



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

Finance Bill 2019: Second Stage (Resumed) . . . . .	530
Finance Bill 2019: Referral to Select Committee . . . . .	536
Industrial Development (Amendment) Bill 2019 [Seanad]: Second Stage . . . . .	536
Industrial Development (Amendment) Bill 2019 [Seanad]: Committee Stage . . . . .	547
Ceisteanna - Questions . . . . .	549
Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions . . . . .	549
Rural Regeneration and Development Fund . . . . .	549
Brexit Preparations . . . . .	552
RAPID Programme . . . . .	554
Fire Safety . . . . .	556
Community Development Initiatives . . . . .	558
Ceisteanna Eile - Other Questions . . . . .	560
Local Improvement Scheme Funding . . . . .	560
Rural Regeneration and Development Fund Expenditure . . . . .	562
Community Services Programme Administration . . . . .	564
Local Improvement Scheme . . . . .	566
Departmental Strategy Statements . . . . .	568
Visit of Romanian Delegation . . . . .	569
Gnó na Dála - Business of Dáil . . . . .	570
Ceisteanna ó Cheannairí - Leaders' Questions . . . . .	571
Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation . . . . .	581
Finance Bill 2019: Financial Resolutions . . . . .	592
Public Ownership of the National Broadband Network: Motion (Resumed) [Private Members] . . . . .	596
Message from Business Committee . . . . .	607
Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters . . . . .	608
Report of the Committee on Procedure on Dáil Divisions: Statements . . . . .	608
Personal Explanation by Members . . . . .	627
Industrial Development (Amendment) Bill 2019 [Seanad]: Committee Stage (Resumed) and Remaining Stages . . . . .	629
National Children's Hospital: Statements . . . . .	630
Saincheisteanna Tráthúla - Topical Issue Debate . . . . .	652
Water Supply Contamination . . . . .	652
Message from Select Committee . . . . .	655
Saincheisteanna Tráthúla (Atógáil) - Topical Issue Debate (Resumed) . . . . .	656
Garda Resources . . . . .	656
Health Services Provision . . . . .	658
General Practitioner Services Provision . . . . .	661

# DÁIL ÉIREANN

*Déardaoin, 24 Deireadh Fómhair 2019*

*Thursday, 24 October 2019*

Chuaigh an Cathaoirleach Gníomhach (Deputy Eugene Murphy) i gceannas ar 9 a.m.

*Paidir.*

*Prayer.*

---

## **Finance Bill 2019: Second Stage (Resumed)**

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

**Deputy Bernard J. Durkan:** This Finance Bill comes after a long series of Finance Bills I have had the pleasure to speak on over the years. It gives statutory effect to this year’s budget, which was drawn up and passed by the House against the backdrop of Brexit. The challenges envisaged in the budget will remain for some considerable time. The measures taken in the budget and which follow in the Finance Bill were prudent and well identified and had to be taken. While there may be issues outstanding that we have not seen or that have not emerged yet in terms of its impact on this country, the budget was the best that could be produced. It was not a giveaway budget, nor could it be. Similarly, the Finance Bill giving effect to those measures must be and is prudent. Obviously, the issue at present is Brexit.

We also have the issue of climate change, which is serious, and we are in a quandary there. We do not know as a society what we should do, according to all reports, or whether there will be salvation for us at the end of the day. I am of the view that there will be. As a country, we are still a going concern. The measures already put in place - the climate change Bill and associated measures and the measures taken in the Finance Bill - will ultimately bring about Ireland’s compliance with the international targets set and agreed to, and that will be in our interest as a country. We must bear in mind that many people claim that, for example, the agriculture sector should be closed down because we cannot survive its impact on the environment and so on. I do not accept that at all. We can and should proceed in a balanced fashion, bringing along with us as a result the economy with all its trappings, the people and the administrators in society. There are those who say we in this House are those people. So far so good. A further explanation needs to be made as to how the general public can make its contribution to the challenges that lie ahead in respect of climate change. That is important and should be done as soon as possible and, as a result, we should have no qualms about our ability to tackle those challenges.

As for the economic position in general, it is no harm to reflect on how far we have come over recent years, the sacrifices that had to be made and the cost to society and to the people of

this country. That should serve as a warning to us not to go down that road again, even though we hear calls all the time from many sectors of “let us have more”, “give us more” and “we deserve it”. There are shades of the boom in that message that we deserve it. Of course, we all deserve it; we all deserve more and we should have more. However, the fact is that if we become reckless in handling our economy, there will be nothing left. If we have to revisit the events of the past ten to 15 years, it will not be so easy the next time. It is all fine for people to stand up in this House and say there were better ways, that we should not have had to pay anybody and that it should have been much easier. There is nothing easy. If a country goes to a bank and borrows money, and says a short time afterwards, “By the way, that money we borrowed from you, we think we should not have to pay it back”, we would get very cold comfort by way of response from the lending institutions. If it were otherwise, then our whole system would collapse.

I believe this Finance Bill is a watershed. It dealt with the manifold issues right in the face of the storm. Brexit is still not finally settled and we do not know at what stage it will be finally settled; it may be six months or two or three years, but we do not know. The fact is we have managed to survive so far, albeit with considerable difficulty. It goes without saying we should acknowledge the contribution of all parties in the House to that unified approach in regard to Brexit, which was critical to the success or failure of the negotiations. If we had done otherwise and if we had gone in all directions, with everybody citing their own case and neglecting the national interest, that would have been a different story and there would have been a very high cost. To be fair to everybody, I acknowledge the support received from all sectors and all parties in the House, including the Independents. Hopefully, that will stand us in good stead as time goes on.

**Acting Chairman (Deputy Eugene Murphy):** As no other speakers are offering, I call the Minister of State, Deputy D’Arcy, to conclude.

**Minister of State at the Department of Finance (Deputy Michael D’Arcy):** I thank the Deputies who contributed to the debate. I will respond in detail to as many Deputies as possible.

I want to set out again the context in which the Bill is being framed, which is, of course, Brexit. The immediate threat is Brexit and we still are uncertain as to how it will play out. We hope that the withdrawal agreement will be ratified but it is only prudent to remain cautious until this has taken place following a vote in the House of Commons and House of Lords. Until the withdrawal agreement is fully ratified, the risk of no deal remains and this budget and the Bill are, and must be, predicated on this. Budget 2020 was published on 8 October on the basis of a no-deal Brexit and makes more than €1 billion available for spending in the event of no deal. It is striking how many twists and turns there have been in regard to Brexit in the short time since the budget was published on 8 October.

While Brexit is the immediate threat, climate change and the environment is the defining threat of this generation. The Government will respond partly by increasing expenditure on climate action measures, as the Minister has indicated. There will also be a regulatory response. However, given that we are discussing the Bill, I wish to make it clear that the Government firmly believes that the response has to involve a carbon tax increase. The Bill commences the incremental process of increasing the carbon tax by €6 per tonne on an annual basis to 2029, bringing carbon tax to €80 per tonne by 2030. The Minister, Deputy Donohoe, said that he had decided to delay its application of this increase to other fuels until May 2020, after the winter

heating season. This is to protect those who rely on fossil fuels for heating during the colder months and I agree completely with this.

The Government was not able to commit to across-the-board personal tax cuts at this time of economic uncertainty, as to do so could undermine the sustainability of our public finances. That said, Ireland has one of the most progressive income tax systems in the developed world, the most progressive within the EU and the second-most progressive within the OECD. In 2018, it was estimated that the top 1% of earners in Ireland, who are in receipt of 12% of total income, paid more than 25% of all income tax and USC.

The Government is committed to creating a supportive environment for enterprise and employment. The Bill provides for a number of significant enterprise taxation supports by way of broadening access to the key employee engagement programme, KEEP, the employment investment incentive, EII, and the research and development tax credit. The Bill provides for the income tax measures announced on budget day, applying increases to the home carer's credit and the earned income tax credit. It also provides for the extension of the help-to-buy scheme to the end of 2021.

I reiterate that the Government's position remains that workers start to pay the higher rate of income tax at too low an income. When economic conditions allow, the Government remains committed to tax cuts that are focused on raising the level the higher rate is applied at, ultimately to €50,000, to ensure that Ireland remains competitive with neighbouring jurisdictions.

