plan and in others, it will require some communities facing much more change than others in terms of enterprises and employment. The State will have to put in place the task force identified in the Oireachtas report and by the Citizens' Assembly to ensure that we do not end up with situations that have happened in other countries, particularly in the United States, where people in parts of middle America were left behind. People in the rust belt, as it became known, were left behind as it moved away from some of the more traditional industries. We cannot afford for that to happen here because it would have a very significant impact on getting people to change their behaviour in the way that we want. It cannot be done in a way that disenfranchises entire communities.

Deputy Brian Stanley: First, I want to acknowledge that there is a recognition by Government that we have of a climate emergency. We have a huge challenge, however, and it is unfortunate that this State is only getting to grips with its responsibilities from a position of being a laggard compared to our European partners. I welcome the move to put in sectoral targets, which Sinn Féin has long sought, but we must remember that we are starting on the back-foot here. This State's responsibilities have to be all-island because greenhouse gas emissions and pollution do not recognise borders.

While many may be inclined to feel hopeful about the aspiration of the plan, it is important people understand that we will fail spectacularly to meet our 20% reduction in greenhouse gas emissions by 2020. Current predictions indicate that we are on course for an actual increase by then. The taxpayer will bear the burden of the onerous fines that this will accrue for past behaviours and we have no choice about that.

Even if, in theory, all of the measures proposed in this plan could be achieved and we attain a 2% per annum reduction by 2030, we will still be 10% behind, and the taxpayer will face fines of €7 billion. The Minister wants people to believe that we will be able to achieve an increased target by 2050 of on average 3% per annum. There is no evidence in the plan that this could be achieved. Our first big challenge is to reduce our reliance on fossil fuels for electricity production and to improve our energy security. The 70% target for renewables use is underwhelming and Sinn Féin has quantified that 80% can be produced from renewables, and that is achievable. The plan also fails to identify where the remaining 30% can be sourced, if fossil fuels are to be eliminated from the mix. This is a critical question in terms of current and future demands for power.

I want to address some other shortcomings which concern ordinary citizens. There are big targets for a switchover to almost 1 million electric vehicles, EVs, by 2030. The purchase of these is far beyond the affordability of most households. There is no indication as to how the extra electricity demand will be met and what percentage of that electricity will be produced by fossil fuels. I would also be concerned about proposals for the scrappage scheme without any analysis of the environmental cost of scrapping perfectly functioning vehicles that have low emissions in favour of new cars.

I also have concern about the consequent job losses in the car maintenance sector. I put it to the Minister that the Government simply cannot announce a policy that renders car mechanics and thousands of people in the motor trade obsolete without putting in place a very clear intervention plan which retrains these workers to work on electric vehicles and in other technologies. The plan does not provide for a fair transition for these workers. Like many others, I do not want the whole debate to become a reductive discussion on carbon tax, a tactic which sections of the media seem determined to pursue. Having said that, the Government must be compelled to demonstrate clear evidence of the correlation between carbon tax and greenhouse gas emissions reduction. The fact of the matter is that no such evidence exists. We have already collected €3.35 billion in carbon taxes but successive Governments have refused to ring-fence this money for climate mitigation measures. Before we start talking about increases, the existing carbon tax should be ring-fenced.

Similarly, there is a significant focus on home energy incentive schemes. According to the Sustainable Energy Authority of Ireland, SEAI, and Tipperary Energy Agency, the cost of a deep retrofit ranges from €30,000 to €75,000 or more. This is, in effect, a second mortgage on a home. The Taoiseach talks about heat pumps as if they were simply a replacement for an

oil or gas boiler. The cost of a top-of-the-range replacement boiler averages around €3,000, whereas the cost of a heat pump starts at €8,000 and could average €12,000. The Taoiseach also fails to mention that heat pumps do not work in single glazed or poorly insulated homes. This will rule out hundreds of thousands of dwellings across the country. While the introduction of these technologies into new builds is welcome, and we fully support that, the aspirations for wholesale deep retrofits do not appear to be viable, sustainable or economically affordable. In terms of a just transition for workers, the plan also fails to specify a pathway for the 3,000 plus registered gas boiler technicians. What will happen to them? Will they be trained in new green technologies?

Not surprisingly, the Government has failed to grasp the nettle on agriculture, which accounts for 33% of our greenhouse gas emissions. We are all committed to protecting Irish agriculture and our food security and food industry, but this sector, like every other sector, must be compelled to make significant changes. It would not be honest of us to say that the industry does not have to change. Its current path is not economically sustainable. It is also disappointing to note that proposals for afforestation fail to distinguish between good and bad forestry. There are no incentives to encourage broadleaf, continuous cover afforestation or to discourage the destructive monoculture plantations that we have.

On transport, the plan falls short on changes which are attainable and implementable. Six out of ten primary school children travel to school by car and only one out of ten travels by bus. However the action plan has no provision for improving school transport. Proposals to introduce hybrid vehicles into the rolling stock of public transport do not acknowledge the fact that hundreds of diesel buses are on order. Lest it be said that Sinn Féin is short on solutions, I should point out that we have put forward eight environmental Bills and proposed policies for more sustainable industry and development. Unfortunately, these have either been delayed, obstructed or voted down. We have moved Bills to address waste reduction, forestry, planning, local authority climate obligations, inland fisheries, water pollution, wind turbine regulation, extreme weather events and microgeneration. I am asking this House to commit to supporting the outstanding Bills and bringing them to fruition. The Government could signal its commitment to this plan by submitting amendments and endorsing the Microgeneration Support Scheme Bill 2017, which I have brought forward. I also call on the Government to desist from using the obstructionist tactic of stating at the last minute that a money message is necessary in order to block Bills.

There are many more attainable measures which can be given a higher priority. Shallow retrofitting of houses is one, specifically roof and attic insulation, which can potentially take hundreds of thousands of tonnes of carbon out of the atmosphere at a low cost. It is regrettable that the plan falls short. We welcome the positive measures in it but the Government must expand its horizons on climate action. We cannot just leave it to the market to decide. The market has not done this to date and in the case of the midlands, as I pointed out yesterday in the committee, power generation and retrofits have to involve the semi-State companies. We need to have a just transition in the midlands for workers who are going to become unemployed. We must retrain and upskill unemployed people and encourage tradespeople back in to work in those industries.

Deputy Louise O'Reilly: I thank Teachta Stanley for sharing his time with me. I have only a few minutes to speak about the climate action plan. Deputy Stanley has correctly called the plan out as a greenwash. It is very clear that the plan lacks ambition and will not in any way address the substantive issues of pollution, over-consumption and corporate responsibility. It

completely lacks ambition when it comes to the role of the State. Nowhere is this more apparent than in the lack of targets or even any reference to the role that the biggest employer in the State can play in reducing carbon emissions, namely, our health service. There is one reference to hospitals in the report and it does not make any reference to the HSE. The health service employs over 100,000 people across the State, who work in a variety of buildings and locations. Surely goals and ambitious targets should have been included on how we would reduce the carbon emissions from our hospitals, or how the health service could work with vendors and suppliers to ensure that all products purchased for the health service, from medical supplies to printer paper, are as environmentally friendly as possible. The report makes no mention of how the HSE emergency service fleet can make the transition to hybrid or electric vehicles. This is really disappointing. The top 50 energy users in the public sector account for 77% of public sector energy consumption. Nearly half of the reported energy consumption in the public sector was accounted for by the top ten consumers, of which the HSE is one. The Minister and his Government have set the bar so low for themselves on climate action that they are in danger of tripping over it. Of course, as we know, they will then have recourse to a claim.

Deputy Sean Sherlock: I compliment Deputy Eamon Ryan on the wonderful shirt he is wearing today.

Deputy Paul Murphy: It is tropical issues.

Deputy Eamon Ryan: Summer is here.

Deputy Sean Sherlock: It is a very tropical issue indeed. In respect of the new plan by the Government, the word “ambitious” is perhaps verbose in the circumstances. It is our view that the plan is less ambitious than the 42 recommendations of the Oireachtas Joint Committee on Climate Action, which were made in March. The risks of failing to act are enormous when we consider future generations. We have 12 years left to reduce emissions drastically. If we do not achieve massive and rapid decarbonisation, we are facing climate breakdown with enormous consequences globally for failing to act. We all acknowledge this as a fact at this stage. There is unprecedented scientific consensus on the need to start reducing emissions by between 5% and 10% per annum starting now. However, this plan aims to reduce emissions by just 2% each year from 2021 to 2030 and then by 7% each year after 2030. The worry I have about the Government’s plan is that if we kick these targets further down the road and fail to act today, we will miss the 2030 targets by a significant margin.

The plan delays action relative to what we said we would do in the joint committee. This delay is based on a red herring that new technologies will somehow emerge to reduce emissions. We already have the solutions we need; we need the political will and the policies to implement them. We brought in a lot of expertise in the joint committee and worked out how many of these solutions could best be implemented now. It is the view of the Labour Party that the Government’s plan takes some of those actions and waters them down. The joint committee agreed that new climate legislation would be enacted by the Oireachtas in 2019 and that it would contain several crucial new governance structures, including emissions reduction targets for 2030 and 2050 and carbon budgets to map out the quantity of emissions allowable in each five-year period. The Government’s plan now rolls back on the all-party recommendation and instead says it will publish legislation in March 2020. This House has already declared a climate emergency. It could be late 2020 before the Government’s legislation sees the light of day and is passed by the Oireachtas and another year will have passed.

The joint committee felt strongly that carbon budgets were an excellent way to plan for emissions reductions in a way that is transparent and accountable. We have been pushing for them but the Government's climate action plan departs considerably from the UK plan, on which we kicked the tyres, as it were, in the joint committee. Unlike the UK plan, on which the committee formulated its recommendations for planning and setting carbon budgets up to 2035, the Government plan allows carbon budgets to be changed every five years. The whole point of setting the budgets in law well in advance is to safeguard the process from short-term political horse trading. We need to make sure that carbon budgets are done properly when it comes to laying down the procedure in a new or amended climate Act.

On the role of the Climate Change Advisory Council, the Oireachtas Joint Committee on Climate Action agreed that new functions and powers should be given to the climate council in line with the Citizens' Assembly recommendations. These should include greater capacity and a bigger budget to match the greater demands being placed on this important climate body. The Government's action plan, however, does not allocate the extra capacity or resources that are needed. We need to make sure we are doing things right. I hope this matter will be revisited.

On home energy retrofits, the new Government plan sets a target of upgrading 500,000 homes to a B energy rating by 2030. The joint committee's plan had already agreed to put the measures in place to deliver 800,000 deep energy retrofits by 2030. There is now a gap between the joint committee's ambitious recommendations and targets and the Government's targets. It is our view that the Government plan rows back significantly on what we agreed in March. Instead of showing an urgency to deliver home energy retrofits, it commits to a nominal increase in the existing national target as laid down in the national development plan.

There is huge unmet potential in Ireland for community-owned energy. Community energy is a way to collectively reduce energy demand and achieve renewable energy targets. It does this with local, social and economic benefits. It democratises energy generation and could go a long way towards helping to meet anticipated strong growth in energy demand in the period until 2030. Against all expectations, the Government plan does not do anything more to encourage and support community energy than what was already committed to under the renewable electricity support scheme, RESS. The timeline is no more than what is already required under existing EU targets. Again, we perceive a lack of ambition on the part of the Government plan. We need to remove the barriers to entry for community energy projects and have a ring-fenced pot for community energy in the first RESS auction. These recommendations were in the report of the Joint Oireachtas Committee on Climate Action but are not in the Government plan.

Peatlands restoration may offer a nature-based solution to climate change. The joint committee proposed many actions on nature based solutions which are not reflected in this report. We need to use nature to capture carbon and keep it in the ground. This new plan refers to peatland re-wetting but does not contain any targets or specific measures. The joint committee did considerable work on this. The Labour Party sought targets to restore 200,000 ha of natural and cutover peatlands and 50,000 ha of industrially harvested peatlands by 2030. This is not an issue specifically for the line Minister, the Minister for Culture, Heritage and the Gaeltacht, Deputy Josepha Madigan. We had some deliberation with the Minister for Communications, Climate Action and Environment, Deputy Richard Bruton, on this matter yesterday. There must be a whole-of-Government response on this issue. We contend that resources must be provided to address the urgent need to start a major re-wetting programme to stop existing emissions from peatlands. This feeds into the just transition issue. While the proposal to establish a just transition review group under the auspices of the National Economic and Social Council,

NESC, is welcome, we would also argue that the just transition task force must address or have the capability to address the issues that arise in the midlands.

On forestry, rather than the industrially managed monocultures of Sitka spruce, we need to shift to continuous cover forestry with a better mix of tree species. This type of forestry is far better at capturing carbon, is better for the environment and would provide more higher-value jobs in direct employment and in local industries. The Government plan relies heavily on forestry to soak away carbon but contains nothing about the sustainability and environmental performance of the forestry models to be used. This is a climate issue and needs to be treated as one.

The new plan refers to a climate action delivery board. There must be further deliberations on this. I welcome the discussions we had with the Minister, Deputy Bruton, in the joint committee yesterday on how the climate action delivery board will work but it remains the view of the joint committee that, in buttressing the powers and resources of the Climate Change Advisory Council, one has an independent council that sits outside of the Government that can put smacht - or manners - on the Government of the day. It becomes an issue if too much of the plan depends on what is happening in the Government and through the individual Departmental silos. Without any proper oversight or real power vested in an independent council, I fear there would be slippage in the targets. Notwithstanding the presence of the Minister, Deputy Bruton, who sought to knock down many of the silos that exist within Government, having been in Government, I recognise that if individual line Departments are protecting their own briefs and edifices, I worry about the danger of the overarching policy or plan becoming bogged down in internecine and interdepartmental wars. For this reason, we need proper oversight of the plan to ensure carbon budgeting is nailed down and has a legislative base, with a statutory carrot and stick to ensure the plan gets delivered.

I would like to see greater dovetailing and interoperability between the plan and the recommendations of the joint committee. We must remember that the recommendations of the joint committee reflected the findings of the Citizens' Assembly. As such, the committee's report came directly from the people. Some work was needed to get 42 distinct and separate voices together to agree, by and large, a set of policies, principles and recommendations. This is why I am hopeful the Government and Minister of the day will lean more towards the report's recommendations because they are radical and take more of them on board as the plan moves through its iterative process.

Deputy Bríd Smith: I will share time with Deputy Paul Murphy.

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

Deputy Bríd Smith: The Minister for Communications, Climate Action and Environment, Deputy Bruton, is not a climate denier but Donald Trump is. With regard to renewable energy, President Trump frequently asks what we should do when the wind does not blow and the sun does not shine. Addressing the Energy Ireland 2019 conference this morning, the Minister referred to the inefficiency of renewable energies right now. I argue that the key issue is not nature, technology or engineering but a political issue. This comes to the fore when one reads the Government climate plan, which starts by targeting ordinary people as being the problem and "those inflicting the damage". It states:

... those inflicting the damage do not pay the cost of the damage they inflict. This is the

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rationale for charging a carbon price for carbon emissions which reflects the growing damage that they are inflicting. This serves to discourage emissions and to make carbon abatement more profitable.

As such, ordinary people are at fault, rather than the fossil fuel and plastics industries or global food corporations. The targeting of ordinary people in the Government's plan is a massive mistake. It targets people as if their behavioural choices are responsible for the melting of permafrost in the Himalayas, as reported in the newspapers this morning; the shocking scenes we saw in the media recently of huskies running knee-deep through water in an area that should be covered in snow; the possibility that tens of thousands of people will die in India in the worst heatwave the region has ever experienced; or for the inevitability of increased weather extremities here and around the planet.

This plan the Minister has brought in to deal with climate chaos is not a serious one. It does not even acknowledge that there is an emergency. It does not take seriously dozens of reports and repeated warnings coming at us every week.

Never one to waste a good crisis the Minister is using an opportunity to give business wide open access to our natural resources and to plans that they can make to dominate the agenda in this country. An interesting story in *The Irish Times* on 8 April last told us that Amazon had bought up the output from an entire wind farm in Donegal. It had been objected to for some time but this is in the Minister's plan. He said yesterday that data centres are popping up around the place but his plan aims to encourage and attract more of them. EirGrid told us that data centres will use up to one third of our national potential for electricity production. Those data centres can then create corporate power purchasing agreements to buy up the energy from privatised wind farms and that is exactly what is happening. In five years I have no doubt we will be sitting here saying we failed to reach our emission targets but Amazon will not have failed, nor will Apple or whoever else gets to build the data centres and use our water and natural resources. Sun, wind and waves are our natural resources. Just as in the past when Fianna Fáil privatised our oil and gas, it looks as if Fine Gael is about to privatise the natural resources and renewables that go with them.

Another interesting report went under the radar when the Minister launched his. In the same week, Coillte and the ESB announced plans to set up a new company to build wind farms on 50 sites owned by Coillte - in other words, owned by the people because they are State lands. It might seem like a good start for the State to take a leading role, but once it has set them up and built them, it will sell them off to private companies.

This is a blueprint for the massive privatisation and sell-off of renewable energy throughout the country. Already we can see companies licking their lips and queueing up to get in on the act. The Minister also said today that the Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018 was premature. What does the Minister mean by that? When will it be mature? Will it be mature when the level of carbon in the atmosphere is at 500 parts per million instead of 416 parts as it is now? Will it be mature when the temperatures rise 3°C or 4°C above what they should be? Will the Minister please explain what is mature and what is premature about stopping the extraction of fossil fuels?

Deputy Paul Murphy: Our house is on fire. The house next door, to our left, is on fire and the house to our right is on fire - in fact, all the houses in the estate are on fire. We have a plan from the Government to deal with that fire which fundamentally says that if the others start to

try to put the fires out in their houses, we will try to put out some of the fire in our house by 2050. That is what the plan represents. For those who say we should give it a guarded welcome, because at least they are talking about trying to put out some of the fire in some of the house by 2050, the point is that our house and all of the homes will be burnt down by that time. Every week we see on the news the haunting image of the polar bears in Norilsk in Northern Siberia forced further south than they have come for 40 years because of the devastation of their sea ice habitat and forced to forage for food on land. We see the story of the permafrost in the Arctic which has thawed 70 years earlier than expected. Then comes this approach, which is completely inadequate because it is trapped within this capitalist system based on production for profit. The attitude to the target for 2050 is exactly parallel to the attitude to dealing with Ireland's status as a corporate tax haven and a race to the bottom in corporate tax rates.