I appreciate there are concerns about the size of corporation tax receipts and over-reliance on them. The Government recognises the potential risks associated with the concentration of corporation tax receipts, and a paper examining options to address fiscal vulnerabilities was published on budget day. While corporation tax receipts are concentrated, this concentration has been relatively stable over time. Corporation tax receipts represent a sizeable element of overall tax receipts, at approximately 19% last year, but, to put this in context, income tax and VAT still account for approximately two thirds. Ireland's corporation tax, as a proportion of economic activity, is broadly in line with that of other small, open European economies. We are not complacent about the risks associated with heavily concentrated corporation tax receipts, and actions have been taken to mitigate vulnerabilities through broadening the tax base, prioritising paying down the level of debt and running an Exchequer surplus. It is worth noting that while corporation tax has displayed remarkable growth, other tax heads such as income tax and VAT have also continued to grow, albeit not at such an accelerated pace. Income tax and VAT grew at 6% and 7% last year, respectively, compared to corporation tax growth rate of 27%, part of which was attributable to one-off factors such as the introduction of new international accounting standards.

Ireland's number one attraction from a corporation tax point of view is the certainty we offer investors through stable, consistent and transparent policymaking, and our corporate tax regime is only certain if it is defensible. This Bill includes a number of significant changes to address the issue of tax avoidance. There are some changes relating to IREFs to address aggressive tax planning activities identified by Revenue on examination of IREF accounts filed this year. The Minister also indicated his intention to make some further amendments on Committee Stage to ensure that the aggressive activities of some entities do not negatively impact on bona fide, third party lending in vehicles funding much-needed development projects. There are also amendments to the REIT regime and to the taxation of securitisation vehicles to strengthen anti-abuse measures and ensure appropriate taxation is collected. Transfer pricing rules are being updated

and extended.

As part of Ireland's commitment to implementing the anti-tax avoidance directive, ATAD, new anti-avoidance measures are being introduced this year in the form of ATAD-compliant anti-hybrid rules. As well as tackling avoidance, these reforms enhance the legitimacy of Ireland's corporation tax regime internationally.

I now turn to specific issues raised in the House yesterday evening. Deputy Michael McGrath referred to supports for small businesses. The Minister introduced new measures to enhance the research and development credit for micro and small companies on budget day. The Deputy expressed his hope that the KEEP programme will function more as intended and attract more and more participants. As he will be aware, in June of this year, the Minister asked departmental officials to host a town hall-style meeting with representatives of the SME sector to put industry expertise to the fore when designing the changes to the various SME incentive measures that we see set out in the Bill. I share the Deputy's hope. In moving on the proposals most sought by the sector, my expectation and that of the Minister is that KEEP, the EEI and the other measures will strengthen the support offered to Irish entrepreneurs and innovators.

Deputies Michael McGrath and Ó Cuív referred to the rate of VAT on food supplements. Domestic VAT legislation does not provide a zero rate for food supplement products; instead, there is a legislative provision for zero rating of food. Article 110 of the EU VAT directive is the basis for the zero rate for food in Irish VAT law. Under that article, member states that on 1 January 1991 were applying zero rates or reduced rates of VAT lower than the minimum rate of 5% may continue to apply those rates. Member states are not permitted under the provision to introduce new derogations or extend the scope of existing derogations. The legislative provision for food and drink was in place on 1 January 1991, but there was no legislative provision for food supplement products and, as such, they cannot legally be zero rated.

Deputy Michael McGrath welcomed the introduction of the *de minimis* relief for bookmakers but believes it does not go far enough. The aim of the relief is to alleviate any disproportionate impact of the budget 2019 betting duty increases. It takes account of concerns raised by industry and others on behalf of small rural independent bookmakers by having regard to the general competitive advantages held by large retail and online bookmakers.

Deputy Michael McGrath called for the provision of transitional arrangements in section 60, which apply to cancellation schemes of arrangements. The measure differs from changes in previous Finance Acts, which mainly dealt with rate changes, as it seeks to address a gap in the legislation with immediate effect and to provide a level playing field in the form of transactions that have similar outcomes - that is, the sale and acquisition of a company - being subject to similar tax treatments. The Minister, therefore, has decided not to provide for transitional arrangements in these circumstances.

Deputy McGrath also referred to the changes to VRT relief on hybrid vehicles. The VRT relief for hybrids and plug-in hybrids were due to expire at the end of 2019. In the Bill, the Minister is extending the relief for a further year until end 2020. However, in the context of ensuring value for money for taxpayers and in light of trends in the emissions profile of certain hybrid models, the relief will now be subject to CO<sub>2</sub> emissions thresholds of 80 g/km for conventional hybrids and 65 g/km for plug-in hybrids.

I welcome the support of Deputies Michael McGrath and Pearse Doherty for the changes

made to the REIT and IREF regimes on budget day. As the Minister stated, the changes to the IREF regime were made at the earliest opportunity after analysing the first sets of IREF accounts that were filed earlier this year. Officials in the Department of Finance have been instructed to continue their analysis of the sector, as evidenced by an additional provision introduced in the Bill to ensure that more data are collected from funds operating within the regime. This additional information will inform future policy decisions.

I welcome Deputy Michael McGrath's continued support for the 12.5% corporate tax rate and note his comments regarding the ongoing tax reform work at the OECD. We recognise that further change is coming in international taxation and the Minister's priority will be that Ireland's interests are protected as this important work develops.

In response to the comments of Deputy Paul Murphy, I point out that IREFs were introduced in 2016 to prevent international investors avoiding tax in respect of Irish property. The changes being made in the Bill are to ensure that the regime operates as intended and represent further actions to support the original policy intention. This further demonstrates the Government's continuing commitment to addressing aggressive tax planning.

Deputy Pearse Doherty raised a question about a particular REIT. The Deputy will be aware that I cannot comment on a specific taxpayer. The changes made to the REIT regime apply to all current and future REITs in Ireland. The Deputy asked why we did not provide for the higher rate of stamp duty on the sale of that company. The rate of stamp duty payable on the acquisition of the stocks and marketable securities of Irish incorporated companies is normally 1%. The higher rate only applies in limited circumstances as set out in section 31C of the Stamp Duties Consolidation Act 1999. That measure is aimed at entities that deal in land or that develop land for non-residential purposes, so not all entities deriving value from property are encompassed by it. The targeted transactions under section 60 have a similar effect as the sale and transfer of shares and, as such, will be liable to stamp duty at the normal 1% rate for the sale of shares.

The existence of an incentive such as the special assignee relief programme, SARP, is an acknowledgement that we are competing on a global basis for highly skilled and mobile executives. The competition for this talent is intense, and particularly for the types of skills required to facilitate the development and expansion of businesses in Ireland. I refer to the recent independent review. The Minister accepts that the rationale for SARP remains valid in such uncertain times. We simply cannot ignore the fact that the countries with which we compete for investment operate schemes similar to SARP. The revenue we raise from SARP employees is revenue that we would not get if their employers chose to locate them, and the economic activity they drive, elsewhere. I acknowledge that the cost of SARP was increasing at an unsustainable rate. As Deputies Pearse Doherty, Burton and Paul Murphy will recall, in the Finance Act 2019, the Minister put a ceiling on the relief that may be claimed by an individual and I expect that we will see that cap having a marked effect on the cost of the scheme from this year onwards.

Deputies Pearse Doherty and Paul Murphy criticised the decision to extend the help-to-buy scheme for a further two years. However, the relief caps out at a property value of €400,000 and is not available for properties valued in excess of €500,000. Deputy Paul Murphy suggested a property costing €400,000 is within reach for a couple each of whom earn little more than the average full-time wage.

On the comments of Deputies Burton and Healy on bank losses, Deputies will be aware that

a technical paper was produced and published by the Department of Finance on the potential consequences of a measure such as that suggested. As Deputy Burton noted, however, the banks are contributing to the Exchequer through the bank levy. Provisions relating to the bank levy is being introduced in the Bill to ensure that this revenue continues to be collected. Loss relief is a long-standing feature of the corporate tax system and a standard feature of corporation tax systems in all OECD countries. Loss relief is not specific to any one business sector. It recognises the fact that a business cycle runs over several years and that it would be unbalanced to tax profits earned in one year and not allow relief for losses incurred in another.

Deputies Burton and Broughan referred to the absence of indexation of tax bands and credits in the Bill. As stated by the Minister at the time of the budget, there is a prudent rationale behind the approach taken in regard to personal taxation. It was acknowledged that the budget was framed against the contingency of a hard Brexit. In that context, it would not have made sense to provide for reductions and then be faced with the prospect of having to claw back most or all of the benefits given to taxpayers. Aside from that, of course, Deputies will be aware that successive Governments have declined to go down the road of indexing bands and credits on an automatic basis as such an approach would limit the policy choices available to the Government.

Several Deputies referred to the impact of the increase in carbon tax on the less well-off. I accept that increasing the carbon tax without taking any compensatory measures would likely be regressive because it would impose a greater burden, relative to resources, on lower-income households. To counteract this, the Government is increasing the fuel allowance by €2 per week. The increase applies from 1 January and entails an annual benefit of €56. This will leave the 22% of households in receipt of the fuel allowance better off than before the increase in the carbon tax. This ensures that the most vulnerable in society are protected from the increased carbon tax. I remind the House that the home heating fuel increase has been delayed until May 2020, after the winter season.

In response to Deputy Broughan's query, the hybrid entity rules that are being introduced are fully in line with the requirements under the anti-tax avoidance directive. Indeed, they exceed the minimum requirements in some places. The purpose of the directive is to ensure these anti-hybrid measures, which arise from the OECD base erosion and profit shifting process, are introduced in a co-ordinated and coherent fashion across the EU to ensure common standards. The Minister has chosen to exceed the minimum standard in the anti-hybrid rules by including optional defensive rules to prevent Ireland being used as a location for hybrid entities of companies established in other countries. As he has said on many occasions, Ireland is fully committed to the ongoing process of international tax reform and to ensuring Ireland's tax system is transparent and in line with agreed international standards. Like the controlled foreign company rules that were introduced last year, the anti-hybrid rules are intended to prevent aggressive behaviours. Therefore, no specific yield estimate has been attached to these rules.

We are conscious of the need to evaluate the research and development tax credit regularly. However, it is important to recognise that this generous tax credit is one of the few corporate tax credits we have in Ireland, particularly when compared with other jurisdictions. We are mindful of the need to maintain a competitive corporate tax regime to attract substantive investment that creates high quality employment in Ireland.

Given where we are in respect of Brexit and in light of the need to address climate issues, I consider that the Finance Bill 2019 strikes the right balance. As the Minister has said, we

will consider any suggestions that are made during the Committee Stage debate, including any amendments that are proposed. I commend the Bill to the House and look forward to Committee Stage.

Question put and agreed to.

### **Finance Bill 2019: Referral to Select Committee**

**Minister of State at the Department of Finance (Deputy Michael D'Arcy):** I move:

That the Bill be referred to the Select Committee on Finance, Public Expenditure and Reform, and Taoiseach pursuant to Standing Orders 84A(3)(a) and 149(1).

Question put and agreed to.

### **Industrial Development (Amendment) Bill 2019 [Seanad]: Second Stage**

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** I move: "That the Bill be now read a Second Time."

I welcome the opportunity to present this Bill to the House. I am grateful to the Members of Seanad Éireann for ensuring the speedy passage of the Bill in that House on 10 October last. I look forward to seeing the Bill progress through this House as quickly as possible with the kind support of Deputies. The Bill needs to be passed quickly because it is yet another flanking measure that seeks to ensure our businesses and our economy will be as resilient and as prepared as possible in the event of a disorderly or orderly Brexit.

As the Minister, Deputy Humphreys, said in the Seanad, the provisions of Part 3 of the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019, which is known as the Brexit omnibus Act, are set out again in this Bill. The substantive provisions relate to the granting of lending powers to Enterprise Ireland with regard to debt finance and the purchasing of shares etc. Other provisions in the Bill relate to support for research, development and innovation in several critical sectors. As part of the Brexit omnibus Act has not been commenced, it is prudent and proper to introduce those provisions in this stand-alone Bill now. This approach will further help the enterprise base to remain competitive on the global market through the support of Enterprise Ireland, thereby mitigating the adverse effects of Brexit, regardless of what its nature will be. Many of the provisions of this Bill, including Enterprise Ireland's proposed new lending powers and the enhanced grant-giving provisions in the area of research and development, were discussed during the passage of the Brexit omnibus Act earlier this year. Additionally, the Bill before the House proposes technical amendments to increase the aggregate limit for funding to the enterprise development agencies and to increase the aggregate limit on grants made to Microfinance Ireland.

I welcome the agreement that was reached last week between the EU and the UK on a revised withdrawal agreement and a political declaration on the future relationship between the

EU and the UK. The Taoiseach has confirmed his support for President Tusk's proposal to grant the extension sought by the UK to give the UK Parliament more time to enact the necessary legislation aimed at ratifying the withdrawal agreement. Notwithstanding the great challenges of Brexit and other international developments on the horizon, the Government is determined to plan and prepare for future growth and the jobs of tomorrow. Despite all the uncertainty, Irish companies have continued to win sales around the world. We must ensure we can sustain these success stories and sustain and increase our market share in the UK and global markets.

The provisions of this Bill must be considered in the context of Enterprise Ireland's development and diversification agenda. The Government's ambition, through Enterprise Ireland, is to increase the exports of Irish companies to the eurozone by 50% by 2020, or from €4.1 billion in 2016 to €6.5 billion next year. A great deal of work is ongoing to drive this ambition. As part of the global footprint initiative, Enterprise Ireland has announced the targeted expansion of its overseas presence in 2019. Fifteen new posts are being created across 13 countries to help more Irish companies to accelerate their market diversification efforts. This will include new offices in Germany, France, the US, Denmark, Vietnam and Australia. This year, Enterprise Ireland's schedule for international trade mission and events covers an impressive total of 207 events in Ireland and international locations, including 73 ministerial-led trade missions and events. This includes missions across the eurozone, North America, the Asia-Pacific region, the UK, the Nordic states, central Europe and Latin America.

As outlined in budget 2020, the Government is putting in place an additional contingency package of more than €1 billion for Brexit supports for the coming year. This contingency will ensure an initial provision of €110 million will be available to the Department of Business, Enterprise and Innovation and its enterprise and regulatory agencies to provide targeted supports to affected businesses in the immediate aftermath of a no-deal outcome. This contingency funding will allow additional tranches of supports to be provided to meet actual needs in critical areas as the impacts of a no-deal outcome develop. The targeted no-deal supports that have been developed by the Department will be available to companies of all sizes, including microenterprises and small and medium-sized enterprises, SMEs. The sectors that are most exposed include those with a focus on food, manufacturing and internationally traded services. Exporters and importers are both included in this context. As the Department plans for no-deal Brexit enterprise support schemes, its supports will be prioritised in the first instance to assist the firms that will be most affected by Brexit and have future potential. In other words, we will focus on firms that are vulnerable but viable. In the event of a disorderly Brexit, it is essential that appropriate mechanisms are in place to provide liquidity support to businesses.

This Bill proposes to amend the Microenterprise Loan Fund Act 2012 to provide a further €10 million to Microfinance Ireland, MFI. This will improve the SME and microenterprise lending market and maximise the ability of businesses to access appropriate finance at a time when liquidity will be critical. This legislative amendment will enable loans of between €25,000 and €50,000 to be made available to businesses based on the Brexit-related eligibility criteria that apply under the Brexit loan scheme. As a further enhancement, MFI will be able to support the local enterprise office, LEO, network. A combined LEO-MFI Brexit support product will offer funds of up to €100,000 to LEO clients, with MFI servicing the first €50,000 and a LEO repayable grant providing the remainder up to a maximum of €100,000.

The likely immediate consequences of a hard Brexit include currency movements, supply chain constraints, delays, duties and tariffs. This will place a strain on the working capital position of businesses in the first instance. The urgent support requirement for these sectors will be

financial liquidity, which will be available through the funded supports of the Strategic Banking Corporation of Ireland, the Brexit working capital loan scheme, Microfinance Ireland and the credit guarantee scheme. This will be available to all sectors. The key message the Minister, Deputy Humphreys and I have been constantly delivering to business is the critical importance of putting in place working capital safety nets to deal with short-term liquidity demands, including through the Brexit loan scheme.

Adopting new customs arrangements will be a key challenge for business trading with the UK. In addition to the training programmes being rolled out by the local enterprise offices, LEOs, Enterprise Ireland, EI, and by Bord Bia in early August, my Department and the Department of Education and Skills, through a joint initiative with Skillnet and EI, launched Clear Customs, a new €5 million customs recruitment and training initiative. This initiative will boost the number of specialists by more than 500 in customs agents and firms.

With regard to EI's most Brexit-exposed clients, more than 530 companies received approval for funding of €74 million in total in 2018. We need to build on these supports and to provide further latitude to our development agencies to provide a wider suite of supports and flanking measures to help mitigate the negative effects of Brexit. Through these legislative amendments to section 29 of the Industrial Development Act 1986, as proposed in section 1, we are enabling Enterprise Ireland to help position Irish businesses to be more agile and to be able to respond to global challenges, including Brexit. By enhancing their research, development and innovation capabilities and activity Irish firms will have a greater competitive advantage and will be able to maintain it by developing cutting edge products and services that are better performing, more efficiently delivered and more effective for their customers.