The Government says, correctly, that this is an international problem which needs to be dealt with globally but it uses that as an excuse to hold off on any action until it happens elsewhere. The target of 2050 is completely inadequate. We need a zero-carbon economy by 2030. One of the areas that shows most clearly how the Government is completely trapped in this model of organising society and the economy is transport. The most ambitious thing it can think of is not to change the model of how people get around, not to challenge the model of individual car usage but to double the number of electric vehicles on the road to 1 million. It is not the answer. If the Minister considered all the problems that come with electric vehicles, the carbon intensive nature of their production, the environmental impact of the mining for the rare earths that go into them, the huge labour and human rights abuses and the child labour in the extraction of those rare earths, he would see this is not the answer. Shifting to public transport on a massive scale is the answer. It is the one thing that the Minister for Transport, Tourism and Sport, Deputy Ross, ruled out on the day of the plan's launch, saying the Government was definitely not going to go down the free public transport route. Why not? One hundred cities around the world have gone that way. We need significant further investment and to make it free to change the model of how people get around.

The same is true of carbon taxes. All the Government can envisage is taxing ordinary people, regressive taxation that will have no substantial impact on emissions. It will do nothing about the 100 companies responsible for 71% of global emissions since 1988. The idea that we allow society continue to be run in their interests and that they get to treat nature as an externality they do not have to take care of does not make any sense unless the Government is unwilling to break from that capitalist system. They should be taken into public ownership and planned democratically for people and for the planet.

This is true too of agriculture. The Government acknowledges that agriculture is our biggest emitting sector but it has no plan or target to reduce the herd. The herd needs to be substantially reduced. That is unavoidable if the Government is to tackle emissions from Ireland. That can be done only by challenging the drive for private profit by public ownership of the major agri-corporations and by assisting small farmers to ensure they have no loss of income but can move to a sustainable model of agriculture investment in afforestation and so on.

The only conclusion to draw from this is that a government that is committed to the rule of capitalism and profit is not going to deal with this issue. It will continue to block measures such as the Prohibition of Fossil Fuels (Keep it in the Ground) Bill 2017 because they challenge the interests of big oil. The same will come up every single time we attempt to do what is necessary. The movement has to continue to be built. It has to grow, it has to be armed with eco-socialist policies and, ultimately, fight for a socialist government with eco-socialist poli-

cies. The next big step towards that will be on Friday, 20 September, which is the next day of climate strike action by school students, but the trade unions need to follow their lead, put their weight and power into action and have action from below to demand change.

Deputy Thomas P. Broughan: I am grateful for the opportunity to speak on the Climate Action Plan 2019. I welcome its belated production as I do the report of the Oireachtas Joint Committee on Climate Action, much of whose work the action plan refers to. Sadly, in the Minister's party there always seems to be a large element of spin when any major step is taken. The Minister and his colleagues arrived in Grangegorman in a hybrid bus which is one of just three that we have, although there are many on order. We also have 200 diesel buses on their way after being recently purchased despite the fact that we have known since the mid-1990s that diesel is a notorious and dangerous pollutant. All those who have served in Government, including the Green Party during that time took no steps whatsoever to take that issue. The 150-page action plan and 88-page annex comprise 183 action points. Like my colleagues, I regard many of those points as incredibly vague. Given its nature, climate action mitigation is fundamentally different from the Action Plan on Jobs or the action plan the Minister attempted to carry out in education. This is much more far-reaching.

I mentioned a number of caveats in respect of the plan at yesterday's meeting of the Committee on Budgetary Oversight, which was attended by important stakeholders such as Social Justice Ireland, the Nevin Economic Research Institute, NERI, the Irish Congress of Trade Unions, ICTU, the Construction Industry Federation, CIF and IBEC. Based on the research of Social Justice Ireland and NERI, I made the point that throughout our history - Deputy Howlin spoke this morning about the centenary of this Parliament - taxation policy has been grossly unfair to the most vulnerable and the lowest income households in society. We have always levied significant carbon taxes. We have substantial consumption taxes and very high excise taxes, which are among the highest in the world. These have been levied on ordinary households and ordinary people.

The constituents I represent are suspicious that this is a plan which the Government, Fianna Fáil and the Green Party will bring forward to impoverish the most vulnerable households. I do not see in this report or the speeches I have heard how those households will be protected. There is nothing in the plan about carbon dividends, basic income, responses in the taxation system and, above all, better wages and salaries and a much higher minimum wage to deliver a living wage. Where are all of those measures?

I welcome the idea of establishing a climate action delivery board and the other matters promised in the section setting out the various actions. I note also that the Government is promising a climate action (amendment) Bill. When will we see that?

Five-year carbon budgets are a serious matter. The Green Party went into government with Fianna Fáil in 2007. That Government wrecked the economy and the Green Party in government did nothing about regulating the banks. The then Green Party Minister, former Deputy John Gormley, came into the House year after year with spurious carbon budgets based on total waffle. Unfortunately, that is the record of the Green Party in this country. Deputy Eamon Ryan and his colleagues did nothing to address the fundamental issues. They should have been left that Government in a flash and helped to topple it but instead they stayed until its last days, cycling in and out to their Government offices. We know the Green Party's record and we do not trust it. That is the basic problem.

If there must be five-year carbon budgets, and I accept they are necessary, at a minimum there must be a full sense of fairness and justice. In recent weeks, we had another Irish Fiscal Advisory Council, IFAC, report and, for the second year running, IFAC has been severely critical of the Minister for Finance and Public Expenditure and Reform, Deputy Donohoe, and the Government in respect of their control of public expenditure and the Government's expenditure ceilings. Is it the case that we need to have full five-year budgets, of which carbon mitigation processes will be an integral part?

The Taoiseach spoke about nudging people into changing their habits. This brings me to my second caveat. The Government did not have a major nudging message for big agri-businesses, developers, retailers or aviation companies. The plan does not seem to provide for anything in that regard, yet our constituents repeatedly tell us they do not want to buy tomatoes or fruit, for example, in plastic bags. The retailers decide to use so much plastic and boxes, yet the Minister does not have a message for them. Why would he given that party represents their interests in this House, as does Fianna Fáil? He has no interest in talking to them.

The Minister has an economics background, as do I, and he is aware of behavioural economics. Richard Thaler and a colleague won a Nobel prize in 2017 for a book called *Nudge*, which sets out how nudging works. My reading of the book is that when it comes to major changes, the process of nudging will be a game-changer in managing the climate challenges facing the planet. If it is a game-changer, we clearly need to address the major stakeholders in the economy because it is they that have to make the changes. To leave change to ordinary households is a cynical cop-out. Unfortunately, however, it is one that is typical of this Government.

I agree with my Green Party colleague that there is a major lacuna in the plan on public transport. Where are the plans? As people constantly tell us on Twitter, the Spanish were able to roll out metros to beat the band, up and down Spain from Seville to the Basque Country. The Russians did the same and post communism the Poles have built a fine metro network in Warsaw. What did we do? We spent that money on bankers, rather than on public transport infrastructure. Public transport is a major lacuna.

As my colleagues noted, the Minister has dodged the issue of aviation and the fact that big aviation pays no tax on kerosene. Kerosene has been tax-free for the aviation industry for decades. I know we are an island and aviation is important for connectivity and so on but would it not be more realistic to accurately price the cost of aviation for business and for all citizens? The Minister has nothing to say on that. As Deputy Paul Murphy said, the 1 million electric vehicles by 2030 seem to be a chimera and a fantastic pipe dream on the part of Fine Gael.

While the new Luas line to Cabra is obviously welcome, the Government has had opportunities since before the crash in 2007 to give this city, Cork, Limerick and Galway decent public transport systems and it simply did not take them.

The challenges in the production of electricity are obviously grave. I note my colleague, Deputy Bríd Smith, rightly mentioned that these data centres, which are springing up all over our city and country, use massive amounts of electricity of up to 20 MW or 25 MW for a single plant. I noticed the first one in my constituency of Dublin Bay North, which is in Clonsaugh, uses 20 MW. They are constant and massive users of electricity. How will they contribute to mitigation? Again, everything seems to be predicated on offshore renewables and microgeneration but I am not sure the Government's plan addresses the real challenge in electricity.

There has been a total cop-out on agriculture and land use. The sections after action 101 consist of nothing but waffle. The Government is not prepared to tackle agriculture because it is a bedrock of support for 40 Fine Gael Deputies in this House. The Government is not prepared to challenge the sector. Improving nitrogen use and livestock management efficiency is mentioned. What kind of nonsense is that from somebody who has a background in economics? The Minister could not even tell me a few weeks ago how much mitigation is provided on our island by our hedgerow system and general tree cover. He could not give me that information and he has been in that Department for at least a year. That whole section is pathetic and gives us very little.

My key concern is that there is a huge challenge for us and I accept that. We are very fearful that this report indicates that our most vulnerable constituents will have to suffer and that Fianna Fáil and Fine Gael will not put up a challenge to the big vested interests in this country because they are parties that represent those interests. For this reason, the next Government will have to produce a much fairer mitigation programme based on realistic figures and achievements, which involves the whole community and is not just aimed at ordinary citizens.

Deputy Eamon Ryan: We are in a climate and biodiversity emergency. There is no doubt about that. As a country, we will rise to the challenge and we will be able to become leaders in our response, rather than the laggards we are at the moment, because this House reflects the will of the Irish people and they want to do it. I believe that the Taoiseach, the Tánaiste, the Minister for Communications, Climate Action and the Environment, Deputy Bruton, the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, and the Fine Gael Party are sincere in their desire to tackle this issue. That belief is partly underpinned by the fact that the people who vote for Fine Gael want us to tackle that issue. The party does not only represent industrial interests; it also represents the people. From the recent election campaign and previous experience, I know that the people want to do it. I trust that Fianna Fáil has the same instinct. It also represents its voters and its people, who do not want to destroy the future for their children.

I have similar faith in the Labour Party and Sinn Féin. Most of the time I agree with my socialist friends that in making this change we can alter how the whole economy works. It is not just about keeping everything the same and changing around the edges; it is about everything. I also trust Deputy Broughan and the Independent Deputies, even those with whom I fundamentally disagree and who argue that this is the wrong action for us to take because it will bring great fear. I do not refer to Deputy Broughan in that regard but, rather, to some other colleagues we could remember. We should listen to them and answer their fears about making the leap.

We should stand up for the House, which has done good work on this matter in recent years. There is consensus now, as there is among the people, that we want to do this, as has been reflected in the work we have done. We need to organise where we should go from here to show leadership. We should go to the people. We should trust and ask them for help rather than tell them what to do. We must admit it will be difficult and that it is a considerable challenge which will require massive change, but it will be change for the better and we should not be fearful of it. There will not be penury, hardship and disadvantage will not be brought but, instead, a fairer and more successful society and country.

We have to avoid the mistakes made in America, where the issue has become one of division between the left and the right. We must avoid what happened in France, where the *gilets jaunes* rightly said, “Hold on a second, you have forgotten about us.” We must ensure that it is a just

transition and that in our response, we will not accentuate or give the sense of a rural-urban divide. It must be good for rural and urban people throughout the country and we can do that. We must avoid the mistakes the UK is making and recognise we must do it in co-operation with every country in the world through the Paris Agreement but especially within Europe, where we can raise the funds to help us make the necessary changes.

I do not doubt the sincerity of all Deputies in their desire to make the leap we must make. While the Government has agreed on the goal, although it has not quite articulated it and must do so clearly, it is slightly frozen, in a conservative way, by the scale of the challenge. Thus far, the solutions that have been offered are technocratic in nature, marginal and are not sufficiently bold. It is not a system change. A reduction in emissions of 2% per annum will not suffice, nor will putting off the issue until the next decade or making decisions today that will make it even more difficult to make changes in subsequent decades. We have to make changes now. We need a vision for how a different system will work.

Let us consider the Minister's action plan. Yesterday, I asked him a question about action No. 110. Let us broaden the debate; let us use the national climate dialogue that is in train but widen it further to everyone with an interest in how our land is managed so that a map will be set out for what we will do. I refer to everyone with an interest in farming, wildlife, bogs or seas. We should tell them that we need to treat everywhere as special, a matter on which I am sure we all agree. We need to restore hedgerows around every field and change the nature of fields in order that biodiversity will be protected, not destroyed. We need to reconsider our sea areas, which are ten times larger than our land areas, and take the advice of E.O. Wilson by setting aside half of it for marine protection whereby, as one of our contributions to climate leadership in the world, we stop fishing and every other activity and measure and monitor what is happening in the north Atlantic Ocean. One of the threats is what is happening in the north Atlantic Ocean. Let us understand that and be world experts in managing it and in the difference that develops in an ecosystem when it starts to be protected rather than destroyed. Benefits may accrue from storing carbon and having stronger, more resilient marine systems.

Let us be honest with the people and tell them that we will eat, or that it will be better for us to eat, less meat. We must also tell them that we will not rely on the current model whereby we just export live cattle and sell them to farmers at less than €5 a head and that we will instead trade on the basis of the Origin Green brand while obtaining a commodity price. We are not serving Irish farming. Let us be honest with the people and tell them that size of the national herd must be reduced. In the gap, however, however, when we do things differently, we will switch on a whole new horticulture sector in society. In every different area, we must consider how we will create a natural forest that is a pleasure and a joy to walk through, rather than planting thousands of hectares of single-crop, quick-rotation, monoculture forestry every year. In our mapping out of a new land use plan, we should ask people in all communities for their views. We should say to the people of counties Leitrim and Roscommon that we hear what they are saying about not being able to keep going with forestry as it is. Let us ask the honest question as to whether the adoption of new forestry methods that would lead to the generate tens of thousands of jobs for young people and create a beautiful local environment in which biodiversity would be restored and from which we would garner a long-term wood supply would work.

We have just elected new councils throughout the country. In the same way, let us ask every council to produce a new development plan that reflects the climate emergency. The councils are declaring climate emergencies as we speak. Roscommon County Council is due to declare a climate emergency next week. Let us start by asking how we could restore life to towns such as

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Ballinrobe or Boyle. There are stunning towns. The Bianconi hotel, in the centre of a village, sits empty. Could we not introduce brilliant bus services in order that such towns will be restored and use dilapidated, shuttered and closed houses as a solution to the housing crisis by returning people to the core? We should do that in every town and city centre. In Limerick, only 3% of the population lives in the historic core. Could we not flip that and, instead of building massive motorways between Limerick and Cork, build a public transport system in Limerick and Cork now to build the cities up? Could we not bring life back to the centre of Cork and put a tidal barrage at the end of the harbour in order that the city will have a sustainable, long-term future, irrespective of the sea level rise? That level of radical ambition and change is what we need. We can and will do it collaboratively and collectively, and we will do it well.

The Minister is correct that an action plan should be iterative and that we should be willing and open to doing things differently. Retaining the current national development plan, as if that helps us in any way, is not true to that approach. That is the first thing we must willingly admit needs to change. We should respond to climate strikers, who have played a significant role in changing the consciousness. During the election campaign, older people who vote for Fianna Fáil, socialism or Fine Gael responded to me at the doors. They said they were keen to act. We need to listen to what they say because it is true. In the light of the climate emergency, in every school in September, can we start asking how we can create a safe route to every school? It should not be the case that only 20% of children get the required level of exercise every day. We must design a system to allow them to walk, cycle or take the bus to school. That should be seen as part of the response to the climate emergency we face. All our engineers and best people should be put to work on it. It should be set as our first task for a new generation in a 21st century Ireland that is green in every way. It is doable but we need to be brave and ambitious. We need to go beyond the existing plan, which is not good enough, not least in transport and agriculture, the two great failings. There are many energy initiatives but we all know that it will be a massive challenge to make them happen.

We are up to the challenge, however, and we will be good at it. This country is set to become a leader. Let us go out and do it.

Microbeads (Prohibition) Bill 2019: Order for Second Stage

Bill entitled an Act to provide for the prohibition on the manufacture or placing on the market of certain products containing microbeads; to impose restrictions in relation to the disposal of substances containing microbeads; and to provide for matters connected therewith.

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I move: "That Second Stage be taken now."

Question put and agreed to.

Microbeads (Prohibition) Bill 2019: Second Stage

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I move: “That the Bill be now read a Second Time.”

I am pleased to present the Bill to the Dáil. As with the publication of our climate strategy earlier this week, it represents our determination to be at the vanguard of safeguarding our environment and, thus, protecting the future for the coming generations. Ireland has previously led the charge with measures such as the plastic bag levy and the smoking ban. Some other states have already introduced restrictions on the sale of “rinse down the drain” cosmetic products containing plastic microbeads. However, our Bill goes further than most by restricting their manufacture and export, as well as sale. More significantly, its scope extends to cover household and industrial cleaning products containing plastic microbeads, which no other EU member state has done to date. This reflects our national position, held since 2015, seeking for all such products to be phased out across the EU at the earliest opportunity.

I know my concern about microbeads is shared across all parties and throughout broader society. I commend Senator Grace O’Sullivan and Deputy Sherlock, who both introduced Private Members’ Bills on this topic. We have responded to those Bills and I look forward to working with colleagues in the Oireachtas in order that we can have this Bill enacted and in operation before the end of the year. I thank the members of the Joint Committee on Housing, Planning and Local Government for their contribution in developing this Bill and supporting its progress. I will be referring to their recommendations at several points.

The purpose of this Bill is to make it an offence to manufacture, or place on the market for sale or supply, certain products containing plastic microbeads. This is due to their potential for environmental harm as microplastic litter in marine and freshwater environments. Under the provisions of the Bill, placing on the market means selling, offering or exposing for sale, advertising, distributing for free, importing, exporting or supplying. The Bill will also prohibit the disposal of substances containing plastic microbeads down the drain or directly into freshwater or marine environments.

Society is becoming acutely aware of the problem that plastic poses to the world’s oceans. It is a problem we must address urgently. The Bill is one of a range of measures to reduce the impact of marine litter being brought forward nationally, across the EU and through international conventions, such as the Convention for the Protection of the Marine Environment of the North-East Atlantic, more commonly known as the OSPAR Convention. Due to its buoyancy, plastic is easily carried by currents or blown by winds from landward or seaborne sources. It persists in the environment for an extremely long time and cannot be easily recovered. Larger items break down into secondary microplastic particles and there is a growing body of evidence to indicate that plastics and microplastics may be affecting marine habitats and fauna negatively.