The amendments remove the 50% cap set in national legislation on the research and development grant rate to allow EI to fund within permissible EU state aid rules and to pre-fund research and development grants to companies of all sizes. Allowing EI the flexibility to offer enhanced research and development supports will provide for the development of new or substantially improved products, services or processes and assist businesses to grow and increase employment by remaining competitive. All research and development projects that will benefit from the introduction of these amendments but we will still have to meet value for money criteria and comply with the Enterprise Ireland conditions related to the offer of research and development grants.

Section 2 is a technical amendment, which increases the aggregate capital funding that can be provided to IDA Ireland, EI and Science Foundation Ireland from €7 billion to €14 billion. Primary legislation currently sets a statutory limit of €7 billion on the aggregate capital funding that can be provided to these agencies since 1993. As the combined cumulative totals being prepared for the agencies annual financial statements as of end 2018 amounted to €6.543 billion, it is timely to increase the limit for the total capital amounts that the Minister is empowered to provide to these agencies.

Section 3 aims to permit EI to lend and participate in certain types of follow-on investments and provides that Government approval is required for investment amounts or loans in excess of €7.5 million for any client. Providing EI with the powers to facilitate additional lending and investment instruments in certain circumstances increases the flexibility to support enterprise development and to manage its investments on a par with private sector investors. Such additional powers will help to preserve the value of the State's investments in these businesses and will assist companies through restructuring or redevelopment programmes that may be critical

in the weeks and months ahead. I emphasise that there is no additional cost to the Exchequer as the cost of these enterprise supports will be accommodated within EI's existing budget. It is now more important than ever that EI can respond in an agile and flexible manner as the opportunities and challenges for its client companies change, specifically in the context of a potential no-deal Brexit, and as the investment market changes. It is also important that EI can flexibly deploy the widest array of interventions that match supports available in other countries, particularly now in a Brexit context.

Section 4 provides for a technical amendment to section 5(2) of the Microenterprise Loan Fund Act 2012.

Section 5 caps the equity that Microfinance Ireland can receive at €25 million, providing for a grant of €10 million under section 5(1) and a further €15 million under section 5(2). The amendment to section 5(2) of the Act will increase the funding by €10 million, from €15 million to €25 million, to a total of €35 million. This will mean that up to €10 million in additional funding can be provided to enable Microfinance Ireland to provide increased lending in the event of a disorderly Brexit. The section also provides for the repeal of Part 3 of the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2019, as this Part is now contained in this stand-alone Bill.

Section 6 provides for the Short Title, collective citation and construction of the Bill. It also provides for the Minister for Business, Enterprise and Innovation to commence the Bill, or sections of it, as appropriate.

In summary, the proposed amendments to allow an extension and enhancements to research and development supports aim to help firms that have tight cash flows to commence important research and development projects. EI can already do this with small companies. In proposing the amendments to the Microenterprise Loan Fund Act 2012, we can maximise the ability of businesses to access appropriate finance at a time when liquidity will be critical.

**Acting Chairman (Deputy Eugene Murphy):** I must ask the Minister of State to conclude. He will have a further five minutes at the end of the debate.

**Deputy Imelda Munster:** Sinn Féin supports this Bill. We support all measures that will provide support for businesses and workers whose livelihoods will be adversely affected by Brexit. As the Bill, with the exception of the two new provisions, has passed through the Houses and my colleague, Deputy Quinlivan, has addressed it, I do not propose to speak to it in detail.

The only amendment to the Bill appears to be the increase in the aggregate limit for funding to Microfinance Ireland and the Science Foundation Ireland, which is fine, but it is not enough. While I support the Bill, I am frustrated that the Government is not doing a lot more. In the period since the Bill first passed through the Houses, serious issues have been raised in regard to State supports that have not been addressed in the Bill or elsewhere. For example, the British Irish Chamber of Commerce, IBEC and the Small Firms Association have all said that their members have serious concerns regarding the Brexit loan scheme. They believe it is overly bureaucratic, the qualifying criteria are such that some of the most businesses most vulnerable to Brexit have been excluded, and businesses that need support are not going to take on debt at a time of major uncertainty. This is evident in the low uptake of the supports, which has been highlighted on numbers occasions.

In regard to the Brexit loan scheme, as of this month, fewer than 200 loans worth €44 million, have progressed to sanction at bank level. In the case of the future growth scheme, 366 loans worth €58 million have progressed. The Minister has not addressed these matters. I do not understand why she has not altered the schemes to ensure they target the right sectors and the right businesses or provided additional supports for those who cannot borrow. Owing to the uncertainty, people are reluctant to borrow. Supports are also need for people who need assistance to diversify, to upskill workers and to do all they can ahead of Brexit to prepare. My colleague, Deputy Quinlivan, asked for a review of these schemes to establish what went wrong and how it might be rectified. His amendments were not supported on the basis that the Minister is engaging with other reviews. She has not shared the findings of those reviews with us, or what action she proposes to take.

During the passage of the Bill through the Seanad a week or so ago, the Minister said that she had not heard any complaints about the scheme. At a committee meeting yesterday, which I had requested to address these issues, several groups who represent business and workers raised concerns. I hope the Minister will review the submissions made to the committee and heed the concerns raised. She repeated her statement of two weeks ago that she had not heard any complaints about the schemes despite the low uptake at yesterday's meeting.

The budget is also another disappointment in this regard. Rather than a concrete plan, we were given vague statements relating to grants, loans and equity but nothing that might be useful or practical for business. I am glad that the Government has finally listened and has made provision for a €1.2 billion Brexit fund. It is not as ambitious as the Sinn Féin proposal for a €2 billion fund, which is money from State resources rather than borrowed money, on which the Government is relying. However, what is provided is better than nothing. I am sure it will reassure businesses that they will not be left completely to their own devices in the case of a no deal. These provisions are more of a crisis management approach than a Brexit plan. It is shocking that, at this late stage of the process, businesses are still unprepared and many feel the Government is failing them. The Border region is most exposed. Businesses in Border counties, including my constituency of Louth, are worried. There is nothing in this Bill that will specifically help the Border counties. I have tabled two amendments that seek to ensure Border enterprises are prioritised. I hope that the Minister, as a Border Deputy, and given the acknowledgement in her Seanad speech that the Border will be worst affected, will support these amendments on Committee Stage.

The Border region has long suffered from underinvestment and neglect. Since Fine Gael came to power this has escalated and my own town of Drogheda is a prime example. I will discuss this further when I speak to my amendments. As this Brexit fiasco lurches from crisis to crisis in Britain, Border businesses are taking a hammering. Confidence is at an all-time low and it will ebb away as long as this goes on. It is important for those areas to see that the Government is standing with them, prior to and following Brexit.

The Bill will do the bare minimum. It does not offer targeted specific supports for businesses. That was made clear in the submissions. The supports offered have more of a consultation element to them, rather than being specific and targeted. It makes no provision for workers or people. An additional allocation was made in the budget for social welfare in the case of job losses. The Irish Congress of Trade Unions, ICTU, has said the same. There is nothing concrete to ensure that workers remain in their jobs. While investment in business is needed, the Government also has to invest in people to ensure they are supported to upskill or diversify their skills while remaining in work. This was done during the financial crisis in 2008. Sinn Féin

put forward a plan to establish a similar scheme for Brexit, only we would target those most affected. This is an issue, in particular, for small and micro businesses in the export sectors such as agrifood and fisheries, chemicals and related products, and machinery and transport equipment, where Britain is the main or sole export market. Such a scheme would benefit workers and small businesses significantly. Has the Government plans to introduce a scheme of this type? I raised this yesterday with the Minister at the committee meeting and she did not give a response that I could have total confidence in. It is vitally important that we safeguard jobs, rather than just accept that a large number of people will lose them. If this could be done in 2008 by putting safeguards to ensure that people hold onto their jobs and stay in them, there is no reason the Government should fail to do that now. This is an issue that could be devastating for my constituency and it needs to be addressed.

Another issue that is absent from all of the Government's plans is capital investment. We were decades behind most European countries when the crash hit and we then had ten years of underinvestment in infrastructure. We all know that a major overhaul in transport, housing and public services is needed. I have no confidence in the Government's ability to deliver anything in this regard, given the mess it has made of broadband provision, and the overspend on the national children's hospital, as a result of which funding for other vital projects has been pulled. Housing and childcare are left to the market, despite the fact that we are in the midst of a housing emergency. The Government is making a spectacularly bad job of that, week in week out, and destroying lives in the process. We need to invest in infrastructure if we want businesses to thrive. I should not need to tell the Government that. This is basic and fundamental to what we are facing ahead of Brexit.