I am sure everyone is aware of the vast islands of plastic floating in the North Pacific Gyre. A similar garbage patch also exists in the north Atlantic Gyre. We have all seen dreadful images of sea creatures tangled in plastic debris or having ingested huge amounts of plastic waste. National and international research continues to confirm that microplastics are also being ingested by all forms of marine life, from the smallest plankton up to the largest filter feeding whales. This is happening in every part of the marine environment. Microplastics are found in freshwater too. An EPA-funded study published in 2017 found that not only were microplastics to be found throughout Irish freshwater environments, but traces could even be found in our drinking

water. Indeed, the group of chief scientific advisers to the European Commission recently reported that microplastic pollution has been found throughout the entire environment, including air and soil, as well as water. This is not merely just a marine or freshwater issue or concern.

Microplastics are small non-biodegradable solid plastic particles less than 5 mm wide in their largest dimension. They are entering the marine environment directly in a variety of forms. These include fibres shed from clothes, lost raw material pellets or microbeads used in cosmetics, cleansing products and detergents. Microbeads are a small fraction of the overall microplastic problem. However, they are still entering the environment in their trillions. This Bill will address one source of microplastic pollution and help reinforce public and industry awareness of the problem. It also prepares society for more challenging measures to be introduced in the coming years. The most effective solution to tackling microplastic pollution is to tackle it at source. This Bill covers products that are likely to end up in watercourses and wastewater systems. These are water-soluble products designed to be rinsed or washed off down the drain.

I do not intend to target products known in the industry as “leave-on” or “wear-off” products at this time. These are not designed to be washed off with water. While many people wipe off such products and then discard the wipes down the drain, they are not supposed to do this. Nothing other than washing water, human waste or toilet paper should be flushed down toilets or disposed of down the drain. Although there are readily available alternative ingredients to replace plastic microbeads in rinse-off cosmetic products, manufacturers cannot currently reformulate leave-on cosmetic products as easily. The impact to the cosmetics industry and to consumers would be enormous if such a blanket ban was introduced at this time. However, these products will be addressed in time. Irish officials, including my own, are working at EU level to develop EU-wide REACH - registration, evaluation, authorisation and restriction of chemicals - regulations to address this, along with a range of other measures relating to microplastic pollution. Once these are passed, a six-year lead-in time for restricting leave-on cosmetic products has been recommended to allow time for product reformulation.

The Joint Committee on Housing, Planning and Local Government requested that I also consider legislation to prohibit the impact of secondary microplastics polluting the natural environment. Given that secondary microplastics are created by the breakdown of larger pieces of plastic, this would be an extremely complex and difficult task. However, we are researching and developing measures nationally, with the EU and under OSPAR to reduce the amount of secondary microplastics entering the environment.

I will now outline the purpose and operation of each section of the Bill. Section 1 sets out the definitions of key terms used in the Bill. Section 2 makes it an offence to manufacture or place on the market rinse-off cosmetic and cleaning products containing plastic microbeads.

Section 3 provides for exemptions for medical products, sunscreen products and materials being used to research offences set out in section 2. It provides that regulations can be made exempting certain essential industrial cleaning agents where no microbead-free substitutes exist.

Section 4 makes it an offence to dispose of substances containing plastic microbeads down the drain or directly into any body of water. Section 5 sets out the powers of authorised persons. Section 6 provides for the prosecution of company officers or members of a body corporate for offences under this Bill. Section 7 provides for the fining, imprisonment or both of persons found guilty of an offence.

Section 8 provides that the Environmental Protection Agency, EPA, may bring summary proceedings for an offence and for the court to have the power to order the persons found guilty of committing an offence under this Act to pay the agency's costs. Section 9 provides for the Minister to request enforcement activity reports from the agency. Section 10 provides for administrative costs for the proposed legislation to be paid out of voted expenditure. Section 11 sets out the Short Title and commencement of the Bill.

Appropriate technical definitions of "microplastic", "microbead", "cosmetics" and "plastic" are central to the success of this legislation. This Bill incorporates definitions that are robust, enforceable, future-proofed and in line with current scientific research. As per the joint committee's recommendations that industry be notified of legislative changes in good time, industry representatives were specifically consulted regarding these provisions. As requested by the joint Oireachtas committee, my officials reviewed the decision to provide a specific exemption to sun-screening products. They wrote to the Health Products Regulatory Authority, HPRA, seeking assurances. However, the HPRA was unable to guarantee that no sun-screening products containing plastic microbeads exist. Thus, it is expedient to retain this exemption for the time being.

The Bill gives responsibility to the EPA for its implementation. EPA officers and customs officers are made authorised persons and the Bill lays out their enforcement powers. It is proposed that a person summarily convicted would receive a class A fine, a prison sentence of up to six months or both. Conviction on indictment may mean a fine of up to €3 million, a prison sentence of up to five years or both.

The Bill is not expected to have a significant impact on Irish businesses. Industry is fully aware that the international opinion has turned against plastic microbeads. Banning them is a key feature of the EU's 2018 European strategy for plastics in a circular economy - the plastics strategy. Restrictions on the sale of rinse-off cosmetic products containing plastic microbeads have been introduced in France, Sweden and the UK, among other countries. Manufacturers are already turning to alternatives. Plastic microbeads can be cheaply replaced by natural substitutes and, indeed, many Irish cosmetic manufacturers already focus on producing products with natural ingredients. Nor is the proposed prohibition expected to have much impact on consumer choice. Products without plastic microbeads are already widely available and preferred by consumers.

As has been highlighted in previous Oireachtas debates, the Bill has implications for the principle of free movement under the provisions of the Treaty on the Functioning of the European Union. Ireland has to obtain a derogation from the EU before final enactment of this legislation. We will seek to justify this on environmental grounds under Article 36 of the treaty, arguing that plastic microbeads may cause harm to the environment and citing the precautionary principle. Ireland will need to submit a justification document containing scientific evidence along with the derogation request. To support this, my Department engaged Galway-Mayo Institute of Technology, GMIT, to draw up a paper on the potential impact of microplastics on the environment, focusing on Ireland. GMIT is an acknowledged centre of excellence in this area.

A minimum three-month standstill period applies from the date the derogation request is submitted. This may be extended further by an additional three months if concerns are expressed by the Commission or a member state. The Bill may need to be amended on Committee Stage or Report Stage in order to take on board amendments required by the EU arising from this process. It should be noted that once the derogation request is submitted to the EU,

any Oireachtas amendments that affect the Single Market will mean that a resubmission will be required. This could significantly delay the Bill. A request for a World Trade Organization exemption must be submitted once the EU derogation process has been completed.

In light of internal advice, the responses to the second public consultation and the recommendations from the joint committee, the following changes were made since the publication of the general scheme. The Bill now defines microbeads as “plastic particles” rather than as being made of “polymers”. A definition of “plastic” has also been added to the Bill. The prison term for convictions on indictment has been increased from two years to five on the advice of the Parliamentary Counsel. Fixed charge notices in lieu of summary offences and compliance notices have been removed from the Bill on the basis of non-constitutionality.

I again thank my colleagues in this House, the Seanad and the joint committee for supporting the principle behind this legislation. The Bill is an important measure to reduce the levels of microplastic pollution generated in Ireland. There are many more steps to come in terms of microplastics and marine litter generally. Some of these will be challenging and will require a societal response. However, I am encouraged by the level of cross-party support to date for the prohibitions on certain products containing microbeads as set out in this Bill. I am hopeful that this will translate into further support for future measures that we have to undertake.

Deputy James Lawless: Fianna Fáil supports this Bill but we are disappointed about the length of time it has taken for it to come before the House. There have been repeated attempts in the lifetime of this Dáil to have this legislation enacted, by the Green Party in the first instance, followed by the Labour Party and then Fianna Fáil, all of which were prevented from progressing by the Government. While we support the Bill, it must be stated that it is a curate’s egg in that it is a little bit spoiled. Nevertheless, it is before us now. We will take it and run with it.

I hope lessons can be learned from some of the experiences in terms of the missed opportunity of new politics, a matter about which I have spoken on numerous occasions. Unfortunately, we have not managed to engage and progress measures of this nature in respect of which there is cross-party agreement. One of the reasons that was put forward initially in an effort to block legislation in this area was that it allegedly breached EU law. In a recent debate on the smoky coal ban being extended on an all-island basis, the Government similarly made the argument that there might be complications on foot of EU law. The leader of the Fianna Fáil Party, Deputy Micheál Martin, introduced the smoking ban, a point acknowledged by Deputy Sherlock previously. The argument was made that said ban might have been incompatible with EU law. As we have seen from the Brexiteers, EU law is blamed for a lot of things and not always rightly or accurately so. That was the case with the smoking ban. With the resurrection of the Bill before us, and given the new political climate, EU law is often interpreted in different ways, depending on the outcome one wants to find.

The Bill is before the Dáil and Fianna Fáil supports it. I hope that, with all-party support, it will progress quickly. This is an important Bill. It is also a relatively simple measure in many ways in that, technicalities aside, the fundamental principle of it is one with which we are all familiar, namely, to reduce, reuse, recycle. This Bill deals with the reduction aspect in that it seeks to facilitate a reduction in the number of microplastics in materials, in their use in products and in their presence in the environment, particularly the oceans and sewerage systems. This is because, as we know to our detriment, they are non-degradable and remain in the environment far beyond their useful shelf life causing multiple issues.

A recent article in *The Irish Times* indicated that the average human, probably and accidentally, consumes 5 g - which is about the size of a credit card - worth of plastic per week through the food they ingest. This could happen where, for example, a fish that has eaten microplastics is consumed by a human. Microplastics move through the food chain. Some pretty scary statistics were provided in the article to which I refer. They were taken from a report compiled by Australia's University of Newcastle, which also mentions that drinking water is a significant source of microplastics. The same is true of seafood. While the average amount of microplastics consumed per person per week is estimated to be approximately 5 g, it could be much higher because microplastics may also be found in secondary sources such as honey, sugar and bread. This is very worrying for multiple reasons.

Some 80% of marine litter is attributed to plastics. It is not all microplastics. Large plastic is bad as well. There is no pass for it. However, today we are seeking to tackle microplastics. As stated, plastic comprises 80% of marine litter and it is a difficult substance to dispose of. Disposal is almost impossible in many ways. Microbeads do not get caught in traditional wastewater systems in the same way as other pollutants. Given their size, nature and texture, they are difficult to pick up and so they pass through into the general drinking water system and other systems. I mentioned fish, shellfish and seafood earlier. A study conducted by NUI Galway found that 73% of 233 deep water fish caught in the north Atlantic Ocean, waters which are familiar to Irish fishermen, had ingested microplastics. That study was conducted in 2018, so it is very recent. If this trend continues unchecked, by 2050 our oceans will contain more plastics than fish. It is pretty damning that we are heading in the direction of our oceans containing more plastics than marine life. Hopefully, this can be addressed. It requires urgent action. This Bill is one of many measures that will be required in this regard.

The other issue that can arise in the context of wastewater is sludge build-up. Microbeads can pool together, congeal and become a sludge, which can then spread to agricultural land and enter the food chain. I recall the many horror stories that were told about what lurked in the sewers in Victorian times in London, New York and many other great cities that have significant underground sewerage systems. There are even more horrific things lurking in our sewers now, including what are known as fatbergs. These are congealed masses of fat, wipes and all kinds of horrendous waste, including plastics, matted together. A fatberg the size of six double-decker buses was recently discovered in the UK. Unfortunately, such discoveries are not unusual.

This legislation is timely and much need. As already stated, Fianna Fáil supports it. I would like to reflect briefly on other measures that could be advanced in parallel with the Bill. Despite the fact that people might say that it is a little too late arriving, we will run with it. There are many other things that could and should be done. The climate action plan was discussed earlier and measures such as microgeneration, which is being touted by Government as an important new initiative to be launched as part of the plan, were highlighted. This development arises, perhaps, out of recent elections and awareness of green issues, in some quarters anyway. Microgeneration is an obvious, much-needed, common-sense measure that was first introduced by the Fianna Fáil-Green Party Government over ten years ago. Inexplicably, it was cast aside by the Fine Gael-Labour Government when it came to power. Microgeneration requires the installation of a solar panel on a roof. This panel is then plugged into the grid and if more energy than is required is produced, the remainder is returned to the grid. This measure was already in place but discontinued and now the Government is hailing its being brought back as a big announcement. However, we have lost seven or eight years of microgeneration in the interim.

Another example comes to mind. We have talked a lot about renewable energy. The targets

in the climate action plan in this regard are welcome. However, the REFIT system for renewable sources excluded offshore wind for the past number of years. Offshore wind has many advantages. It has huge potential for energy generation and it does not have community backlash in terms of the concerns that often arise in the context of onshore wind projects. Understandably, communities have concerns about the proximity of turbines to homes, etc. Offshore wind is a win for everybody in that sense. It is highly productive in terms of high-volume outputs of energy generation. There are number of resources off our west coast in terms of wind and wave but the REFIT scheme did not include offshore wind. Again, this was a missed opportunity.

On public transport, as a commuter and representative for Kildare north, I am familiar with transport issues. There has been much talk about the Government buying diesel buses. The Taoiseach recently travelled on a hybrid bus, which was followed by approximately 200 diesel buses. There is a serious lack of investment in public transport. I represent a constituency where commuters cannot access parking at the railway station and cannot get a seat on a train. They are also lucky if following their train journey they get a seat on the Luas. There has been a lack of investment in transport over the lifetime of this Government. There was a very good transport strategy on the table when Fianna Fáil was last in office, namely, Transport 21, which had multiple benefits, including interconnectors, metro west, metro north and DART underground. It provided for the type of network one would expect in a modern European city to enable people to travel to work, to study or to visit family, without the trials and tribulations they would be put through by the current system, which is creaking at the seams due to lack of both investment and imagination.

We hope that the Bill can tackle the various issues to which I refer. We raise those issues in the House every day. They are well-known to the Government and I appeal to it to take them on board. We support and welcome the Bill.

Deputy Eoin Ó Broin: I acknowledge the significant work done by Senator Grace O'Sullivan and Deputy Sherlock and I echo the comments the Minister made in that regard. I have I have little doubt that if that work had not been done, we would not be here with legislation which, on the basis of what we have heard so far, will be passed by the House. That is positive and has to be acknowledged. I also acknowledge the significant shift in the Government's position on this issue in the past year or 18 months. Not that long ago we were discussing Deputy Sherlock's Bill and the Government's position was that it was not possible to do what he proposed under EU law. I thank both the Minister and his officials for what has been a very constructive engagement with the committee and the sponsors of the two previous Bills. Notwithstanding people's initial positions at the start of any dialogue, it is always possible to come to a much better position at the end.

It is important to also acknowledge that this Bill deals with what is a very small piece of a much larger problem. While I was not expecting secondary microplastics to be dealt with in the Bill before us, that is where the bigger problem lies, along with single-use plastics more generally. There is significant resistance at an industry level across the European Union, not necessarily to tackling the smaller part of the problem but to dealing with the broader issue of single-use plastics in a more definitive way. The industry spends almost €2 billion annually in lobbying to try to resist some of the moves being made in respect of such plastics. While there is no doubt that we should pass this Bill and implement it as a matter of urgency, I look forward to working with the Minister and the Government on those broader issues. Ultimately, the Bill will only remove a very small amount of the damaging substances that have entered our seas and water systems. It must be followed by much more significant action at a later date. If the

Minister takes the same approach to those issues as he has taken to this Bill, he will have the support of our party.

We fully support the Bill, although I have a few questions to which we may come back on Committee Stage. I will not spend long detaining other Members. I am still concerned about some of the exemptions, specifically that relating to sun cream. The joint committee asked if officials were aware of any sun creams that contain microbeads and they indicated that they were not. I acknowledge the Minister's comment to the effect that they contacted the relevant agency. Regardless of whether there are sun creams that contain microbeads, the point is that they should not. Microbeads offer no benefit in the context of the valuable role that sun cream plays in protecting people against skin cancer. It makes no sense to allow them to continue to be used in such creams. I urge the Minister and his officials to re-examine this matter in order to see if there is a way to proceed.

I am not clear about the merits of excluding leave-on or wear-off products. Will the Minister provide more information about the logic of that? Even if it is not the designer's intention for those products to be washed off, the fact that the Minister acknowledged that they end up in the sewerage system and, ultimately, the water system as a result of the fact that people misuse wipes shows that there is a problem. As he knows, some of us who have had to deal with the negative impact of wipes on our sewerage system are aware that there is a large volume of them going into our water system. If those wipes contain a significant volume of wash-off products with microbeads, then that is an issue. I would like to hear more about that from the Minister and I would like him to reconsider the position between now and Committee Stage.

While I appreciate the ongoing work on the revised registration, evaluation, authorisation and restriction of chemicals, REACH, directive - I accept that this is not directly relevant to the Bill - I want to put on the record the fact that there will be a six-year lead-in time once the negotiations on directive have been concluded. That period seems far too protracted. Since he did not refer to it earlier, perhaps the Minister will clarify, subject to both this Bill passing all Stages and the completion of the request for derogation from the Commission, at what point the impact of this legislation will become actionable. Is there a lead-in time proposed for industry, etc?

Our party supports the Bill. My initial comments were intended in the spirit of this being a good example of how things should be done. It would be better if it happened more quickly. Perhaps that is the lesson for the next stage in the process, whether that involves dealing with secondary microplastics or single-use plastics, in order that we might work together in a collective and much more co-ordinated fashion. We are where we are and it is a decent enough place. I would like the Minister to address the exemptions and the lead-in period that will apply after the passing of the legislation.

Deputy Sean Sherlock: I am delighted to wholeheartedly welcome the Bill. I thank the Minister and his officials for bringing it before the House. We have been through quite a process since 2016 in seeking to have this placed firmly on the agenda and I am delighted to be part of a process where we are in agreement with the Government's Bill on the important issue of banning microbeads. I acknowledge Senator Grace O'Sullivan's role in this because she started the ball rolling. When her Bill was rejected by the Government on the basis of Single Market issues and certain articles in the EU treaty, we took up the cudgels. As has been stated, we used the precedent of the smoking ban as a mechanism to progress the issue through the introduction of our own Bill. I recall speaking on Second Stage of that legislation on 4 May 2017 and acknowledging that it was not being opposed at that juncture and that I would gladly withdraw

it if I saw the colour of the Government's money. I am glad that the Minister has delivered on the promise that was made. While I am possibly in uncharted territory in that I may be the only member of the Opposition to withdraw a Private Members' Bill, which I am not sure there is precedent for, on the basis of a commitment the Government gave to introduce its own legislation, I did so on trust. I am glad to state that my trust was repaid with the publication of the Bill before us.