Brexit, on top of poor transport links and infrastructure, in particular outside of Dublin, is not good for business. How is the Government supposed to encourage investment in regional areas outside of Dublin if there is a deficit in public transport and in infrastructure projects that would encourage businesses, small and medium, to invest?

We will support the Bill, but it is lacking. I would much prefer if the Government had done much more. It has had ample time to prepare. This has been discussed for the past three years. The bare minimum is not good enough at this stage.

**Deputy Jan O'Sullivan:** We will also support the Bill, although I agree with Deputy Munster that it could go much further. It is a relatively straightforward Bill with increases in the funding available under various schemes through the IDA, EI, the microenterprise loan fund, etc. Clearly it is focused on the fallout from Brexit. We still do not know when Brexit will happen and the extent of it. It is important, therefore, that we prepare. All parties in this House have raised this issue on a number of occasions in a variety of contexts, including the recent budget. The Labour Party wanted a larger amount set aside for Brexit contingencies. We still do not know how hard Brexit will be. The deal currently on the table appears to be considerably more impactful than the original Theresa May deal. There is still a lot of fear and trepidation as to what exactly the outcome will be.

I have also raised in the past the fact that many businesses had not taken much action, because they were not sure what to do. I accept that a great number of workshops have been held. Many companies, however, found it difficult to figure out exactly how their own particular enterprise would be affected by Brexit. For that reason, one of the points I have made before in Oral Questions relates to the accessibility of these funds. If companies suddenly find that they are in trouble and that there is a problem with their supply chain, for example, or that they are

in a position where they are worried that they will have to lay off workers, etc., or if there is just a difficulty accessing markets, they will need immediate access to funds to prevent them having to either close their enterprise, or reduce employment. I still have an issue with how difficult it is going to be to get this money quickly, when it is required, to prevent sudden closures or job losses.

The funding is available with a sum of €25 million replacing the €15 million available in the microenterprise loan fund, with larger amounts for the IDA, effectively doubling the amount available to the organisation to €14 million, together with other funds, which is all good. Much of this funding is in the form of loans and not grants, which is something that could cause difficulty for some companies, because they would be afraid to take out loans that they might be unable to pay back. This would be a concern for a lot of people.

I also agree with Deputy Munster's comments on generally protecting workers as opposed to protecting companies, where there are issues about having to put workers on short time. There should be some way in which their income could be maintained, as these people will have outgoings, including mortgages, etc. There may be a sudden impact whereby their income may be reduced because their working hours have been reduced. Something needs to be there to ensure that people can maintain a standard of living given their outgoings.

We also have a major difficulty with the fact that the Minister for Employment Affairs and Social Protection, Deputy Doherty, said that the national minimum wage increase will be deferred. I do not know if there will be any change in this regard given that it does not appear that there will be a crash-out Brexit. The minimum wage needs to be increased in accordance with the original proposals, because it needs to increase in line with the cost of living. There is also the issue of the basic social welfare payments not increasing. For people who are working on the minimum wage, their incomes will not increase commensurate with their cost of living. While this is not a matter for the Minister of State, it is a matter for the Government. It is an important issue that needs to be clarified now. I would strongly argue that the minimum wage increase should be applied in accordance with the original timetable.

Firms near the Border will be most affected. Like the Minister of State, I come from much further down the country.

I am not saying it is because of Brexit but we have also seen significant job losses in the past week in the case of Molex in County Clare, as well as job losses in County Cork and a smaller number in Dublin. I am not saying that any of these are particularly attributable to Brexit but there are vulnerable companies all over the country. I know there are concerns, particularly around supply chain issues and how particular forms of regulation are done that will affect the whole country. I accept that in the main, it will be companies near the Border that probably will be drawing down much of this money. However, it is important that this money be accessible in any part of the country that will be affected, because all parts of Ireland are affected by our close relationship with the United Kingdom, be they east-west or North-South.

Regarding infrastructure, I know it is not under the remit of this Department but I wish to raise the issue of our ports and airports. I think there is some delay regarding the ports being ready, which is really important in terms of access, trade and movement of goods. I know the Minister of State is concerned about ensuring that Shannon Airport continues to have a hub providing access to the wider world. Following Brexit, Heathrow will presumably will not

24 October 2019

be in the EU so we desperately need another European hub for Shannon Airport, which is crucially important for jobs in the mid-west, in the west as a whole and in some ways, in the entire country. It is hugely important for companies, particularly multinational companies, which need to get their executives and various expert people to other parts of their worldwide operations, particularly their parent companies. This connectivity also is hugely important for jobs. Again, I appreciate that it is not a matter for the Department but IDA Ireland, which is under the auspices of the Minister, has a role in that. I make the point that regional and industrial policy must be aligned with the policy of the Department of Transport, Tourism and Sport. I have had difficulties with questions to the Minister for Transport, Tourism and Sport concerning getting an acceptance that airline connectivity is not just a matter for airports but affects the success and sustainability of economic development, which is a matter for the Department of Business, Enterprise and Innovation.

We support the Bill. We recognise that it is quite narrow in focus and that there will be broad issues. The most important point I wanted to make is that these funds must be accessible to companies that suddenly find themselves in trouble. If a company could plan ahead, put in its application, do all the paperwork and make its case with a good amount of time, it probably could access this funding if it needed it under the various agencies but if a company suddenly finds itself in difficulty, it needs to get to those funds. I hope that in his reply, the Minister of State will be able to reassure me that if a company genuinely needs the money to continue with its business to keep its workers properly paid and carry on with the kind of international business it would have done, be that over the Border in Ireland, east-west or in other parts of the world, the process will be relatively straightforward. I am not talking about companies that do not need the money. We welcome this legislation. We will not hold it up because, obviously, it is important that it gets through as quickly as possible.

**Deputy Michael Collins:** I welcome the opportunity to speak on this Bill. This Bill will increase the lifetime cap on Oireachtas grants made payable to IDA Ireland and will empower Enterprise Ireland to award research and development grants to the horticultural sector. We know that foreign direct investment is pivotal in providing over 200,000 IDA Ireland-supported jobs in our economy. IDA Ireland estimates that for every ten jobs generated by foreign direct investment, a further seven are generated in the wider economy. As a rural Deputy, I am very interested in any Bill that will have an impact on job creation in Ireland, including rural areas such as west Cork, particularly given the dire news of the loss of 320 jobs at Novartis in Ringaskiddy and of 500 jobs in Shannon. As the loss of 80 jobs in Dublin was also announced yesterday, this has been a dire series of announcements in a short period. I must commend the wonderful opportunities the Ludgate Hub has brought to Skibbereen in west Cork. We need to attract future investment like this to west Cork to generate more jobs and sustain the future of rural Ireland. IDA Ireland's ongoing work to increase foreign direct investment in Ireland needs to be supported. We need to look at empowering IDA Ireland to acquire property for future development, not just for immediate use. Enterprise Ireland works with Ireland's most ambitious entrepreneurs and businesses and has helped them to scale up and reach new export markets by funding market insight or access to an international network, resulting in a record figure of €23.3 billion in export sales by client companies in 2018, of which €7.9 billion involved the UK market. With that in mind, it is vital that access to the UK market is protected. We must be prepared for a worst-case scenario.

We all know that Ireland is an extremely attractive location for foreign companies to do business in. I am biased towards west Cork and all it has to offer. Towns such as Baltimore,

Skibbereen, Clonakilty, Bantry, Bandon and Kinsale, to name a few, should be considered as locations for foreign companies. There are many positive reasons that foreign companies wish to set up in Ireland and our exceptionally talented and highly educated workforce is pivotal in these decisions. I welcome changes that will ensure job opportunities for Ireland, particular west Cork, but I must ask what development aid is being granted to the peninsulas and islands in west Cork. IDA Ireland and the Government seem to be unable or uninterested when it comes to funding developments in rural areas like Castletownbere, Bantry, the Mizen Peninsula, Dunmanway, Ballinspittle and Schull. In one of these areas, €500,000 of local money was spent to make sure a project was shovel-ready to secure funding under the rural regeneration and development fund but was refused. Rural areas fight their corners as best they can to see whether they can pick up funding from IDA Ireland but are told that because their areas are so rural, it will always be that bit more difficult to attract businesses. Consequently, they must look at other sources of funding that allow them to make improvements. The rural regeneration and development fund was put forward as an alternative for rural communities to allow them to rebuild and create employment. It is sad to think that the project to which I referred spent €500,000 and was shovel-ready but got nothing. It was one of 48 projects in County Cork that received no funding in the last round of the rural regeneration and development fund. We must get IDA Ireland and other bodies to concentrate on creating employment in rural areas because they are dying. It is okay if Dublin, Cork and Galway are doing well. I do not begrudge anyone doing well but not everybody can leave west Cork in the morning and travel 80 to 90 miles to work. This is what is happening because people cannot get employment in their communities. This is replicated in towns like Ballinadee, Kilbrittain, all the way west to Goleen, down into Allihies and Eyeries and places like Sheep's Head. Everybody is travelling long distances to find gainful employment. The reason for that is because there has been no great commitment from Government bodies like IDA Ireland and others that are well funded and could really make an effort to see whether they can create employment in these areas. Where did the money from the rural regeneration and development fund go? The Department of Culture, Heritage and the Gaeltacht got quite a lot of money from it, while areas in rural Ireland did not. If extra funds remain, I ask the Government to concentrate expenditure in rural areas in the future. West Cork, in particular, is an area starved of gainful employment opportunities.