The passing of this legislation could be the Minister's greatest legacy. Future generations will thank this House for legislating in respect of this very important issue. Notwithstanding that, we all know what microplastics and microbeads are. I do not need to speak about their effect on the environment. We are all well-educated on the effect that they have for marine and other life in our watercourses and the oceans.

I have a question on a matter to which Deputy Ó Broin referred. I refer to the lack of intention on the part of the Government to target leave-on or wear-off products at this time. I know it is not possible for the Minister, his officials or any of the agencies of State to police the daily ablutions of citizens regarding what they do in their own bathrooms but we have to acknowledge that, even when the Bill is enacted, the risk that microplastics will still enter our watercourses and the oceans. I want the Minister and his officials to clarify the position in respect of the leave-on products.

The Minister stated:

Although there are readily available alternative ingredients to replace plastic microbeads in rinse-off cosmetic products, manufacturers cannot currently reformulate leave-on cosmetic products as easily. The impact to the cosmetics industry and to consumers would be enormous if such a blanket ban was introduced at this time.

The primary purpose of the legislation is not to take on the cosmetics industry, its *modus operandi* is for an environmental good, to ensure future marine life and human health so that we are not ingesting this plastic back into our systems. We already have an evidence base which shows us that sea life is already consuming plastics and it is inherent within it and humans as well. I am worried if we are not going the whole hog in terms of banning microbeads outright and if we are introducing an exception. I hope the Minister will allay my fears when he replies. If we have to wait for a six-year lead-in time for restricting leave-on cosmetic products on the basis that he is allowing for product reformulation, then I am fearful that we may be in a position where we will not have tackled the problem fully. I accept the Minister's bona fides in respect of the Irish position but I am concerned because, as Deputy Ó Broin indicated, the cosmetics lobby has more direct access to the European Commission than any member state in terms of the efficacy of its lobbying. It could seek to put a stay on any legislative proposals coming from the Commission in respect of wiping out the use of microbeads in cosmetics altogether. I hope my concerns in this regard will be addressed.

I have a question on the maximum size of microbeads, which is referred to as being 5 mm. Does any industry standard specify 5 mm? Was the figure determined on the basis of advice received from particular entities or scientific advisers? It is not that I doubt the 5 mm specification in any way but I am interested in the logic behind it.

I welcome the legislation and thank the Minister for bringing it before the House. I acknowledge that he delivered on the commitment he gave that he would legislate in respect

of this issue. I also acknowledge that all Members of this House, in a non-partisan way and through the interventions they have made, are very clear regarding their intention to seek to have this matter legislated for.

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I thank Deputies for their contributions in respect of this very important legislation. I apologise for the delay in getting to this point. I recognise the frustrations of people such as Deputy Sherlock, Senator Grace O’Sullivan and others, who wanted to know why it was taking so long. Part of the reason was because once there was a bit of a shift in the Government position, there was a realisation that there was an opportunity to go further and to be a leader in the EU context. That was on the understanding that we want to move together in the EU in terms of the Single Market and in the context of everything we are trying to do regarding the environment. We felt that if we could set an example which others could meet, we should do so. We have done that with this legislation. We are going further than our EU counterparts but they have made a commitment to catch up with us. That was part of the reason for the delay.

Deputy Ó Broin referred to a shift in the Government position. There has certainly been a shift in my position because, in my work as Minister for Housing, Planning and Local Government, I am also responsible for aspects of the marine environment. As a result of that work, I am involved in the British-Irish Council, BIC. Its committee deals with the OSPAR Convention and other works, which has meant I have been very deeply involved in the issue of microplastics since I began this job. I have been very well educated by my colleagues in the BIC on the issue. Deputy Lawless spoke about us all eating a credit card worth of plastic each week, which is a terrifying way to think about it. When one adds in all the debt as well, it must be quite bad for the digestive system.

Two points struck me early on. One is that in a recent study, 78% of all deepwater fish were found to have ingested microplastics. Another issue that was brought to my attention by colleagues abroad is that of the large continents of plastic making their way around the globe in different environments, which is terrifying. For some time in Irish society we have been having a very important reflection on the environment. “Blue Planet II” was seen to have been quite important in the debate in England, Scotland and Wales in terms of there being a collective moment where everyone happened to be watching the TV programme in which a baby whale suffocated and died from ingesting plastic. That had an effect on children and adults and it brought microplastics and plastics to the fore in the political debate there. All of those types of interventions that have been made by academics and people in popular culture to try to bring people like me to a more sensible and progressive position on the issue have worked. In the context of what Deputy Eamon Ryan stated in the earlier debate on the climate action plan regarding the responsibility we, as Members of this House, have to act as leaders in terms of trying to bring with us those members of the public who might still be sceptical on the need for some of these measures, I am of the view that we have a duty in this regard. As we take action in this regard, we should do so in responsible way and seek to constantly educate and inform the people and ourselves.

In the context of sunscreen lotions, I must be very careful, particularly in view of the purpose they serve. However, we are looking at the exemption in advance of Committee Stage. We have done some exploratory work to see whether it would be safe to remove the exemption but we will do a bit more work on it given the nature of sunscreen lotions. I assure Deputy Ó Broin that we are looking at the issue, as per his request.

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On the question of how we define the size of microbeads and microplastics, 5 mm is the internationally recognised standard. We will do it to that standard in order to provide coherence in EU law, both the law that has already been adopted by some of our partner countries and the EU law that will follow as a result of the work we are doing here.

On the question about leave-on products, this is a more complicated aspect of the debate. First, we must recognise that such products do not have a direct pathway into drains and watercourses and, subsequently, into the oceans. Even though some can follow such a pathway, that is not meant to be a way for them to enter watercourses. Some make their way, but not all do. It is also my understanding that certain leave-on cosmetic products, while not having a medical role, do not currently have a ready replacement available and that we cannot move to ban them overnight. It is also the case with some leave-on products that the polymer in question is a liquid polymer and so it is treated differently from what solid plastic particles, nodes or, more correctly, nurdles. It is not the same as the microbead as we understand it in terms of what we are trying to address in this Bill. There is a new single-use plastics directive which includes provisions on labelling and directions for disposal. That requirement will be coming into law in all EU countries. We are looking at leave-on products. That is something we have committed to examine with our EU partners, particularly in light of some of the further complications that exist. Rather than waiting to resolve those complications, we know there is an immediate challenge in respect of microbeads. We know that they are doing damage. We have plenty of evidence for this and we now know how we can move very quickly to prohibit their use, ban them and, hopefully, eradicate them from the environment altogether.

In response to the question on when this will become law, once the Bill is passed by the Oireachtas I will not wait around because the industry does not need a lead-in time. Both the industry and the consumer are far ahead of us on this, so we can move to implement the law directly.

The derogation process is important. We have a three-month standstill derogation process to engaging with the European Commission whereby we show them what we are planning to do and it comes back with feedback on it. I will commence the derogation process now. When Second Stage is completed, we will go to the EU and state that this is what we plan to do. If it has any major concerns, which we do not anticipate, it can come back to us and that will allow us to address them in time for Committee Stage, so we are not waiting to pass the Bill in its entirety and then seeking a derogation. I do not believe we would get it in place by the end of the year if we do that.

That also means that if a Member comes forward with a significant amendment it might risk us having to go back to the Commission to seek the derogation a second time. This is not to try to prevent a Member from getting into the weeds on this matter. I shared detailed copies of the legislation before it was finalised and brought to the Cabinet with Deputies who have shown leadership in this area so they would be well aware of what we are trying to do. I hope, therefore, there will not be amendments that might delay things unnecessarily. I believe it is probably prudent to seek the derogation now so we can meet the timelines as envisaged. With regard to the suntan issue, I said we are examining how we might address that on Committee Stage.

An Ceann Comhairle: If I allow a question, will it give rise to a lengthy response? It probably depends on the question. The Deputy can put his question.

Deputy Sean Sherlock: If I am not mistaken, when the Minister was referring to leave-on products I believe he could have been referring to what might loosely be termed “cosmeceuticals”, where there is marketing of a cosmetic that claims to have a medical benefit. I am not sure if that is where he was going with this but there must be clarity on Committee Stage, notwithstanding the points he made about delaying the legislation. If we do not fully legislate for the abolition of microbeads or if there is any doubt about that in terms of passing legislation in the House in which there is a massive amount of exceptions, it defeats the purpose of the Bill.

Deputy Eoghan Murphy: I appreciate the opportunity to speak again, a Cheann Comhairle. It is important to point out that there is not a massive amount of exceptions in the Bill. What we are proposing to do with this legislation is more far-reaching than what any other member state has done. We are going further than others. We have that commitment and it is important to do that.

With regard to leave-on products, the composition of their plastic material in some instances is liquid polymer. There is a complication there. It is not as easily addressed as the microbead as we understand it. They also do not have the direct pathway as envisaged by the creation of the product in the first instance, so it is more complicated. What I was referring to was not cosmeceuticals, products claiming to have a medical benefit. It is more that I am trying to grapple with an understanding after speaking to some people about this who might use a certain product. Would that be banned when they depend on it for certain things? They are not medicinal and do not pretend to be medicinal. I do not wish to name the products, but that was the purpose of that. There is time to address this, but I will be seeking the derogation at this point and we will give as much information as we can to help the speedy passing of the Bill. Again, I thank colleagues for their engagement.

Question put and agreed to.

Microbeads (Prohibition) Bill 2019: Referral to Select Committee

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I move:

That the Bill be referred to the Select Committee on Housing, Planning and Local Government pursuant to Standing Orders 84A(3)(a) and 149(1).

Question put and agreed to.

Saincheisteanna Tráthúla - Topical Issue Debate

Company Takeovers

Deputy Sean Sherlock: This issue arises from the proposed takeover of GlaxoSmithKline, GSK, in Cork by Thermo Fischer Scientific. It has given rise to concerns on the part of the workers and their representatives, specifically SIPTU which represents the majority of the af-

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affected workers. They relate to the interpretation or perceived lack of adherence to the regulations in respect of the transfer of undertakings regulations of 2003. The trade union SIPTU has written to the Minister for Business, Enterprise and Innovation, Deputy Humphreys, but I understand the matter is now in the bailiwick of the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty.

I will quote from a letter I received in respect of concerns that were raised with the Minister, Deputy Humphreys. It refers to:

...GSK management's announcement that they have failed to consult fully with the union and merely put in place a communications strategy to inform our members of both employers' unilateral decisions to change existing terms and conditions of employment. The type of unilateral changes communicated by both employers to workers have far reaching economic impact on our members for example the ceasing of the Defined Benefit Pension Scheme, fundamental changes to the Bonus scheme, non-transfer of annual leave entitlements, ceasing of the revenue approved share purchase scheme.

They are just some of the issues that have arisen. The workers in GSK were informed by their employers on 16 May last that the plant, which employs over 400 people, was to be sold to Thermo Fischer Scientific "under transfer of undertaking for the purposes of the European Communities (Protection of Employees on Transfer of Undertakings) Regulations 2003...". In plain English, one entity has been taken over by another. There were pre-existing and long-standing agreements collectively arrived at and it is feared that they will now be pushed aside. These relate to holidays, sick pay and other changes the employees will have to incur, particularly with regard to their pension entitlements or a previously negotiated pension arrangement.

Any entity, regardless of what it is, must be compliant with the law. I am raising this with the Government to ensure that the workers in GSK and Thermo Fischer Scientific are protected in law and that a process is put in place forthwith through the machinery of the State, be it the Labour Court or through a conciliation process, whereby the Government is watchful of what is happening and ensure it is aware of the situation so there will be a proper dialogue between the two sides to ensure no worker's rights are undermined in any way.

Minister of State at the Department of Employment Affairs and Social Protection (Deputy Finian McGrath): I thank Deputy Sherlock for raising this important issue. I am replying on behalf of the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty.

As I understand it, Thermo Fisher Scientific has agreed to buy a manufacturing plant in Cork from GlaxoSmithKline, GSK. The sale sees the transfer of ownership of the site, including all facilities as well as business operations and approximately 400 employees, to Thermo Fischer Scientific. GSK employs approximately 1,700 people in Cork, Dungarvan, Dublin and Sligo. Last year it announced plans to close its Sligo plant by 2021, with the loss of 165 jobs. I am told that due to strategic changes in the GSK portfolio, the Cork site had been significantly under utilised and it became clear that it was no longer a competitive fit within GSK manufacturing network. As well as providing certainty for the workers, it is said that the sale will leave the site well positioned for future growth and development.

In terms of my responsibility as Minister for Employment Affairs and Social Protection, what is relevant here is the European Communities (Protection of Employees on Transfer of

Undertakings) Regulations 2003. The regulations implement a 2001 EU Directive aimed at safeguarding the rights of employees in the event of a transfer of an undertaking, business or part of a business, to another employer as a result of a legal transfer or merger.

The regulations set out a number of obligations on both the transferor and the transferee in relation to consultation and the provision of information to employees. This must take place at least 30 days in advance of the actual transfer. The main provisions of the regulations are as follows: all the rights and obligations of an employer under a contract of employment, including terms inserted by collective agreements other than pension rights, are transferred to the new employer on the transfer of the business or part thereof; the new employer must also continue to observe the terms and conditions of any collective agreement until they expire or are replaced; and an employee may not be dismissed by reason of the transfer alone. However, dismissals may take place for economic, technical or organisational reasons involving changes in the workforce. The regulations do not apply where the outgoing employer is subject to proceedings whereby he may be adjudicated bankrupt or wound up for reasons of insolvency, by order of the High Court. The position of the employees' representatives is protected across a transfer. Both the outgoing and incoming employers are obliged to inform their respective employees' representatives of the reasons for the transfer and the legal, social and economic implications of the transfer. Where there are no representatives, the employers must arrange for the employees to choose representatives for this purpose. I currently have no reason to believe that the companies involved will not comply with the legislation.

Deputy Sean Sherlock: I welcome the fact that the Minister clearly and unambiguously stated the law. A Minister who sits at Cabinet has stated, on the record of this House, the law of the land in respect of this issue. I hope that any parties bearing witness to this exchange are mindful of this. However, he also stated, "I currently have no reason to believe that the companies involved will not comply with the legislation." I have no way of knowing that and I am sure the Minister of State has no way of knowing it because he is taking this matter on behalf of the Minister, Deputy Regina Doherty. I am hopeful that, by virtue of the fact that we have raised this issue, some process can be entered into whereby the Minister of State's colleagues in Cabinet will take heed of the main provisions of the regulations, as he has clearly set them out. As a Minister of State who sits at Cabinet has set out the regulations on the record of the House, I am pretty sure the parties involved will take heed of them.

Deputy Finian McGrath: Under the regulations, a transfer is defined as the transfer of an economic entity which retains its identity. The question of whether a transfer is a transfer within the meaning of the regulations is a matter to be determined by the adjudicating officer in the Workplace Relations Commission, WRC, or, on appeal, at the Labour Court based on the circumstances of that particular case. Complaints relating to an alleged contravention of the 2003 regulations can be brought in the first instance to an adjudicating officer of the WRC and, on appeal, to the Labour Court. These bodies are guided by national and European Court of Justice case law. Any such case should be taken within six months of the date on which an employee considers there has been a contravention of the regulations. An application to the WRC can be made by the employee or a representative, including a trade union representative. A decision of the adjudicating officer may declare that the complaint is or is not well founded, as the case may be. It may require the employer to comply with the regulations and to take a specific course of action for that purpose or it may require the employer to pay to the employee compensation of such an amount as is just and equitable in the circumstances, up to a maximum of two years' remuneration or four weeks' remuneration in the case of a contravention of the

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information and consultation provisions of the regulations.

As I said, I currently have no reason to believe that the companies involved will not comply with the regulations but a statutory adjudications framework is in place to provide remedies if necessary. I will bring the issues the Deputy has raised back to the Minister, Deputy Regina Doherty.

Post Office Network

Deputy Sean Fleming: I wish to raise the future of the An Post mail centre in Portlaoise. For well over a year there has been a question mark relating to the reorganisation of the mail centres around the country and I understand that there may be a board meeting of An Post on 27 June, at which a decision may be made on the future of mail centres. This process has been going on for some time. The case for Portlaoise is outstandingly strong and I ask the board to make the right decision, and to give a commitment to the future of the mail centre at the meeting next week. There are outstanding staff in the area and the 200 staff there have great experience and make good use of technology.

The Portlaoise mail centre has a number of key features. It is the area where all parcels come into the country, where they are processed for onward distribution. Because of this, there is a strong customs presence from the Revenue Commissioners in the mail centre, with sophisticated equipment to detect anything illicit coming into the country, as well as an outstanding dog unit that is regularly mentioned locally in connection with the seizure of drugs or other illicit products. As this feature is unique to Portlaoise and exists nowhere else in the country, it makes no sense to remove it and transplant it elsewhere.

There are four mail centres around the country, namely, Dublin, Portlaoise, Cork and Athlone in Westmeath. However, Portlaoise is the most strategic location outside Dublin. The capital city will need a mail sorting centre because of the large volume of post but Portlaoise is within an hour and a half or so of all the regions in the southern half of the country. I live just outside Portlaoise and I am an hour and a half from Dublin Airport, an hour and 15 minutes from Shannon Airport and less than two hours from Cork Airport. One can get parcels from Portlaoise to all the areas in the south of the country overnight for early delivery the next morning. For mail that needs to be sorted overnight in Portlaoise, we have outstanding motorways in the midlands region, to Cork, Limerick or Waterford and one can get to places such as Kerry within an hour and a half or two hours. It would be an excellent facility to keep, if the decision was made to close some mail centres, because Portlaoise is strategically located. It would be the best location and I ask An Post to confirm that.

Following contact from staff in the past year or so, I have had correspondence from the company about the issue. I have a letter of May 2018 from David McRedmond, the chief executive officer, who wrote that An Post was reassessing its national mail processing capacity, including the mail centres, of which Portlaoise is one of four. On 30 April I received another letter from the GPO, telling me that it is subject to Labour Court recommendations and that the matter was under active consideration. I am pleading to the Minister. Portlaoise is a very strategic location and has the best road network of all the country's mail centres. It is imperative that An Post keeps its centre there. I know the Minister will say it is a matter for the board but I am raising the matter here to impress on the board the case for the location in Portlaoise. I ask the board to commit to the future of the Portlaoise mail centre at its next meeting.