**Deputy Mattie McGrath:** I apologise for being delayed. I was attending a meeting of the Business Committee.

I am delighted to speak to this Bill and the Minister knows what I am going to say. Yesterday was a black day for employment, from Cork city to the Minister of State's county of Clare. I passed the iconic building that houses the printing presses of Independent Newspapers Limited in west Dublin this morning and there are problems there also. We are fortunate in south Tipperary and the county as a whole to have many thousands of foreign direct investment jobs. Some companies such as Merck, Sharp and Dohme have been based in the county for 50 years and are providing very valuable employment. The spin-off in employment from these companies is also great. In Clonmel we have companies such as Boston Scientific and many similar plants. Therefore, we are very lucky. However, the record of the Industrial Development Authority, IDA, in County Tipperary, even when it comes to site visits, is appalling.

IDA Ireland has been a wonderful organisation and used to do great work. It has not, however, adapted to the times. The city of Dublin is exploding because of investment. It is nearly impossible to move through the streets or find a bed for the night, as those of us who have to stay here some nights know. As Deputy Collins mentioned, the time and cost involved, espe-

24 October 2019

cially of transport, are significant. Someone recently travelled here to meet me and then went back down to Tipperary. It was a day's work to get in and out of the city. At most, it should only involve a drive of two and half hours from Tipperary. I pity people who have to travel.

IDA Ireland will have to adapt to the times. I met its head some two years ago at a briefing in Washington DC. I was told that it was impossible to get industries to locate in Limerick, Cork or Galway because they all wanted to be based in Dublin. I appreciate that is a problem, but it is due to the way Dublin has been sold and marketed as the be all and end all. However, it is not. We might need to have another agency, in addition to IDA Ireland. I am not referring to another quango, but IDA Ireland is not adapting. It is abandoning rural Ireland. I have the figures, but I do not have them with me. I think there have been eight visits to County Tipperary in the past three or four years. That is a paltry number for a county at the centre of Ireland, if I can put it that way, because of the new motorways. The new M24 motorway from Limerick to Waterford and on to Rosslare Harbour will strengthen that position. It is only an hour and a half's drive from the city of Dublin.

There is a need for proper investment and engagement and to adapt the supports available. I am not sure of the exact figures, but Enterprise Ireland will only help a company if it has ten to 100 employees, while IDA Ireland will only become involved with a company with more than 500 employees. Small employers must be supported also instead of being strangled and choked by bureaucracy. There are rates to be paid and every other kind of payment to be made if they want to build, rebuild or invest. Small businesses should be supported. However, there is nothing included in this legislation and there was nothing in the budget either. We must support what is local and good. I met some business people yesterday, including Mr. Dan O'Brien and others, who had wonderful and novel ideas for farming. Given the way the farming sector is going, such ideas are badly needed. The people in question have received support from the local enterprise office, LEO, and from Dublin and now have some seed capital, but we need to embrace such enterprises and help them along. It should not be as difficult for them. They are bright and intelligent people with many degrees. They are well able and all they want is to be able to access seed capital and support for research and development. IDA Ireland needs to be refocused to support smaller companies and think of the regions.

We cannot all travel in cars. We talk about our carbon footprint, about which farmers are being bashed today. People want to change, but they are being forced to travel great distances to work. IDA Ireland needs to get down and dirty, put its wellies on and engage with the LEOs. We used to have county enterprise boards which were great, but they have been destroyed also. The LEADER programme worked from the bottom up and was working very well, but the Fine Gael-led Government destroyed that initiative too. It hijacked them because they were too successful. LEADER was one of the best programmes we had and was a model for the European Union, but it was ravaged, savaged and destroyed. We need to do something with IDA Ireland. I am not targeting any official, as it is the policy that needs to change in order that the agency will be able to support things local and rural. Not everything should be concentrated in this huge capital city which can no longer handle all of the development taking place. I refer to roads and water services. There is an attempt to bring water from County Tipperary, but 58% of water is lost in leakages.

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** I will nearly need 25 minutes to conclude, given all of the comments that have been made, for which I thank Deputies.

As part of the Government's approach, my Department is working intensively with Brexit-exposed firms. It is important to make that point. It is being done with the help and support of the agencies. It is important that we recognise the good work being done by all of the agencies, including Enterprise Ireland, IDA Ireland and the LEOs. We are working together to respond to all needs, including in the regions. Deputy Mattie McGrath spoke about the LEOs. They play a very important role in creating jobs in every community in the country. Last year they created 3,700 jobs in the regions. Turning to Enterprise Ireland, last year it created nearly 21,000 new jobs. The same applies to IDA Ireland. Looking at the way jobs were dispersed, it was the first time in 17 years that more jobs were created in the regions. A total of 58% of the jobs created by IDA Ireland were in the regions. The same applies to Enterprise Ireland. A total of 64% of the jobs it created were located outside Dublin. I assure the Deputy that every effort is being made to ensure the regions will grow in tandem with large urban areas. That is why put in place grants and supports to assist Enterprise Ireland and the LEOs, of which there are 31 throughout the country.

Many Deputies made interesting observations. I have very little time, but it is important for us to realise that the provision of supports is important to help companies in these difficult and troubled times. There is an appropriate mix of supports in place to address the needs of companies. The Minister for Finance, Deputy Donohoe, has stated the use of a mix of grants, loans, equity and support is important, but it is not all about grants. We must also support companies with loans. On the accessibility of funds, we are continuously encouraging companies to apply for loans through the Strategic Banking Corporation of Ireland, SBCI, and Microfinance Ireland, MFI. It is a straightforward process and we encourage firms to apply for these supports and to apply now. It is important that they do so. It is not necessary to draw down funds unless they are required. It is important to make that point.

A number of comments were made on the uptake of supports. It is important to highlight the Brexit loan scheme, to which many Deputies referred. They were 860 applications, of which 774 were approved by the SBCI. A total of 204 loans progressed to approval stage at bank level, to the value of €45 million. Of the approved applications to date, 154 were reapplications as eligibility expires after four months. It is important to note that point. The same applies to the future growth loan scheme which attracted 1,638 applications, of which 1,551 were approved by the SBCI. A total of 376 loans were approved at bank level, to the value of €64 million. I refer to other similar schemes such as the Brexit score card and the Be Prepared grants scheme. All of these initiatives are important in our preparations to ensure companies will be prepared in the event that there is a no-deal Brexit. Deputy Munster referred to the Border counties. Brexit shocks will affect all regions and it is important that support be given where demand arises.

Returning to the Bill, from which we have strayed, it is about providing support by increasing the range of supports available to Enterprise Ireland and MFI. Throughout the interdepartmental system which encompasses all workers, an early warning system has been put in place to assist where there are problems. Intreo offices stand ready to help workers to make the most of labour market opportunities through the establishment of short-term schemes and the provision of necessary training. The offices play an important role. Given the type of jobs coming into the country, it is important to point out that we may need upskilling and training for workers. Such training is available. Yesterday morning, I saw the enthusiasm and energy of the various stakeholders in Shannon. As a result of the proposed closure of the Molex firm, all the stakeholders, including the universities, the agencies and the industrial sector, got together and stated they would ensure that these workers will be either retrained or skilled and they would ensure

24 October 2019

that they would get them jobs. Such enthusiasm is evident in every region when an emergency like that occurs. Of course, it is a difficult time for workers and their families.

The European Globalisation Adjustment Fund is to be extended to encompass Brexit shocks as well. The EU is presently working with the European Union Solidarity Fund as well to extend that. There is a lot happening out there.

I could go through various other areas there as well, particularly in respect of Brexit supports, but I do not have time for that. Projects in the Border counties have received over €10 million to date. The projects were funded by the north-west Border region of Donegal, Sligo and Leitrim and they have received over €5.2 million in funding, while the north-east region of Cavan, Monaghan and Louth has received €5.4 million. We are working to ensure that the Border regions, which are most vulnerable as a result of a possible hard Brexit, are assisted to ensure that companies there are assisted along the way.