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): I appreciate the fact that Deputy Fleming has raised the issue, which I know is of acute concern to many people. Last week in the Dáil, the Deputy may have heard somebody else raising the case of one of the other mail sorting centres. The Deputy is an experienced committee Chair and I have soldiered with him on some of them. He is very aware of the legal position, namely, that this is the responsibility of An Post.

I apologise in advance for the reference in the script to the Deputy suggesting that I should intervene. I do not believe he suggested that. I withdraw that sentence in the script even though I will not be delivering it. The House is well aware of the journey An Post has been on. There has been a 40% fall in mail deliveries and an 8% fall in them even this year. An Post must restructure its business. It came close to a melt down a few years ago and it had to undertake a major restructuring plan. Part of that, as the Deputy will be aware, has been a new deal with its employees, which involved a pay increase but also involved, as a part of that, that one of its mail centres would close, but that this choice would be made on the basis of what is in the best interests of the company, its employees and customers. That continues to be the case. An Post is acutely aware of the important regional role it plays and it will carefully weigh up this decision.

I would also like to acknowledge publicly in the House the success An Post and its employees have brought to the task of restructuring. It has built from scratch new areas of business, particularly in parcel delivery but also in new retail areas, financial services and so on. That is a testimony to the creativity of the company with it being able not only to stabilise its business but show significant operating profit this year. However, ultimately, it still has to continue the work of restructuring its business and building in the new areas of growth and unfortunately that means it still has to restructure the mail sorting offices, which are part of that pay deal and part of the journey it is on.

The Deputy has made an articulate case for the merits of the office in Portlaoise for which he has advocated. I am sure the company will be mindful of the case being made by public representatives in its evaluation of this decision, but it rests with the board and not with me as Minister. That is as it should be. People would be rightly offended if this decision was to be made by a Minister deciding between different mail sorting centres, not on the basis of what is in the best interests of that company building its employment base and its customer base but on the basis of some political calculation. I have faith in the board, the members of which I and my predecessors have appointed, and I believe it will make this decision in the best interests of the company, its workers and the customers it serves.

Deputy Sean Fleming: I appreciate the Minister's remarks and he being straight and upfront. Essentially, I know the board has been given responsibility. All I ask the Minister to do is to ensure the transcript of this debate, and the fact that I have raised this issue, is transmitted to An Post headquarters so that it is aware of what we are saying. Obviously, when the company is in the Labour Court and dealing with the trade unions what we have to say here is totally irrelevant but it is a slightly broader perspective than considering the issue only from a staffing point of view. We represent the customers and, to an extent, the people of Ireland and our views need to be taken into account. If the Minister were to forward the transcript of this debate to An Post and ask it to consider this issue in an objective manner, I would be satisfied it would come to the right decision, which would mean keeping the mail centre in Portlaoise open into the future.

The Minister said that An Post has been doing its best to reorganise its facilities. We all know there has been a considerable drop in the volume of letters being posted. That is a simple

fact. Its parcel delivery service has increased substantially with the increase in online shopping. We all have experience of that. People can make a booking or purchase an item online at midnight on Sunday and lo and behold it can be hand delivered by van to one's front door on Tuesday morning. An Post has a key role to play in that. That is why the central location in Portlaoise is extremely good for achieving that. It is expanding its service for parcel deliveries from five to six days a week. It is important it improves its service and matches the services delivered in the strictly private sector. Because there is a strong parcel sorting and delivery function in Portlaoise and all inward parcels come into that mail centre, there is a strong customer presence there. It does not make sense to close that facility and have to reopen a similar facility somewhere else.

Everything goes to the big cities, whether it be Dublin or the other large cities. It is important where there is a good viable business in regional towns that we hold on to it. I ask that the mail centre in Portlaoise be approved by the board of An Post in that context.

Deputy Richard Bruton: I can assure the Deputy I will arrange for a transcript of this debate to be passed on to An Post, as he requested. He has made an articulate case for Portlaoise. I know An Post is very conscious of the regional role it plays and of the importance it plays in regional development. This is a decision it will have to make and it will do so on the basis of what is in the best interests of the company, its employees, customers and communities it serves.

Hospital Waiting Lists

Deputy Louise O'Reilly: I do not mean to be disrespectful to the Minister of State but does the Minister, Deputy Harris, ever take a Topical Issue matter? I have been here as long as some Members but my understanding is that it is customary for the Minister to take Topical Issue matters where possible. My colleague, Deputy Quinlivan, has raised 13 Topical Issues regarding Limerick hospital and I have raised countless Topical Issue matters related to health and I do not believe the Minister for Health has ever taken one of those. I do not mean that in a disrespectful way to the Minister of State and I am glad that she is here.

In February 2017, following a very harrowing "Prime Time" documentary, many promises were made regarding waiting lists, particularly for children with scoliosis. Those promises were made under pressure in the limelight and they have not been kept and children and their families are still waiting and unfortunately they are waiting in pain.

As matters currently stand, 3,500 children are waiting for their first appointment and those are the children about whom we know. Also, it is estimated that approximately 10,000 children waiting are hidden on adult waiting lists. If there are hidden waiting lists, children who are hidden on adult waiting lists, how will it be possible to plan for the surgery, appointments and all that those children will need because the Minister cannot tell how many there are?

We have seen in recent weeks the parents of children with scoliosis being forced to take to the media. No parent wants to do that. I am a parent and I would not want to have to do it and I know that they do not want to have to do it. It was reported in the newspapers that Deirdre O'Keeffe, a mother from County Cork, said that her daughter, Alison, aged 14, was put on the list for surgery in Crumlin hospital in December and she was deemed urgent. I do not know what that means to the Minister of State but to me it means that the procedure needs to be car-

ried out in a timely manner. She had a pre-operative assessment in February and at Easter she was told that her name was highlighted on a board to be brought for surgery. She was told she would be brought for surgery but she is still waiting with no operation date, and that is an urgent case.

Joseph Hornick and his daughter, Amber, are in a similar limbo. She was diagnosed in October and her family had to pay for a private outpatient appointment and an MRI at a cost of approximately €600, which for many families is money that cannot not easily be found. She was seen in Crumlin Hospital in February and again told that her case was urgent and that her surgery would be done in two to three months. Her dad says he calls the hospital two to three times a week but still has no date for surgery.

All the promises that were made by the Minister, Deputy Harris, and all the apologies that were issued mean absolutely nothing to those children who are waiting in pain. The complications that arise from being left waiting are many. Children develop internal complications as the curvature of their spine worsens. Not only are they in pain - the Minister of State should be under no illusions about that - but their internal organs are being damaged as the condition worsens. This is wholly unacceptable, as the Minister admitted when he promised in February 2017 that no child would be left waiting for longer than four months. More than two years later, that target has not been met. The families are due another apology but they would prefer if their children were able to access the surgery they need.

Minister of State at the Department of Health (Deputy Catherine Byrne): I apologise for the Minister for Health's absence. I am not sure where he is. I did not know until two hours ago that I would take this matter. When a Topical Issue matter is submitted I suggest that the Ceann Comhairle contact the office of the relevant Minister to ask if he or she will be available to take the matter. I do not know if that is possible but it would give Deputies an opportunity to withdraw the matter until such time as the Minister becomes available.

On behalf of the Minister, I thank Deputy O'Reilly for raising this issue. It gives me an opportunity to provide an update to the House on the progress to date on the reduction of waiting times for children with scoliosis. The long-term strategy to develop sustainable scoliosis services in 2018 and 2019 is a priority for the Minister and the HSE. Children's Health Ireland advises that the impact of investment and the implementation of the scoliosis ten-point action plan is now delivering results with an improvement in waiting times being recorded.

In 2018, Children's Health Ireland was provided with €9 million in funding by the HSE to address paediatric orthopaedic waiting lists, including the provision of scoliosis services. Last year saw the delivery of results from this investment, with a consistent reduction in waiting times being recorded for scoliosis. As a result of this increased investment, the total number of surgeries performed in 2018 was 418 compared with 371 in 2017, representing a 12% increase in activity year on year and a marked increase in activity of 87% compared with 2016. This increased activity has had a positive impact on the numbers waiting. Children's Health Ireland advises that, as of 14 June 2019, there were 193 children waiting for a spinal fusion or other spinal procedure. This constitutes an 11% decrease on the same period last year. The figure includes suspended patients, a category that has seen a 70% reduction in numbers year on year. Children's Health Ireland advises that the numbers of spinal fusion patients waiting for more than four months has also decreased this year, with 30% of fusion patients waiting longer than four months compared with 39% at the end of 2018. More broadly, all patient referrals to the orthopaedic spinal service at Children's Health Ireland are reviewed and clinically prioritised

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by a consultant. These patients are seen in order of clinical priority.

Work to address the complex issue of scoliosis is included in the wider plans to improve orthopaedic services at Children's Health Ireland. More than 30,000 children attended the paediatric orthopaedic outpatient departments at Children's Health Ireland and Cappagh National Orthopaedic Hospital in 2018. An additional 800 outpatient appointments were given to patients in Children's Health Ireland at Crumlin children's hospital in 2018 compared with 2017, which contributed to a 31% reduction in the overall orthopaedic outpatient waiting list. In addition, an outpatient initiative for long waiters carried out by Children's Health Ireland at Crumlin children's hospital facilitated 443 appointments from the orthopaedic outpatient waiting list.

The paediatric scoliosis services co-design group established in March 2017 includes the scoliosis advocacy groups. These groups work with professionals and managers to design comprehensive scoliosis services to meet the needs of children, young people, their families and healthcare professionals. The work of the co-design group continues to form the basis for the ongoing development of the scoliosis service in 2019. I understand that the co-design group published the scoliosis ten-point action plan in July 2018 and will publish a further update at the end of this month.

In reference to Deputy O'Reilly's question, if the Deputy forwards the names of the children to whom she referred, I will bring them to the Minister's attention.

An Ceann Comhairle: The procedures for dealing with Topical Issue matters provide that a Minister or Minister of State from the same Department will reply. We have all noticed that the Minister of State, Deputy Catherine Byrne, comes in here and takes the heat on many of these issues. However, it is perfectly in compliance with the strictures of the House to have a Minister of State from the relevant Department take a Topical Issue matter. If Members are dissatisfied with the position, we should review the arrangements to address that.

Deputy Louise O'Reilly: I was not suggesting there was anything untoward happening.

An Ceann Comhairle: I know that.

Deputy Louise O'Reilly: I was pointing out that the Minister has never appeared for the Topical Issue debate in my experience.

An Ceann Comhairle: I have no problem with what the Deputy or the Minister of State has said.

Deputy Louise O'Reilly: I thank the Minister of State for the reply. Notwithstanding the aggressive management of waiting lists that has been reported and the absolute promise and commitment given by the Minister that no child would have to wait longer than four months, the best the Minister of State can do is report a slowdown in the rate of increase. That is not good enough. These are sick children who are in pain and they are being left to wait.

As we speak, the orthopaedic theatre in Crumlin children's hospital, which is in the Minister of State's constituency, is still only operational three days a week. How can the Department expect to make good on promises made by the Minister if resources are not being provided and the resources available are not being utilised to their full capacity? The orthopaedic theatre in Crumlin children's hospital should be open for longer than eight hours a day. It should be open seven days a week until the backlog has been eliminated.

The parents of these children are in the unfortunate position that they are forgotten about the moment the spotlight comes off this issue and the Minister no longer has a microphone and camera in his face. That is how they feel. If they do not go to the media, they cannot get any traction. Many of them are at home looking after their children. They do not want to have to talk to me or the Minister of State or engage with politicians. They want to live their lives and they want their children to get the surgery they need but they are forced to go to the media and kick up a fuss just to get basic services. The best the Minister of State can do is report that there has been a slight improvement because the rate of increase has slowed. She stated that 30% of children with scoliosis wait longer than four months. It is nearly two and a half years since a promise was made that no child would wait more than two months.

I am not asking the Minister of State to agree with me because if she did, I am sure she would not say so, which is fair enough. Surely anyone looking at this would agree that is not fair and that the promises that were given to those parents count for nothing. The parents will have to keep advocating, lobbying politicians and going to the media when they want to spend time with their sick children.

Deputy Catherine Byrne: I thank Deputy O'Reilly again. I assure the Deputy that the Minister has met regularly the senior management of the HSE and Children's Health Ireland to discuss their short and long-term plans to provide a better service for patients and their families. Nobody wants to see children waiting on a hospital waiting list, particularly children with a severe illness such as scoliosis.

I am not too sure about some of the issues the Deputy has raised, for instance, children being hidden on adult waiting lists. I will have to inquire about that because I do not have any information on that. I assure the Deputy that I will convey her remarks to the Minister. I apologise again for his absence. I am sure the transcript of these proceedings will be made available tomorrow and I will bring it to his attention. I will request that the Minister take some Topical Issue matters in future, if possible, as that could help Members who have raised issues here on a number of occasions when the Minister has not been here to reply to them directly. I am given the written word and while I can intervene on some issues, I do not have answers to some of the questions asked. I do not know whether the Minister has answers but I will go back to him.

Medicinal Products Availability

Deputy Caoimhghín Ó Caoláin: Gabhaim buíochas leis an gCeann Comhairle.

The date 11 June 2019 was and will always be a red letter day in the lives of those children and their families who will now finally get the chance to have new life experiences and prospects, thanks to the HSE leadership team's decision to approve the drug Spinraza. It could and should have been a red letter day in the lives of all spinal muscular atrophy, SMA, sufferers, but, sadly, approval only extended to children up to the age of 18 years. We must all be conscious of the adult SMA population in Ireland who have been left behind by this decision and are feeling very disappointed and isolated. What will happen when children turn 18 years of age?

I will read extracts from two emails I received in the wake of the decision. One is from an adult Irish woman, a mother and a wife, who has SMA, while the other is from an adult American male who also has SMA but who has access to Spinraza. Both are in their 50s. The adult Irish female states in her correspondence what it has been like living with spinal muscular

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atrophy since she was a teenager. She recently celebrated her 50th birthday. I quote:

Last year our SMA Ireland family was formed. It was and is wonderful to be part of a support network because some of us adults have been battling this disease for decades on our own, apart from family, physiotherapists, and occupational therapists. I was thrilled on Tuesday last, 11 June, that at last Spinraza was approved for children but devastated for myself, my husband, my daughter, my family, and for the other SMA adults living in Ireland.

Addressing the Minister for Health, Deputy Harris, she stated:

You also have a daughter, Minister Harris. You know how much love a parent has for their child. I had to greet my daughter at the school gate on that Tuesday with the devastating news that her mother will not get Spinraza. I tried to explain the inexplicable. She cried as I have done. Time is not on my side.

Yours in anticipation.

I turn to the adult American male. I will only quote extracts from his email:

Denying adults access to this drug is heartless and inhumane. I am living proof that Spinraza does work for adults suffering with SMA. I am an American male, 54 years of age, who was diagnosed with SMA in my early 20s. This was a terrifying time in my life. After diagnosis I spent the next 20 years watching this disease slowly rob me of my ability to play with my children, my hobbies, my ability to perform even basic home maintenance, and eventually my ability to work and provide for my family. I started treatment with Spinraza back in October of 2017. Since starting treatment, my disease progression not only stopped but I began to see improvements in my walking gait, my overall strength and my endurance. Before treatment I needed a walker just to stand up from a lift chair. That walker is no longer needed. Before treatment I needed assistance in order to lift my leg into a vehicle. This is no longer needed. These achievements may seem minuscule but for someone who is facing the inevitable total loss of independence, Spinraza is offering a new chance of life. Please make Spinraza available for all because every life matters.

I close with the request that the Minister of State respond positively to the appeal of the SMA community and that she, please, ensure approval for the reimbursement of Spinraza for all SMA sufferers.

Deputy Catherine Byrne: I thank the Deputy for raising this issue which he has raised on a number of occasions. We were all delighted when it was announced in June that Spinraza would be made available to children. Spinraza is indicated for the treatment of 5q spinal muscular atrophy, SMA, which causes progressive muscle atrophy and weakness. It is a genetic condition that affects the nerves in the spinal cord. It causes problems with movement, muscle weakness and difficulties in breathing and swallowing. It is estimated that there are approximately 25 children living with SMA in Ireland. As Deputies are aware, the Oireachtas put in place a robust legal framework in the Health (Pricing and Supply of Medical Goods) Act 2013 which gives full statutory powers to the HSE to assess and make decisions on the reimbursement of medicines, taking account of a range of objective factors and expert opinions, as appropriate. They include the clinical and cost effectiveness of the product, the opportunity cost, the potential or actual budget impact and the impact on resources available to the HSE.

I am informed that on 11 June the HSE leadership team approved access to the drug Spin-

raza for children with SMA types I, II and III on an exceptional and individualised basis. The HSE's decision is in respect of children with genetically confirmed SMA type I, II or III, in accordance with the controlled access criteria recommended by the technology review committee for rare diseases. That committee's recommendations on access criteria were clearly targeted at the youngest and most severely affected SMA patients. This group is the clear priority for the HSE.

The actual patient assessment and approval process will be the means used in determining access on an individual case by case basis. Such a managed access programme will operate within the remit of the HSE medicines management programme. The HSE's decision process for Spinraza involved a health technology assessment, followed by detailed consideration by the HSE expert groups on new drug therapies, including the technology review committee for rare diseases and the drugs committee. Evidence of the clinical effectiveness of the new drug therapy was also reviewed.

We acknowledge that the protracted deliberations on the reimbursement of Spinraza have caused great stress and anxiety for the families of patients. However, the HSE has finite resources and a responsibility to ensure they are deployed to the greatest effect. The Minister for Health, Deputy Harris, is pleased that, through commercial negotiations, the HSE and the manufacturer managed to reach an agreement that will benefit the most vulnerable children.

I do not have much more to add on the specific question the Deputy asked. While we are all delighted that Spinraza has been approved for children, the Deputy asked that it also be made available to adults. I do not have a reply to that question and if I come back into the Chamber again, I do not believe I will have anything further to add. I cannot give a commitment on behalf of the Minister that Spinraza will be supplied to adults any time soon.

Deputy Caoimhghín Ó Caoláin: On behalf of Members, I ask the Ceann Comhairle to reflect on the unsuitability and inadequacy of having the Minister of State respond. She is, as she rightly acknowledged, not in a position to expand on the current position. The Minister for Health should be here. He has the same duty to be held as accountable to the House as the Ministers, Deputies Flanagan and Bruton. He certainly never appears in the House whenever I table a Topical Issue matter. The reply the Minister of State has read does not address the serious deficiency in the decision made. It should have included all SMA sufferers. Not everyone who will have the opportunity to access Nusinersen, or Spinraza, its branded name, will respond positively to it, as in the example I gave of the adult American male. One hopes they all will - certainly the 25 children who will now have access to it - show spectacular improvement in their physical condition and life prospects. There is, however, a cohort of adults.

Their number is uncertain but is certainly no more than 50, as has been speculated on time and again. These are people who have survived with SMA from childhood. In many of their cases, the symptoms presented in later life rather than in early years. They are equally entitled to access to Spinraza. The families who are now pleased and who have every right to celebrate because their children have hope are equally vehement in supporting the case for access to Spinraza for all, including the adult cohort. When the Minister of State says the HSE has prioritised this group, this is welcome but it has to include all SMA sufferers. I am not going to labour my point. The voice and intervention of the Minister of State could also be helpful. I ask her to stand with us in this appeal to the Minister, Deputy Harris, to the Government and to the HSE to continue the engagement with Biogen and as speedily as possible to conclude an

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arrangement for access to Spinraza for all sufferers from SMA across this land.

Deputy Catherine Byrne: We would all hope into the future that those who suffer from SMA will be able to be treated, as everyone who is sick should be. I am not in a position to give Deputy Ó Caoláin an answer on this today. However, I will commit to speaking to the Minister, Deputy Harris, and to trying to influence those who need to be influenced to the effect that all people who have SMA should be treated equally. I am sorry that I do not have the direct decision the Deputy would like but I will bring it back to the Minister, Deputy Harris.

Deputy Caoimhghín Ó Caoláin: I thank the Minister of State.

Community Policing and Rural Crime: Motion

Deputy Caoimhghín Ó Caoláin: I move:

That Dáil Éireann shall take note of the Report of the Joint Committee on Justice and Equality entitled ‘Report on Community Policing and Rural Crime’, copies of which were laid before Dáil Éireann on 28th March, 2019.

I wish to share time with Deputies Adams and Funchion, if I may. I thank the Minister for Justice and Equality, Deputy Charles Flanagan, for his attendance here this evening to debate the report on community policing and rural crime. I also thank the members of the Oireachtas Joint Committee on Justice and Equality for their respective contributions to the report, which was unanimously agreed and formally launched on 28 March 2019.

As I state in my preface to the report, issues relating to Garda oversight and accountability have been a key priority for the current Joint Committee on Justice and Equality but in addressing the issue of community policing, we sought to go beyond that and look at the bigger picture of how a modern policing service should be structured to most effectively address crime and engage with local communities. To assist in its work, the committee held a series of engagements with experts and stakeholders during October 2018, including with representatives from the University of Limerick school of law, Foróige, the Garda youth diversion project, Muintir na Tíre, the Police Service of Northern Ireland, An Garda Síochána, the Irish Farmers Association, IFA, and the Irish Cattle and Sheep Farmers Association, ICSA. Notwithstanding the exceptional work undertaken by members of An Garda Síochána, it is essential that public confidence in our policing service is maintained and that local communities feel secure.

There was a strong and shared view among witnesses that the philosophy of community policing should lie at the heart of policing in Ireland. It became abundantly clear in the course of the hearings that the philosophy of community policing has been undervalued in Ireland and needed to be strengthened. While some districts have made efforts to sustain the core values of community policing, under-resourcing has led to a deficiency in this ethos. As a committee, we therefore very much welcome the report and recommendations of the Commission on the Future of Policing in Ireland, and strongly support the community district policing model set out therein. Promoting community-based strategies would not only address the underlying causes of crime but would also help provide reassurance to those experiencing the very real fear of crime that exists, particularly in rural communities where the closure of Garda stations,

consequent on the financial crisis, has had a very negative impact.

The committee recognises the importance of a visible Garda presence in communities and although Garda numbers are now increasing, it is imperative that greater investment and allocation of resources are provided to ensure the adequate assignment of gardaí to front-line district policing roles. A modern and cost-effective method to increase visibility would be greater use of social media, which has proved to be highly effective and efficient in other jurisdictions for engaging with communities in rural or isolated areas.

The role of front-line police is changing, and the overlap of policing and healthcare issues cannot be ignored when developing a modern police service. The lack of provision of primary healthcare and other welfare services outside of regular business hours leaves many front-line police managing non-crime incidents, many involving mental health issues and the welfare of vulnerable individuals. Providing the resources and funding to allow for a multi-agency approach is essential in order to offer local communities the supports and services they need, regardless of the day or time in which they require it. The committee therefore supports a statutory requirement for the establishment of an integrated, structured, multi-agency model such as the multi-agency concern hubs in the North of Ireland in order to provide an effective and cohesive service to address the current gaps in the overall provision.

In order to significantly address crime, the committee believes in a preventative approach that proactively addresses the problems within communities, with greater Garda emphasis on early intervention and assessment of risk, rather than the more traditional reactive approach to crimes committed. In recognising the work of Muintir na Tíre and others in crime prevention, the committee calls for continued support for the community alert and text alert schemes, as well as the proper funding and roll-out of CCTV schemes throughout the country. Finally, in addition to welcoming property marking projects such as the IFA's TheftStop, the committee recommends the expansion of the recently introduced CESAR scheme, a European-wide database used to trace stolen farm equipment through the use of police-held scanners. Community-led schemes such as these are essential to addressing crime in rural areas in particular.

The report contains 20 recommendations, and I would like to thank all those who contributed to the report. In conclusion, I urge the Minister for Justice and Equality and his Government colleagues to give this report detailed consideration and to advise a timeframe for the implementation of its recommendations for the benefit of both the public and the serving members of An Garda Síochána. I thank everyone who contributed to this report, including the members of the committee, all the witnesses who presented at committee hearings and the staff of the committee secretariat, whose support has been invaluable. I commend the report to the House and urge the Minister to act on the recommendations at the earliest opportunity.

Deputy Gerry Adams: I welcome this debate on the report on community policing and rural crime by the Oireachtas Joint Committee on Justice and Equality. I commend the joint committee, especially the Chairman, An Teachta Ó Caoláin, on the report. The report emphasises the importance of building trust and strong relationships between An Garda Síochána and local communities.

I am sure the Minister for Justice and Equality, Deputy Flanagan, will agree that citizens deserve to feel safe in their homes and communities but there are many citizens in rural areas who feel isolated and vulnerable. Never was there a greater need for policing within the community - the Minister will be aware of the details - with the significance of this being especially

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evident in recent months in my constituency of Louth. I shall focus my remarks on this.

Several weeks ago the joint policing committee in mid Louth held a public meeting in Dunleer. I thank the joint policing committee and everyone who attended that meeting because they did so in defiance of drug pushers and their associates. The meeting was called to demonstrate solidarity with a local family facing extortion and violence from drug gangs, to discuss the drugs crisis facing families and communities and to hear from An Garda Síochána about its efforts to address the scourge of illegal drugs. It was a great example of the strength and merits of community policing. Local people were united with An Garda Síochána and standing against the law breakers.

Along with councillors Ruairí Ó Murchú and Pearse McGeough I went on to meet with the family. I had met them previously. In making this stand against the threats of drug gangs this family is facing real danger. Their home has been attacked. They live in a relatively isolated area and they are being very brave and courageous. The family has the comfort of knowing they have the support of their neighbours. The family is not just making the stand for themselves: they are making a stand for all of us - for the Minister, for me, for the Acting Chairman and for those people who live in their locale. I appeal to anybody who has any information at all on lawbreakers, especially on the incidents when this family was attacked, and on drug pushers, to give that information to An Garda Síochána.

The most important information we were given at the meeting that evening in Dunleer was from Chief Superintendent Christy Mangan who told the meeting that we do not have enough gardaí. I am aware that additional gardaí have been sent there, which I very much welcome, but the chief superintendent told us that last year he was over budget and this year he will be over budget. He elaborated on why Garda stations are only part time and why some barely open at all. It is clear that if one wants boots on the streets with gardaí on the beat and in the local Garda stations it cannot be done without the capacity or the resources.

The chief superintendent also said that there are not enough resources for the support services for drug addiction. From battling with the Government on the issue I am also aware of this. I commend the organisations, many of which are voluntary, that help those in drug addiction and their families. If one speaks to any of the people at the coalface on this matter, and God forbid it would happen to any of our families, they will say that they do not have the resources. They will say this in Dundalk, in Drogheda, in Dunleer, in Carlingford and other such districts and neighbourhoods across the State. The communities do not have proper mental health resources. Our health service is starved of the means of providing a holistic service.

I commend the Minister, Deputy Flanagan, for turning up for this debate because I raised this earlier as a Topical Issue matter but for the second time the Minister for Health did not bother turning up.

Chief Superintendent Mangan made a striking point at the meeting. He said that if we fail to tackle the drugs crisis effectively we will lose a generation of our young people. There is an old saying in Irish, mol an óige is tiocfaidh sí, praise the youth and they will flourish. I urge the Minister to adopt the recommendations in the joint committee report. I ask that the Minister listens to Chief Superintendent Mangan and to the family who are taking this stand against these criminals, but especially to adopt the recommendations in the joint committee report, which the Acting Chairman has pointed out was done in consultation with so many people who are the backbone of rural Ireland. It addresses many of the issues including the reopening of rural

Garda stations, the need for additional Garda numbers and increased resources for An Garda Síochána. Negotiations for the next budget will commence shortly. Will the Minister commit to providing a significant increase in additional gardaí and financial budgets in the next financial year? Will the Minister commit to adopting the recommendations of this report, making sure that we do not let down those who make a stand against the drug pushers and those who, for many reasons, cannot make a stand?

Deputy Kathleen Funchion: I welcome the report and the opportunity to speak on it. Most of my constituency is quite rural and over the last number of years, like everywhere throughout the State, we have seen a massive increase in crime. Some of this is what might be termed “small crimes” such as garden tools being stolen and oil being taken. Many people live in that reality every single day and are targeted time and again because the criminals can go after the same people. We do not have enough gardaí on the ground. Years ago there was a visible presence but now a lot of Garda stations have been closed and when they are open it may be for limited hours. Many stations have opening times on their doors which almost informs criminals that if they are going to commit a crime in the area these are not the hours during which to do it. We really need to see an increase in resources for gardaí on the ground and for community policing.

I want to focus on the Garda youth diversion project, which is an excellent programme. Part of tackling the problem is about a more visible presence of gardaí but part is also to get to the root cause of the issues. We must ask why it is the same people time and again who constantly victimise people who may be their neighbours and others living in the same community. Prevention is better than cure and we need to look at that. One way to do this is through the Garda youth diversion projects. These projects are totally understaffed and their resources are stretched. This must be addressed if we want to prevent these kinds of crimes. People are terrified in their homes in rural Ireland. A range of different crimes are constantly being perpetrated against people. It needs to be looked at in two ways, part of which is prevention, especially around young people and identifying why exactly they are going down this road and how we can prevent that. Much of it has to do with lack of resources and things for people to do in an area. People can go down the wrong path or fall in with the wrong line of life. This would affect them for the rest of their lives. It makes sense to try to prevent this from happening in the first place.

The other part of addressing the problem is to have a visible presence of gardaí. We all remember growing up in our local communities when one would see gardaí regularly. That presence deters crime. I constantly say in this House that this problem requires a common sense approach. If we want to tackle the issue then we need to put the resources and the investment into it.

Minister for Justice and Equality (Deputy Charles Flanagan): On behalf of the Government, I express appreciation and thanks to the Joint Committee on Justice and Equality, and especially to its Chairman, Deputy Ó Caoláin, for its work on this comprehensive report. I have taken very careful note of the recommendations.

I am aware that the committee held numerous hearings as outlined by Deputy Ó Caoláin and during its deliberations considered a wide range of opinion when examining how a modern police service should be structured to address crime most effectively and engage actively with communities. The report emphasises the importance of community policing and the building of trust and strong relationships between gardaí and people in the community. This is also a

key focus of the reforms recommended by the Commission on the Future of Policing in Ireland, the implementation of which is under way. In December 2018, the Government endorsed the report of the Commission on the Future of Policing in Ireland, accepting all 157 recommendations. At that time a four-year high level implementation plan was also published with progress being overseen by a dedicated programme office in the Department of the Taoiseach. There is a considerable amount of work to be done, including drafting new policing legislation which will ensure that the broader concept of community safety will be embedded in statute. Key to this is policing in partnership with communities, and with other Departments and agencies which provide essential services and supports to communities and individuals at risk. The recommendations contained in this report from the Oireachtas joint committee, along with those of the Commission on the Future of Policing in Ireland, are key in charting the way forward for An Garda Síochána, and for criminal justice policy, into the future. The House will appreciate that, with the limited amount of time available to me today, I will not be able to address each recommendation contained in the report, although I am grateful for the opportunity to address the important issues raised by the committee.

Recommendations 1, 2 and 3 relate to community policing and advocate for a more visible Garda organisation working closely and collaboratively with communities and other agencies to keep communities safe and to prevent harm to vulnerable people, exactly the issues outlined by Deputy Adams in respect of his constituency of County Louth. District or local policing is described in the future of policing report as the backbone of police work. I am sure we all in this House agree with that. In this model, all police service personnel should be considered community police. All personnel will be part of a single district policing team working to keep communities safe, and all should see their overarching collective function as solving problems affecting community safety in their district. Garda management is developing a new model of community policing based on delivering localised policing services to meet the differing needs of communities. Most importantly, local front-line policing will be placed at the core of our police service, ensuring that gardaí are more active, visible and available in communities, along the lines suggested by Deputy Funchion whose constituency neighbours mine. Their profiles are broadly similar, they are large constituencies with rural areas, urban areas of significance in the towns of Portlaoise, Tullamore in mine and Kilkenny and Carlow in Deputy Funchion's.

Since February of this year, An Garda Síochána has been piloting the new local policing model in four divisions, Mayo, Galway, Cork and the Dublin metropolitan region, DMR, south. The model has been designed to deliver more visible front-line policing and to ensure that Garda resources are deployed to best effect. The new model will also provide for a dedicated community engagement hub to also ensure stronger co-ordination of resources and operations across Garda divisions which will have a positive impact on how front-line policing services are delivered. To support the roll-out of this new model, Garda members and staff have been assigned to their new roles, including the redeployment of approximately 40 gardaí to front-line policing duties across the four pilot divisions. An Garda Síochána is engaging at local level with community groups, business and local representatives via the joint policing committees to help communities understand the new model and to embed it effectively. I am glad Deputy Adams has acknowledged the important role of the joint policing committee and I agree with what he had to say.

The committee raises the important issue of visibility of police in communities. The recommendations in the report reflect those from the future of policing report which prioritises the civilianisation of certain roles and redeployment of gardaí to front-line roles. Work on these

priorities is progressing and I am informed that in the first three months of 2019, 75 gardaí were redeployed to front-line policing duties. This builds on the approximately 260 gardaí redeployed to front-line policing duties at the end of 2018. Since the beginning of 2017, some 480 civilian posts have also been sanctioned to support the delivery of reform of An Garda Síochána. The bulk of these posts have been used to address critical skills gaps in the organisation, with a proportion sanctioned to facilitate the redeployment of gardaí to policing duties. The allocation for An Garda Síochána in budget 2019 fully reflects the Government's continuing support for the Commissioner in delivering a modern, effective and visible policing for our communities. In that context it is positive that the number of sworn Garda members is now in excess of 14,000, with 200 more gardaí having attested on 7 June. A further 200 will attest before the end of this year. The budget also provided for an increase in the permitted number of sergeants in An Garda Síochána of 110, and an increase in the number of inspectors by 81 which will provide greater support to front-line uniformed personnel.

A Garda recruitment campaign is under way which will ensure that An Garda Síochána remains on target to reach the target of 15,000 sworn Garda members by 2021. I also very much welcome the strong focus the committee has placed on the multi-agency approach to tackling crime and ensuring community safety in recommendations 7 to 11. This is also a core focus of the future of policing recommendations which envisage a Garda organisation working closely and collaboratively with communities and other agencies to keep communities safe and to prevent harm to vulnerable people. As we are all aware, significant Garda time is spent trying to protect the most vulnerable in society, the elderly, those with substance addictions, with mental health conditions or persons who are homeless. When something goes wrong, An Garda Síochána is usually the first port of call, often times outside of regular business hours. In their separate reports both the Oireachtas committee and the commission recognise the role played by An Garda Síochána in protecting the most vulnerable in our society. I entirely agree that there is a shared responsibility to supporting and maintaining community safety.

The Policing and Community Safety Bill being drafted in my Department recognises this too, and is placing a duty on all State agencies involved to work together to provide joined-up services to our communities. In addition, a range of actions are to be advanced by An Garda Síochána in conjunction with relevant stakeholders during 2019. These include the identification of joint operations and training opportunities and the development of a cross-agency approach to strategic planning. Specifically in relation to mental health issues, a real and serious challenge, and in respect of recommendation 11 of the committee's report, I am aware that An Garda Síochána has in place an interagency response to assist people with mental health issues. There is a memorandum of understanding between the Health Service Executive, HSE, and An Garda Síochána which sets out a procedure for gardaí in dealing with mental health incidents. This morning I had the privilege as Minister for Justice and Equality to launch the annual report of the Mental Health Commission, not directly reporting to my Department but to the Minister for Health. I felt it appropriate that I should engage actively having regard to the whole of government response which we are now seeing. I am also informed by the Commissioner that during phase one of their training in Templemore, new recruits learn about the various types of mental illness and Garda powers and procedures for dealing with a vulnerable person suffering from a mental illness.

I would like to address recommendation 17 of the committee's report regarding the provision of CCTV schemes. As Deputies will be aware, a grant aid scheme has been available through my Department for a number of years to assist groups in setting up community-based

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CCTV systems. While there has been some considerable public comment on this topic, it is important to note that the Data Protection Commission has recently confirmed that there is a sound legal basis for community-based CCTV, and that the General Data Protection Regulation, GDPR, does not introduce new obstacles or barriers in that regard. The Data Protection Commission has circulated broad guidance for data controllers on CCTV recently, which I am confident will be of interest and assistance to all stakeholders. I expect in the near future to make some adjustments to the grant aid scheme in response to feedback I have received. I must emphasise, however, that these steps concern grant funding and not the legal requirements for CCTV - the establishment and maintenance of a CCTV system is a serious matter and it is important that appropriate arrangements and safeguards are in place in all cases.