Of course, it is important to point out, as I stated in my speech, it is about helping companies that are viable but vulnerable. It is important that we ensure that any funding, given from the taxpayers or wherever, is given constructively to ensure these companies can remain viable, move forward and meet any Brexit shocks.

Question put and agreed to.

### **Industrial Development (Amendment) Bill 2019 [Seanad]: Committee Stage**

Sections 1 and 2 agreed to.

#### SECTION 3

**Deputy Imelda Munster:** I move amendment No. 1:

In page 5, line 15, after “section.” to insert the following:

“Preference may be given to industrial undertakings or body corporates that are located in the border counties of Louth, Cavan, Donegal, Leitrim, Monaghan and Sligo.”.

My amendment was designed to ensure that Border counties, that is, counties Louth, Monaghan, Cavan, Donegal, Sligo and Leitrim are given priority and preferential treatment, given how exposed these counties will be in the face of Brexit. I will give an example of how it is for towns in the Border region.

My own native town of Drogheda is a prime example of how towns in the Border region have been neglected over the decades in terms of capital and social infrastructure. With Brexit approaching, it leaves us even more exposed than ever. Drogheda, which is the largest town in Ireland, has considerable potential. It is located on the Dublin-Belfast corridor. Its population is highly skilled and it has a dynamic business community. In fact, the *Financial Times* has identified Drogheda as one of Europe’s top ten emerging micro-cities. However, the Government and its agencies do not seem to see that at all. We seem to be always overlooked. Even in the national development plan, we have got nothing. In fact, we were relegated to third-tier

status. Media reports some months ago suggested that businesses which had expressed an interest in IDA Ireland parks in Drogheda had been advised to go elsewhere. The Government had taken no action on that whatsoever. I am giving Drogheda as the prime example, because it is typical of small towns and larger towns in the Border region. Towns in the Border region need supports to thrive and the supports they are getting are not anywhere near adequate. They will be left behind again and that is why I put the amendments in.

The amendments are reasonable. They are aimed at targeted supports for the most exposed areas. The Minister of State said a few moments ago that supports are given where there is a demand basis. He does not need me to tell him that the Border regions will be the areas in most demand. That is why I included the amendments that there would be targeted supports for the areas where there will be most demand as we approach Brexit. I hope the Government and other parties will support the amendments.

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** I more or less referred to the Border supports earlier. In that regard, since July 2019, the Department has hosted Brexit outreach events in counties Cavan, Monaghan, Donegal and Louth. These focused on advising businesses on the steps they need to take now to prepare their businesses for Brexit and on highlighting the supports available to businesses to help them with such preparations. It is important to point out that the Minister, Deputy Humphreys, is from the Border region and is conscious of the vulnerability of companies on the Border.

On the amendments proposed by Deputy Munster here, the Brexit supports are available to everybody because everybody will be affected in the case of a hard Brexit. The Border communities will of course need support but it is important to say that the supports will cover all regions. As I said, they will be on a demand basis.

We have encouraged companies to apply for those supports now. Even if they feel they do not need them, it is important they do so. As I said, the Government is doing everything possible to ensure that the Border regions are being looked after, particularly with regard to the amount of shows that we have. As far as Enterprise Ireland is concerned, the regions show that 65% of funding in 2018 went to the regions outside of Dublin, with funding of €11.4 million in grants for industry and research and development awarded to client companies in the north and north-west regions. That represents an increase of 12% on the 2017 figure.

The €110 million package of Brexit contingency supports will be ready to roll out in a no-deal scenario and, as I said, will be targeted at those viable and vulnerable firms whatever the circumstances. Of course, budget 2020 also provided supports. Some €40 million will be provided to support tourism, which is important in the event of a no-deal Brexit.

The funding will be focused on the regions that will suffer most from a no-deal Brexit, such as the Border counties and the south east. We are conscious of the Border regions. It is very much part of our agenda to ensure that the most vulnerable are looked after.

**Deputy Imelda Munster:** Nobody is disputing that the Brexit supports should be available to everybody, as of course they should be.

I have pointed it out to the Minister of State - I do not know whether he understands - the extent of the concern, worry and uncertainty that businesses in the Border region face. It is palpable, as they will be hit first. That is why I put in the amendments. It is not to say that nobody else should get supports; that would be a ridiculous statement to make.

24 October 2019

My point is that because Border regions are the most exposed, they should be given priority and preference. I cannot see any reason the Government or any other party would not accept that is the reality. I hope they will support the amendments because Border regions will be the first to be hit.

I do not begrudge any other area in the country getting the supports. Supports should be available for all but given the reality that the Border areas are the most exposed, they should be given preferential and priority treatment.

**Acting Chairman (Deputy Eugene Murphy):** Is the Deputy pressing the amendment?

**Deputy Imelda Munster:** Yes.

Amendment put.

**An Ceann Comhairle:** In accordance with Standing Order 72, as the required number of tellers have not been appointed for the Níl side, I declare the amendment is carried.

Amendment declared carried.

Progress reported; Committee to sit again.

## Ceisteanna - Questions

### Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

#### Rural Regeneration and Development Fund

1. **Deputy Dara Calleary** asked the Minister for Rural and Community Development the number and value of approved projects being funded under the rural regeneration and development fund; the funding allocated for the scheme in 2019; the value of the total amount of payments made for approved projects to date; and if he will make a statement on the matter. [43881/19]

**Deputy Dara Calleary:** The rural regeneration and development fund is another of the Minister's big ticket items that is struggling to spend its funding. Only €14 million of the €52 million fund for this year has been drawn down. This points to a difficulty whereby the Minister has the money but the partners do not appear to have it or seem to be very slow in spending it. It is a constant theme and the impact of these programmes on the ground is being diminished. I wish to pursue this in respect of the rural and regeneration fund in particular.

**Minister for Rural and Community Development (Deputy Michael Ring):** The rural regeneration and development fund seeks to support ambitious and strategic projects which have the potential to transform rural economies and communities. The Government has committed

€1 billion over ten years to the fund and €315 million is allocated to the fund for the period from 2019 to 2022. A total of €52 million was allocated to the fund for 2019.

The first call for applications to the fund closed in September 2018. There was a large response to the first call, with 280 applications received under categories 1 and 2. Category 1 related to projects with all necessary planning and other consents in place and which were ready to proceed, while category 2 projects were those which required further development to become ready for category 1 status.

On foot of the first call, 38 successful category 1 projects and 46 category 2 projects were announced, with funding of €86 million provided from the fund to support projects worth €117 million.

Following the announcement of the successful projects, my Department engaged with each lead party to complete due diligence requirements. Contractual arrangements were also drawn up with the release of funding based on the achievement of key milestones in the projects. In this regard, significant progress is already being made on the implementation of successful projects. A number of the projects have reached their first milestone and had funding released.

To date, €16 million has been drawn down from the fund by 29 separate projects. This is made up of €13.31 million drawn down for 15 category 1 projects and €2.69 million for 14 category 2 projects. I expect that payments from the fund will continue to accelerate over the coming weeks and months as further milestones are achieved across the other projects. The second call for category 1 applications for the rural regeneration and development fund closed on 6 August.

**Deputy Dara Calleary:** Some €52 million is allocated for 2019 and €16 million of that has been drawn down to date. Is the Minister confident that the full €52 million will be drawn down? With regard to the most recent call for applications, which closed in August, when will the Minister announce the successful applicants? One assumes that if the category 1 projects were ready to roll that they are now rolling. Category 2 projects are in pre-clearance, as it were. As regards the €14 million that has been drawn down, does the Minister anticipate that this figure will increase substantially? Finally, what is the co-funding element in place for all these projects or does it differ around the country depending on who the partners are?

**Deputy Michael Ring:** We had to carry out due diligence in respect of the category 1 schemes. We had to make sure that the contracts were ready and confirm the funding that they said would be in place. I am pleased that many projects are up and running. In fact, I am due to be in Galway tomorrow to open projects that have been funded under the rural regeneration scheme. The Deputy asked about the spend. We certainly will not spend all of the money between now and the end of the year, and I am not going to say that we will, but we are hoping to re-profile it elsewhere. As the Deputy knows, the LEADER programme has ramped up. I will transfer some of the excess funding from the rural regeneration scheme into LEADER, even though the Deputy and his colleagues have been telling me for the past two years-----

**Deputy Dara Calleary:** We were right.

**Deputy Michael Ring:** -----that LEADER would not ramp up, and that we would not be able to spend the LEADER money. The Deputy told me last year that I would not spend my budget. Some 100% of the capital budget and 99.9% of the current budget has been spent. I wanted to take the opportunity to say that because I was sick and tired of hearing this from

24 October 2019

every Fianna Fáil Deputy over the summer. I know they had nothing else to do but to look at my figures, but I assure the Deputy that I spent the money. With regard to the second round, I am hoping to announce further schemes under the rural regeneration scheme in the next two to three weeks.