Recommendation 20 of the committee's report calls for greater cross-Border co-operation. I acknowledge the experience that Deputy Ó Caoláin, as Cathaoirleach of the committee, brings to this aspect of policing, having regard to his constituency engagement and I acknowledge the experience of Deputies Adams and Martin Kenny on either side of him. They have knowledge that I find useful from time to time by way of feedback.

The report calls for greater inter-agency and cross-Border cooperation between Government bodies and Northern Ireland agencies. Only this afternoon, I had the privilege of meeting the Chief Constable of the Police Service of Northern Ireland, PSNI, here in Dublin, and I acknowledged the work he has done in the furtherance of close co-operation over his years as Chief Constable. By coincidence, I also met the Garda Commissioner today and again I acknowledged the importance of a joint meeting in my Department between officials from the justice Department in Northern Ireland and my Department. I look forward to progress being made on the restoration of the institutions in Northern Ireland, which will assist in ensuring cross-Border co-operation of an unprecedented nature.

The House will be aware that there is close and ongoing co-operation between An Garda Síochána and the PSNI in respect of all aspects of policing. While focus tends to be on security co-operation in response to the ongoing threat posed by paramilitary groups, the two police services work very closely together in respect of the broader range of policing responsibilities, notably in combatting organised crime, ensuring road safety and in resource and capacity-sharing.

In November 2015, the British and Irish Governments and the Northern Ireland Executive agreed a series of measures, included the creation of a joint agency taskforce, in the agreement A Fresh Start, The Stormont Agreement and Implementation Plan. The joint agency taskforce has made strong progress in tackling cross-Border criminal activity across a range of crime areas, not just the traditional smuggling activities, but also rural and farm crimes, organised burglary and drug crime. I particularly welcome the call by Deputy Adams for those engaged in criminal activity along the Border areas to provide full and detailed information at the disposal of An Garda Síochána.

We have many examples of the extensive North-South co-operation between the police and customs services, and other law enforcement agencies, aimed at tackling crime and enhancing the safety of all communities on both sides of the Border. It is also an example of An Garda Síochána working as part of multi-disciplinary and multi-agency bodies, and delivering results in terms of tackling the scourge of cross-Border crime and ensuring communities are kept safe north and south of the Border. I am sure we will have further opportunities in the near future to discuss the changing landscape along the Border areas in the context of the withdrawal of the UK from the European Union and the challenges that will bring in ensuring adequate and

proper policing.

I thank all of the members of the Joint Committee on Justice and Equality, in particular its Chairman, Deputy Ó Caoláin, as well as the organisations which contributed to the work of the committee in compiling what I have to say is a most valuable and detailed report. As I have said, many of the recommendations happen to dovetail with the work and conclusions of the Commission on the Future of Policing in Ireland. That said, it does make an important contribution and I am sure we can revert to it from time to time in the context of implementing the recommendations. I look forward to hearing further from Deputies who wish to make a contribution because we are all on the one page on this issue, with a common goal of achieving a model policing service that works collaboratively with communities and other agencies to keep our communities safe, to keep our constituents and communities safe and to prevent harm, particularly to the most vulnerable in society.

Deputy Maureen O’Sullivan: The title of the report is Report on Community Policing and Rural Crime. It has been a welcome report but looking at the title, I am not sure if it is helpful to distinguish between rural and urban crime because crime is crime. I read today that the armed response unit is on the streets of Longford and the north inner city of Dublin has seen the armed response unit on our streets quite a number of times in recent years. The point can be made about the vulnerability and isolation of those living in isolated rural areas but isolation and vulnerability are also found in towns and cities and response times can also vary in towns and cities.

What is common to both rural and urban crime? We know it is violence, assault - general and domestic, robbery, public order offences and drug dealing, which, until recent times, had been confined to cities and to a certain part of Dublin city. Now, there is not a town or village in Ireland that is not experiencing the drugs trade, whether through people being in addiction, through the dealing of drugs or through intimidation and violence.

I want to refer to a programme we have had in the north inner city for 20 years, which I believe has been very effective, namely the community policing forum, CPF. It came from the community and from the very serious drug-related and anti-social issues the community in the north-east inner city faced. It is aligned with proposals in the Commission on the Future of Policing in Ireland, and it is also recommended in the Mulvey report, which is specific to the north inner city, on the delivery of community and Garda engagement. While crime is a matter for the Garda, there is a role for the community and what we found was that a partnership between the community and the Garda was very important.

While the CPF was specific to drug dealing, there were other drug-related issues such as violence and intimidation with which it engaged. The philosophy of the CPF was twofold. First, the philosophy was that the community would have a role, both in identifying and in resolving the drug-related problems which come to its attention and second, an inter-agency approach to be adopted in attempts to overcome those drug-related problems. It was a model of good practice in building relations between the community, the Garda and the local authority on issues.

All of this was exacerbated in recent years because of feud-related incidents and violence. Those involved in the CPF knew first-hand, the value of a positive role which delivered solutions to the problems being faced by residents on a daily basis. Key to that was the relationship between the Garda and the community. Part of the process was accessibility at local level, with CPF meetings in the various communities, where the residents could address the Garda in an

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open forum. The Garda would attend and it would be anyone from the community garda, the sergeant, the inspector to the superintendent, even the chief superintendent on occasions.

I know that joint policing committees, JPCs, are presented as a way forward but from my personal experience from both JPCs and the CPF meetings, I have no doubt in my mind that the CPF is much more valuable in addressing the issues in a prompt and open way. It is that accountability, where gardaí come in and face the community, take questions, comments and criticisms from the community, that led to a confidence in the Garda and a trust, whereby the residents, through the confidentiality of the CPF, brought information to the Garda. We know how important that sort of information and knowledge is in addressing this crime. The Garda was also involved in what was called the small area policing programme in the north inner city, where small areas would have a designated community garda, who would be contactable and be known to the community in that particular area and with whom the community would have a relationship.

Intimidation is a major factor in drug-related crime and we have had many examples of intimidation of individuals and families over drug debt. This debt builds up and then those who are in debt are made to do so-called jobs, whether it is setting a car on fire, setting a house on fire or carrying out assault and even murder. Our experience was that a model such as the CPF can be effective, especially for those in a difficult situation so that they can have somebody with whom they can communicate in that confidential way, work with the Garda and find solutions.

I make these points in contribution to this debate on community policing and crime based on our experience in the north inner city. Even though our CPF was in existence for 20 years, regrettably, because of a need for a different funding stream, we have had to close it but I have no doubt of the value of that model and I would hope its successor will broaden that engagement. In broadening the engagement, it is important that it commits to working with young people. Like areas that are caught up with drugs, communities lose very wonderful young people with great potential to the drug trade, either by getting involved in addiction themselves or through dealing. There must be engagement with new communities. In some parts of Dublin, more than 50% of the residents comprise new communities.

I note what the Minister said about the Stormont House Agreement. Earlier this afternoon, I attended a meeting of the Joint Committee on the Implementation of the Good Friday Agreement, at which there was an interesting address on legacy issues. Much depends on the Stormont House Agreement for those who have been waiting. The Minister knows how long they have waited, having spoken in Talbot Street to commemorate the Dublin-Monaghan bombings. The British Government has utterly ignored Dáil motions and has blocked several initiatives. Much depends on cross-Border co-operation. There is a frustration in the Police Service of Northern Ireland at the slowness of responses from the Garda on certain issues. That has been brought to our attention through the committee and the ombudsman for Northern Ireland.

I welcome what the Minister said about training for gardaí in mental health issues because it is necessary. I make another plea, on animal welfare, which is another cause of mine. Sometimes, gardaí in certain areas are not well up on aspects of the law on animal welfare.

I acknowledge the work of the justice committee under Deputy Ó Caoláin's chairmanship. The report will be very good for the relationships between communities and the Garda.

Deputy Martin Kenny: I welcome the report and congratulate the justice committee on its

work. The issue of community policing and rural crime affects most constituencies and counties. In the rural constituency of Sligo-Leitrim, we are all conscious of the fear that often exists in isolated rural communities, not least in respect of crime against older people, farm theft and so on. Sometimes, we can quote statistics and say crime is at a low level, which it may well be, but that does not remove the sense of fear and trepidation, particularly in the case of older people who feel isolated in the knowledge that the Garda station in their local town is no longer open. They do not see gardaí as often as they once did. People have told me that 20 or 30 years ago, when they drove through rural Ireland, they would often be stopped at a checkpoint if they had a bald tyre, for example, but they seldom see that happen now. While it may have been a problem then, they wish they met checkpoints more often now. They wish more gardaí were seen doing that sort of work and that they were a greater part of the community.

Unfortunately, in many rural towns, including in my area, crime is caused by small groups of individuals, some of whom are from outside the area. Mohill, a small town in County Leitrim, has been an example in recent weeks, when there has been much intimidation. Shots have been fired and petrol bombs have been thrown at houses. It is being carried out by a small number of people who, we understand, are involved in the drugs trade. The victims, on the other hand, are innocent people in the community who have nothing to do with any of it. It creates a great sense of anger and resentment among people in many rural towns when they see people threatening and intimidating others. They may have a long list of convictions behind them, yet they seem to be able to carry on in this manner, with little or no impact from An Garda Síochána, which I know and understand is doing its best in the circumstances. Mohill is just one example but similar behaviour happens in many other towns throughout the country. It was mentioned earlier that the emergency response unit is currently deployed in County Longford. It is part of a trend. Crime that, unfortunately, was mainly visited on the capital city has become more common in many rural towns throughout the country. We need resources to ensure that it is brought to an end, and a renewed focus on the source of such crime. Often, they are the same criminals and groups of people engaged in rural crime and exploiting older people and so on.

I welcome the part of the report that mentions restorative justice measures and, in particular, the youth diversion programme. The latter, where intervention is made early if children, for whatever reason, get into bad company and so on, needs to be given greater focus. I have come across cases, however, where the programme has been inappropriately used, particularly where sexual crime is involved. It is not appropriate in such situations and its use needs to be revised. In some cases, it is not the correct route to go down.

Mental health issues were also mentioned. Social and mental health issues in many rural communities are often part of a problem with poverty, or due to a sense of hopelessness or of not being given the opportunities that may exist in other places. Wider social issues have an impact and drugs crime is one typical example. In general, it happens mainly in more deprived communities. We must build a greater social network to ensure that people will not fall into that trap or way of life, through providing better resources and capacity in rural communities and small rural towns to defend against it.

The issue of Garda numbers will always be raised but we understand it. I have some sympathy for the Minister, given that there cannot always be the number of gardaí who are needed on the day they are needed, where they are needed. That is understandable. Deputy Adams referred to issues in County Louth. We all understand that gardaí cannot be everywhere all the time. The great difficulty, however, is that in many cases, people cannot find a garda when they seek one. From experience, they believe that there is a lack of resources. Greater efforts

must be made, not least in areas where we know there is an element of dangerous crime, and a renewed focus is needed.

Another area where a renewed focus is needed in many rural towns is crimes of exploitation. I refer particularly to sexual exploitation and brothels, which are jumping up all over the place in many rural towns. It needs to be dealt with but is not being dealt with. Young women, many of whom have been trafficked, are being exploited. It needs to be addressed urgently because it has a knock-on effect. While it may be a part of the culture of some parts of Europe, we do not need it in this country. Although it is an illegal activity, the experience to date is that it does not seem to receive the kind of attention it deserves. It needs attention, however, because it has a knock-on effect leading to further crime and dangerous activity. In particular, for the young women being abused and exploited, it is utterly wrong and deplorable that it continues to happen. The Garda needs to be given whatever resources are required to stamp it out wherever it happens.

Deputy Anne Rabbitte: I thank the Chair of the committee for the report and the committee for the hard work it did to compile it. I always look forward to speaking about community policing, having been a member of the joint policing committee in County Galway, as the Minister will be aware. It gives me an opportunity to address a few parochial issues. I note that the committee acknowledged the excellent work done throughout the country in the Garda youth diversion programme. Deputy Funchion has addressed some of the matter. I have only just received figures on how many gardaí are in the programme. There are 115 gardaí, compared with 109 in 2008. There is no junior liaison officer in four important areas - Carlow-Kildare, Longford-Westmeath, Waterford-Kilkenny or Roscommon-Galway East. In the light of what is happening in County Longford, the growth in the population, the use of scramblers throughout Dublin, youth crime, my “Fagin’s law” Bill and everything else, the role of junior liaison officers is important in preventing children from descending into more serious crime.

I welcomed the point in the Minister’s speech where he talked about the large role gardaí play in supporting people with mental health issues. Dr. Geoffrey Shannon, in his report on section 12 cases, referred to children who need support at the weekends when Tusla would not have been available. I am glad to say a pilot project is happening for that in Galway, which is welcome. We need more of that to support community gardaí. When gardaí have to assist with a section 39 incident, they are taken away from their day-to-day work, such as if they have to attend to a hospital, which happened on a particular bank holiday weekend in Galway and left the Garda numbers on the ground depleted. That sort of thing happens far too regularly. It results in other services being dropped, whether in primary care or Tusla, and puts pressure back on community gardaí.

I want to address the issue of CCTV. I am glad to hear we now have clarity about this and I will push for the gardaí to be more involved with CCTV. I have spoken before about bridge crossings and motorways, for which we need to have Garda CCTV feeding into the local Garda station. Rat-runs have developed from Cork and Dublin to Galway, with people going across the bridges at Portumna, Killaloe or Banagher, and then they are gone again. They come down the motorway from Limerick, exit at Gort, and then they are into the midlands - our hidden heartlands. They raid us at whatever hour, rob a few places along the way, then they are gone again - they come in one way and go out by another. We need that Garda CCTV. If the Minister wants to pilot it to see how it works, the bridge in Portumna would welcome the intervention.

This is a matter of having boots on the ground. In a parliamentary question, I asked how

many gardaí are on maternity leave. At present, between 94 and 97 gardaí are on maternity leave. It is different from when one goes on maternity leave from the Department of Education and Skills in that they are not replaced. We need to look at it because it is another void in the community. How we can work with that or have a reserve to cover for that duty should be explored, because it leaves gaps across the country. They play an invaluable role and we need to ensure they are covered.

The gardaí in the Galway division do phenomenal work to support youth discos but more needs to be done. There are so few youth discos nowadays that large numbers show up. We should never curtail young children, who are not used to going out, from going out, but we need to ensure we have gardaí available to support that.

Deputy Sean Sherlock: I record my gratitude to the Chairman, Deputy Ó Caoláin, and the committee for bringing forward a very insightful report and a set of recommendations that I feel are based on common sense, are very pragmatic and should be easily implementable. Arising from those recommendations, I acknowledge the contribution the Police Service of Northern Ireland made to the committee in respect of some of the initiatives in which it is involved, particularly in respect of the use of social media. There are approximately 900,000 followers of the PSNI and it is used as a very good mechanism for communication. Given the times we live in, and notwithstanding the good work of Muintir na Tíre, which is also acknowledged in the report - the text message alerts are very useful and should be retained and resourced - there are also the other forms of social media that present an opportunity for gardaí and the population to engage in a proactive and preventative way where incidents occur.

I was struck today by the intervention of the representative of the Garda Representative Association on “Morning Ireland” in respect of issues in Longford. He mentioned that the force there was operating on a fire brigade basis, which is how he put it. The import was that gardaí are reacting and that they are providing all-to-call service. If nothing else, this report and its recommendations seek to move us away from that towards a more reflective type of policing mechanism, where gardaí are on the ground, gathering intelligence on a day-to-day basis, and they can engage with people actively in a way that prevents crime from happening. If we can take the recommendations in this report and inculcate them into the policing model that is evolving, and let us acknowledge how it is evolving, and if we can achieve that in a pragmatic and sensible way, we could do a lot to prevent what is happening in the towns and cities of the State, and prevent a lot of crime.

We acknowledge there are increasing resources and the magic number is 15,000, if I am not mistaken. However, while seeking to reach that point, we have to try to prevent incidents such as those that are happening in Longford and other parts of the State. If the local GRA representatives are saying we are operating a fire brigade service where we are reacting to incidents and it is very hard to keep on top of that because there is a lack of resources and a need for a stronger Garda presence, then we need to look carefully at what is being said and react positively to it.

I welcome what is a very progressive report. The proposals and recommendations in regard to the Crime and Disorder Act 1998 warrant further investigation and attention. The report states: “The Committee believes that, whilst some collaboration does exist between An Garda Síochána and other organisations to provide community-based services in Ireland, much more needs to be done to implement a properly structured and effective multi-agency model.” It also states:

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The Crime and Disorder Act (1998) defines the core group of agencies involved in these partnerships, as well as their functions and role at the local level. The Committee recommends that serious consideration be given to introducing similar legislation in Ireland.

There is a lot of common sense in that. It could be that this thinking is already taking place within the Department and with the Garda Commissioner. If that is put on some sort of a statutory footing and formalised, it would have a massive impact in terms of how policing is done on this island.

I welcome the report, which is a very good template to work from. The Minister has welcomed the report. I congratulate the Joint Committee on Justice and Equality, in particular its Chairman, Deputy Ó Caoláin, for a very positive intervention.

Deputy Fiona O'Loughlin: I compliment the Chairman, Deputy Ó Caoláin, and committee members on an excellent report. Well done. It is something we have all been waiting for. The findings of the report are very timely in terms of ongoing work that has been happening in regard to reform and in regard to highlighting a number of areas that are very important to all of us, as well as areas that need urgent action.

Community policing is very much focused on the prevention of crime by building trust and strong relationships between gardaí and the community by engaging in different partnership groups and projects in terms of co-operating to improve the area. In that light, we have great leadership in Kildare from Superintendent Martin Walker. Last year, when there was a particular incident in Kildare town, Superintendent Walker started community coffee mornings with members of the community who may feel alienated in regard to going into a Garda station.

It gives older members of the community an opportunity to meet and talk to Garda about their concerns. It has been successful to the extent that it has been piloted in another area as well. Where there is a lack of visible Garda presence, it is a problem. The Minister, Deputy Flanagan, mentioned areas in his county. Four and a half miles from where he lives in the town of Portarlinton, which is the second biggest town in Laois with a population of 10,500, the Garda station operates on a part-time basis. Portarlinton needs a fully operational
6 o'clock Garda station. The Minister will be aware of the many ongoing problems in that area, which I believe could be dealt with through a stronger Garda presence. The Garda stations in Ballitore and Ballymore Eustace have been closed a number of years, with no sign of them being re-opened. It is important that in areas where Garda stations cannot be re-opened for whatever reason, there is a strong Garda presence and that community centres are used as drop-in centres where people can engage with the Garda, including to have forms stamped etc because people without private transport may not be able to travel to a Garda station in a neighbouring town if they need to have forms stamped and their identity verified.

A number of actions can be taken on foot of the findings of this report, with the main action being an increase in the number of Garda on the ground in communities. The establishment of a rural crime task force within An Garda Síochána is important. Time and again there are reports in the national and local newspapers about rural crime. This is particularly difficult for people who are socially isolated. It leads to an extra fear for them.

The CCTV element is important. I welcome the Minister's clarification in that regard. CCTV can play an important role in crime prevention and in providing reassurance. I acknowledge Deputy Rabbitte's point in regard to having CCTV on motorway bridges because

criminals travel the motorways to places like Kildare and Laois that are close to the motorways to commit crime. That is important. Many small towns such as Athy and Kilcullen have made applications for CCTV systems. Other areas such as Newbridge and Rathangan also need it. While I welcome the Minister's clarification that there is now legal certainty in regard to CCTV, the scheme has been stymied by a number of factors, including the initial start-up cost to communities and complexities and delays in the application process. There have been administrative disputes between local authorities and the Garda Síochána in regard to who will be responsible for the operation of the CCTV and data management. Roll out of CCTV is important but it requires greater funding up-front and a streamlining of the grant application process. CCTV would also be of assistance in addressing fly-tipping that is happening in particular areas.

I welcome Deputy Martin Kenny's remarks in regard to sexual exploitation. I did not believe the extent to which brothels were operating in our rural towns until I came across it as close to first-hand as possible. I was completely shocked when I learned of the number of operations here, the length of time they stay in particular areas and of the vulnerable girls, many of them not from Ireland, they move from place to place. We probably would not be aware of these operations but for the businesses located close to them which witnessed what was going on and which reported it to the Garda. In fairness to the Garda, they have taken action. Sometimes it takes a while to gather the evidence in order to be able to take that action. Where we are conscious of these operations we have to work with the local communities to eradicate them but we also have to be patient because the Garda have to gather the proper information before they can act.

Another area that is really important, which I appreciate does not come under community policing and rural crime, is that of domestic violence. It is an area that I feel the Garda is not fully equipped to deal with. I am a member of a local joint policing committee, JPC, which is a role I value. I also value the leadership that is shown by the Garda in the JPC in terms of working with the community. Up to last year, the area of domestic violence was not reported on as a specific statistic. We all know from the horrific statistics that we hear about domestic violence from the organisations that deal with the vulnerable women in this situation, that we need to do more. The Garda needs to be better resourced to deal with it.

My final point is in regard to the large proportion of crime that is being carried out by those on bail for other offences or people with previous convictions for similar offences. We have to respond to this issue by introducing deterrents to re-offending. It is important that we introduce tougher bail laws and legislation to make electronic monitoring a condition of bail for anyone convicted of a serious offence in the previous ten years. Restorative justice was mentioned. It too is important. I had a meeting recently with academics in this area, based in Maynooth University, and gardaí who are experts in this area as well. We need to do more work in terms of the development of stronger policy in this area and to work with those who have committed crime to help them to see the error of their ways and become better citizens of the State. We need to work with young people in particular. My colleague, Deputy Rabbitte, spoke about the juvenile liaison officers, JLOs, who are extremely important. Teenage involvement in petty crime and anti-social behaviour is ever increasing. It is a crime. The reason, in part, there is not more action in this area is because it is sometimes hard to define anti-social behaviour. Anti-social behaviour is not viewed as a real crime, but it is. Where a person's quality of life is impacted by anti-social behaviour it is a crime. We have to be stronger in tackling it. We have to do more to prevent this type of behaviour.

I thank the Minister for being here and I thank the committee and its Chairman for their

sterling work on the report.

Deputy Martin Ferris: I thank Deputy Ó Caoláin and the committee for an excellent report. A lot of research was presented verbally and in other ways to the committee that helped to make this report what it is. I commend everyone involved in that regard.

All of us can recite incidents of types of crime in our communities, much of it similar but some of it more aggressive and violent than others. I have been involved in a lot of communities over the years, particularly communities in which there is a lot of poverty and unemployment. These are areas where people find it very difficult to get employment and areas where there are a lot of single parent families etc. I want to raise an issue that I do not think has been raised this evening, namely, illegal moneylenders. This has been brought home to me in stark terms in recent weeks. I have met a number of very vulnerable people who have been living in fear for a number of years because of these thugs who act as illegal moneylenders. I have spoken to one person who borrowed €2,000 and who has had her hand broken and was beaten in her own house. She has paid back almost €30,000. That is the reality and her immediate family have suffered the consequences by living in poverty in their own home. I have met another family, in which a vulnerable woman borrowed €8,000 from two moneylenders. To date, she has repaid more than €60,000. I know of others who, when they collect their allowances weekly, have illegal moneylenders waiting to take money from them. The people concerned are so vulnerable and fearful that they are not confident or strong enough, because of the fear factor, to alert the authorities to what is happening. They have nobody to turn to. If they make a statement, they are threatened with having their houses burned down or, worse, having their children attacked. This happens across the island, where vulnerable women, in particular, caught in a poverty trap, find themselves in such situations.

I have always been a great believer in the community garda service. I have worked with community gardaí in areas where victims of anti-social activity have had violence inflicted on them. The work of community gardaí because of the relationship built with residents, with whom they are on first-name terms, has resulted in a remarkable change over time. Families might have a young lad who is going astray. The community garda is available to speak to that young person and his or her parents, to support them in making sure he attends school regularly. This is a substantial contributory factor in shaping the future of young people who may be headed down that road.

Whatever needs to be done to protect vulnerable women, in particular, from unscrupulous, vicious thugs who are acting as illegal money-lenders must be done. I am going to the Garda superintendent in my constituency with the names of people I know and the evidence I have been given by their victims. The fear I have is that the people who have given me this information will become targets if their names become known. They have to be protected. I will stress this point when I meet the Garda superintendent.

I will address the issue of rural crime, crimes committed against elderly people living in isolated rural areas, including those living on their own. They are the victims of roaming gangs that know that they are vulnerable and that there is no Garda station in the area, which is the case in most areas in rural Ireland now. The nearest Garda station might be 16 or 18 miles away. As a consequence, the people concerned find themselves at risk from this type of criminality and are living in permanent fear. Most are elderly and need protection and security. In the past there was a Garda station in practically every village in the country. It was not a nine-to-five but a 24-hour job for the garda in the area who was personally acquainted with everyone and

knew everything about the lives of the people living in it.

Another aspect of the issue which has been raised, certainly by some of the Deputies for County Kerry, concerns those who go out hunting at night with lurchers. I am not talking about people who hunt with the permission of landowners and so on. The people to whom I am referring have no permission to go onto anybody's property. If anybody confronts or challenges them, he or she is threatened. The threats include having his or her house or car burned, or worse. There is a fear factor and it is difficult to get anybody to make a statement because if a person does make one, he or she will become a target.

Deputies O'Loughlin and Martin Kenny mentioned domestic violence. People who have been the victims of domestic violence have found themselves in a protected environment, but the perpetrator of the domestic violence has even violated it. Addressing that issue requires someone to go into court to give evidence. There is then the fear factor because pressure is exerted on the person who makes the complaint.

I wish Deputy Ó Caoláin and his team well. They have done a fantastic job. The implementation of their recommendations must be paramount. I have no doubt that the committee will push to ensure that will be the case. The deployment of community gardaí on a small scale has had a substantial effect on the communities to which they have been deployed.

Deputy Jim O'Callaghan: I commend the Joint Committee on Justice and Equality, of which I am a member, on the publication of this important report. We held a number of meetings at which we invited delegates to give evidence on the issues of community policing and rural crime. I thank all those who gave of their knowledge, expertise and assistance to the committee. I thank the Chairman, Deputy Ó Caoláin, and commend him on the excellent work he did in chairing the hearings. I thank all members of the committee for their contributions. I have only been a member of one Oireachtas committee, but the Joint Committee on Justice and Equality has worked very effectively. Oireachtas committees sometimes receive negative coverage in the press which on many occasions is well justified, but those who appear before the Joint Committee on Justice and Equality are treated respectfully and its members discuss issues collaboratively to try to identify the best solutions. There will obviously always be party allegiances, but committee members work as a collective, rather than as members of separate political parties.

On community policing and rural crime, as Fianna Fáil justice spokesperson, I know from travelling around the country that it is a source of great concern for many people in rural as well as urban communities. One thing stands out with reference to the meetings I have attended. Every local community wants to see more members of An Garda Síochána in their area and on the streets. It is slightly unusual compared to the situation in many countries where the police force is seen as a law enforcement agency which locals find oppressive, but that is not the case with An Garda Síochána. That is the positive basis on which we can build policy on An Garda Síochána. Notwithstanding the scandals that existed in respect of the force, there is still very significant confidence in the community in An Garda Síochána and members of the community want to see gardaí out on the streets. That is not just something one hears from people at grass-roots level; we know that many reports have been done on the Garda, including by Mr. Justice Charleton in the tribunal in Dublin Castle or by the Commission on the Future of Policing in Ireland. All the reports indicated that there is a desire in that regard and that there should be an objective to ensure that we get more gardaí out on the street so that they are much more visible than usual.

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In terms of community policing, we need to recognise that we can do more than simply put further gardaí on the street. The Garda need to improve its reliance upon technology. Where there are CCTV cameras there is a greater sense of security among local communities because they feel as though people cannot go onto the streets in the area and engage in unlawful or anti-social behaviour without the risk of being apprehended. I am aware the Government introduced a CCTV scheme and everybody recognises that we need to try to make it more user-friendly so that people in local communities can avail of the scheme without it being too complicated for them.

People must recognise, as they increasingly do, that the public has an important role to play in assisting An Garda Síochána. No matter how many criminals there are in the country, there are many more decent, law-abiding people who want to ensure that the law is upheld. We know that people have WhatsApp groups for their local area, neighbourhood, village or even road or street. They are very effective in sharing information among members of the local community. We must ensure that the Garda take a collaborative approach in respect of that so the information is provided to An Garda Síochána if there are threats or dangers in an area.

Rural Garda stations constitute a controversial political issue. We can agree on one thing in that regard, namely, that people want their local Garda station to remain in their locality. One could have an individual looking at a spreadsheet who says there is no need for a Garda station in a certain area as there is another one close by, but that has a big impact on the confidence of people in the local community and in An Garda Síochána. People want to see more gardaí on the streets and they want to preserve rural Garda stations.

I do not intend to spend too much time speaking on this important issue but I hope the Minister will give consideration to the report. Much effort went into it and it does not contain knee-jerk recommendations. All of them have been considered carefully. It would be appropriate if the Minister and the Government reflected on them and continued what I believe is the objective of all Members of this House, namely, to ensure that we have more community gardaí out on the streets and that people in rural areas, and urban areas, feel a greater sense of confidence and security.

Minister for Justice and Equality (Deputy Charles Flanagan): Once again I acknowledge the importance of this report. It makes a very valuable contribution to policing and the fight against crime. I acknowledge the presentation of the report here this afternoon. I also wish to inform Deputies that I have taken careful note of many of the points raised, all of which I regard as making a valuable contribution not only towards the recommendations in the report but also in terms of informing me of the order of importance in which Members wish to rank issues.

I will not repeat any of the references I made earlier to the recommendations. However, I will add to what I said earlier about the importance of recommendation 6 on Garda youth diversion, which was raised by Deputy Martin Kenny and others. I acknowledge the work of the Minister of State, Deputy Stanton, in particular in that regard. I agree with what Deputy Martin Kenny said about early intervention and prevention, which is a priority theme in the new youth justice strategy currently being developed. The key issue is how best to ensure that there is an integrated approach. I acknowledge the setting up of the interdepartmental and inter-agency steering group involving Garda youth diversion projects and schools with the aim of ensuring a more sustained but also a more holistic approach. It should be noted that I expect that the new youth justice strategy will be finalised next year.

Reference was made to recommendation 12 and the concept of restorative justice, which is again something to which this House has devoted considerable time in recent years. There is a strong recommendation in the report identifying the need to continue with a sense of collaboration with other criminal justice agencies, in particular An Garda Síochána, the Irish Prison Service, victims' groups, advocacy groups and the Probation Service.

Deputy O'Callaghan and rural Deputies in particular made reference to rural Garda stations, which was addressed in recommendation 13. They acknowledged the importance of the role of the Garda Commissioner in that regard in terms of the effective and efficient use of Garda resources. The House will be aware that 139 Garda stations were closed under the Garda station rationalisation programme. However, I take issue with Deputies who repeatedly said that the sole reason for the closure of the stations was due to a shortage of funding. That is not necessarily the case, although the Chair of the committee is indicating that it perhaps was the case. The reason was to provide for a greater concentration on what might be described as smart policing. I met the Chief Constable of the Police Service of Northern Ireland, PSNI, today. Deputies Ó Caoláin and Martin Kenny will be more familiar than most with the situation north of the Border in terms of the dispersal of police officers and rural police stations across Northern Ireland. Again, the focus is on a different type of policing service to communities meaning much more than just bricks and mortar in terms of the existence of a police station. We have, however, seen in this jurisdiction closures of Garda stations resulting in front-line gardaí being managed and deployed with a greater level of mobility and flexibility and in a more focused fashion. That said, I assure Deputies that the OPW and An Garda Síochána and officials in my Department continue to work to ensure positive attention is given to the priorities of the Garda Commissioner and his management team in that regard.

I spoke earlier about the investment of significant resources in increasing the number of gardaí, which was repeated by everybody. I dare say that every member of the committee fully agreed with the need to ensure adequate numbers of police officers. In addition to the implementation plan in the report of the Commission on the Future of Policing in Ireland, specific action in respect of An Garda Síochána to ensure that not only do we have increased numbers but also that those numbers we do have actively engaged across the country are properly resourced by way of equipment, fleet and vehicles. Before the end of this year, we will see the deployment of 2,000 mobile devices for front-line policing. We will also see at the same time this year the acquisition and use of up to 300 new Garda vehicles. Recommendation 14, increasing the use of social media, reflects a more modern approach to policing in the 21st century. I also welcome recommendations 18 and 19 on crime prevention, issues such as marking a property in rural areas and the text alert schemes. I agree with Deputies about the apparent cumbersome nature of the current CCTV scheme. I am working with officials to ensure that we can perhaps, as Deputy O'Callaghan said, make the scheme more user friendly and attractive to community groups to make applications.

Deputy Ferris has left but he mentioned a specific issue in respect of illegal moneylending which is not, I think, referred to in the report but which has been brought to my attention in my constituency. I will commit to making further contact with the Deputy on the basis of a note that I have taken. I agree that this is an issue that requires attention. I am happy to engage further, perhaps directly with the Deputy or others if they have experienced the same reports as have been put before the House. I express my appreciation, and that of the Government, to the members of the committee and the organisations that made contributions. I assure the House that I will continue to work on delivering a modern police service, working closely with

communities. I acknowledge a study undertaken by *The Irish Times* that shows a high degree of trust and confidence on the part of the people in An Garda Síochána as a police service, acknowledging a difference between the police service here and those in other jurisdictions because, since its foundation almost 100 years ago, it has been firmly rooted in the community and that is what makes it unique among police services. It is important that we continue to make proper and adequate resources available to An Garda Síochána so that it can remain firmly rooted in communities and, at the same time, be equipped with the modern technological advances needed to meet, head on, the changing challenges in respect of criminal activity while ensuring that we have a police service that works with communities and other agencies to keep communities safe, prevent harm and protect the most vulnerable members of society. I thank the committee and I will have further opportunity of engaging with the Chairman about specific action on many of the recommendations.

Deputy Caoimhghín Ó Caoláin: I will close this debate with a few brief remarks, having made all the salient points I intended making in my opening contribution. I thank all Members who have contributed to the debate, not least the Minister for his attendance and participation. Go raibh míle maith agaibh uilig.

Despite the fact that we are all elected to what is, very often, a highly charged political chamber and atmosphere, the members of the Oireachtas Joint Committee on Justice and Equality have jointly produced, and unanimously adopted, a report and recommendations that also have the endorsement of those who came before us in our series of hearings, including the many rural Ireland representative organisations that presented and made submissions. Now, this evening, they have the welcome of colleagues, both from Government benches and Opposition voices across the board.

Community policing requires high Garda visibility which, in turn, encourages public confidence and helps secure real engagement and support in what needs to be a shared response to the threat that crime and criminals present. The almost heretofore absolute dependency on members of An Garda Síochána responding to a range of situations that are not of their primary range of functions, at so-called “out-of-hours” periods of the day and at weekends, is no longer acceptable. Having a multi-agency, 24-7 response on standby, to meet the many situations that can and do arise, is imperative. The key health and child and welfare services together with others must be an integral part of this multi-agency, 365-day response.

The Minister is correct that the committee was of one shared mind on the importance of increased numbers of sworn members of An Garda Síochána in active service. I emphasise the importance of adequate resourcing of our policing service if we, the elected voices of the people of this State, are to succeed collectively as we have given a commitment to do.

I encourage the Minister to address speedily and implement the recommendations in our report, in conjunction with the recommendations in the report of the Commission of the Future of Policing, which we unanimously supported and which I wish to record, on behalf of the committee, we endorse and commend to the Minister. There is work to be done. There are two complementary reports that together I hope will help chart a course to a new era of policing to which we can look forward with the confidence that we and the Irish people deserve.

While I would have to go back over the record of this debate, the Minister did not, I certainly did not and most Members I listened to did not reference a phraseology that once applied to An Garda Síochána, which was to talk of a police force, and that is wonderful. I commend the

Minister and all those who contributed, quite rightly referencing An Garda Síochána as our police service. There is a massive difference and it is critically important. Language is important and it is part of building that confidence and trust within our communities. I thank the Acting Chairman, Deputy Durkan, and the Members of the House for their attendance at this late hour on a Thursday evening. Go raibh míle maith agaibh arís.

Question put and agreed to.

Message from the Standing Business Committee of Dáil Éireann

Acting Chairman (Deputy Bernard J. Durkan): The Standing Business Committee has completed its consideration, under Standing Order 27AC of:

The request by the Minister for Justice and Equality to waive the requirement for detailed scrutiny of the Landlord and Tenant (Ground Rents) (Amendment) Bill 2017, Private Members' business, by the relevant committee, under Standing Order 84A, and has agreed thereto.

The Dáil adjourned at 6.40 p.m. until 2 p.m. on Tuesday, 25 June 2019.