**Acting Chairman (Deputy Frank O'Rourke):** I thank the Minister, but I might add that it was not every Deputy.

**Deputy Dara Calleary:** We were right; the Minister has just admitted he is not going to spend all of the money under the rural regeneration and development fund in 2019.

**Deputy Michael Ring:** I was on about LEADER. I did spend it.

**Deputy Dara Calleary:** He is going to move money from this fund into the LEADER programme. We will have a discussion about the programme later. The Minister has allocated €350 million for the period from 2019 to 2021 under the rural regeneration and development fund. He is not going to reach that target in the first year, so is that figure of €350 million going to change? It is unbelievable that the Minister will not spend all his money when 70% of applications under the November 2018 call were not green-lighted for progress. Only 84 of 280 applications progressed. I am sure that many applicants whose projects did not get through assessment would love to have the kind of money the Minister is going to send back. How much money does the Minister anticipate re-profiling, to use his own word, from rural regeneration into some other pot to open everything up over the next few weeks?

**Deputy Michael Ring:** I am very confident that all of our programmes are on profile. The Deputy will know that projects in his own county have started and I am told they will be completed by the end of December. I expect they will draw down the funding. That is happening all over the country.

I do not yet know the amount I will not spend. Earlier in the year, I had thought that I might have money to reallocate from LEADER. That is not going to happen. In fact, I am going to have to look to other areas to fund LEADER. In all fairness, Deputy Calleary was not too bad but there was another man in Galway who was on the radio or in the newspaper every week suggesting that I was not going to spend, no matter how often I sent him information showing that last year I spent my full allocation and almost 99.9% of my current expenditure budget. I will do the same this year. All of my programmes are on profile. The Deputy knows about this rural regeneration scheme. He knows that we have to carry out due diligence, which is important. These are large schemes into which a lot of State money is going. I have to make sure that everything is above board. We set milestones with regard to contracts and procurement. Everything has to be in order.

I compliment my staff. They have worked very hard with all of these communities, State agencies, and councils. They have gone above and beyond the call of duty to get some of these schemes up and running. I could make further comments today but I will not. I thank my staff for their patience, their work, and the effort they put into getting these schemes across the line. If this was a private company, I know what these projects would be told to do. They would not draw down funding from that private company; they would be told "Bye, bye". To be fair to my officials, they have worked very hard. They were very good. This is a great scheme. The Deputy knows it is a good scheme. Fantastic projects will be undertaken. As I have said, I will be in Galway to open one of these projects tomorrow. It is just fantastic.

**Acting Chairman (Deputy Frank O'Rourke):** Before we move on to Question No. 2, I ask Deputies and Ministers to be conscious of time so that we can get as many of the listed Deputies as possible in for their questions.

## **Brexit Preparations**

2. **Deputy Brian Stanley** asked the Minister for Rural and Community Development the preparations or contingency planning being carried out to address a no-deal Brexit for rural communities, especially in the Border region; and if he will make a statement on the matter. [43656/19]

**Deputy Brian Stanley:** This is my first question to the Minister since taking up this brief. I welcome the opportunity. I ask the Minister about the preparations or contingency planning being carried out to address a no-deal Brexit. As he will be aware, this will have a direct impact on rural communities. There will be some sort of Brexit. That is a fairly safe bet unless there is a second referendum in Britain but, unfortunately, the opportunity for such a referendum seems to be fading. The Border region will be especially impacted but it will affect all regions. The midlands, including the constituency of Laois-Offaly that I represent, will also be impacted. Rural areas will be particularly hit.

**Minister of State at the Department of Rural and Community Development (Deputy Seán Canney):** I am taking this question on behalf of the Minister. Preparations for all Brexit scenarios are being co-ordinated across government by the Departments of Foreign Affairs and Trade and the Taoiseach. The Government's detailed and comprehensive work across all sectors on no-deal planning is guided by the priorities and actions set out in the Government's contingency action plan update. This update, published on 9 July, builds on the approach of the contingency action plan first published in December 2018 and reflects extensive work on a whole-of-Government basis and at EU level on no-deal contingency planning.

The Government is very aware of the particular needs of the Border region in the context of Brexit, particularly in the event of a no-deal outcome. Mitigating the impact of Brexit and the importance of avoiding a hard border for people living in all the Border counties is a key Government priority. Measures provided for in budget 2020 will make more than €1 billion of supports available in the event of a no-deal scenario. This funding will be available to address challenges including in the most affected parts of the country, for example, the Border region, should that prove necessary. My Department and its agencies have fed into the contingency planning process at all stages, where appropriate, and will continue to engage across government and with our stakeholders in the rural and community development sectors.

Anticipating and preparing for these possible impacts is a priority and the funding provided by my Department to build resilient communities across the country will become even more important in the event of a no-deal Brexit. My Department's focus continues to be on maintaining maximum flexibility in our programme of funding initiatives to enable us to continue to support all communities and to target available funding to those economic sectors and geographic areas most in need.

**Deputy Brian Stanley:** I thank the Minister of State for his reply. The concern is mainly about a crash-out Brexit but even if there is not a crash-out Brexit and the withdrawal deal is accepted, there will be issues. The deal is probably the best that can be done. We accept that. We

backed the omnibus legislation and worked with the Government and other parties in the House to get it through. Even if the withdrawal deal negotiated with the EU is accepted, there may be interruptions to east-west trade depending on how future trade negotiations work out. Will the Minister of State outline the research his Department has carried out on the potential impact on rural Ireland? What role does he see his Department playing in helping rural communities to deal with the negative effects of Brexit? What role can the rural regeneration and development fund that was addressed earlier play? As the Minister said, it is an important fund. What role can it play in protecting jobs in the Border region and in the other regions that will be affected? Is there scope for supports for vulnerable businesses from the Department?

**Deputy Seán Canney:** I reiterate that the Government will make more than €1 billion available in budget 2020 to be spent in the event of a no-deal Brexit. That funding will be used to protect Ireland from the worst effects of a no-deal Brexit and to help the businesses and people most affected, if and when they need it. This is on top of the grants and loans that are available for business and agriculture and ongoing Government expenditure on Brexit. To bring it back to our Department, we have been liaising with the Departments of Foreign Affairs and Trade and the Taoiseach to ensure issues relating to rural communities are taken into account in Brexit preparations. Funding under the rural regeneration and development fund, the town and village renewal scheme, the outdoor recreation scheme, the enhancement schemes, and all of the other schemes is available for all communities that need it. There is a particular focus on supporting communities in rural areas under various Brexit scenarios. Departmental funding and supports have the flexibility to allow for responses to emerging needs. Flexibility is crucially important as long as Brexit uncertainty remains. Funding to build resilience in communities to deal with any impacts of Brexit is a major priority for the Department.

**Deputy Brian Stanley:** The Minister of State referenced the rural regeneration and development fund. With regard to areas in which there may be job losses, can that fund be used to offset those losses to ensure that they do not occur or to avoid them?

We must try to limit the damage because Brexit is going to cause headaches for everybody. It is about limiting that damage. Recent independent reports from the Institute of International and European Affairs and the Department confirm that Brexit presents a doomsday scenario for Irish agriculture and the related food sector. It is having a huge impact on rural Ireland.

Industries are going to be under pressure, which the Minister and the Minister of State will accept, but new industries are emerging and one of the saviours for rural Ireland, including the counties the Minister, the Minister of State and I come from, will be renewable energy. Can a stream of funding from the Department be used for that to try to kick-start those new industries? There is a limited pot in the climate change fund but the Minister has a substantial pocket of money there. Is it open to us to use some of that funding to generate those new industries, particularly in areas with poor land that have been badly hit?

**Deputy Seán Canney:** I repeat that the funding opportunities from the Department are there for all communities. They are flexible and are there to deal with whatever scenarios come up. If people have a particular project, they can always make an application and we will see if it can be accommodated in the funding streams available.

We have to realise that Brexit will affect different people in different places, but as the Deputy has said, rural Ireland is probably the most exposed. This is why our Department has

liaised so tightly with the Departments of Foreign Affairs and Trade and the Taoiseach. The €1 billion fund is there to help us in a no-deal Brexit. I must also be clear that the funding is for all of the communities in Ireland. If communities feel that they must get some additional support, the schemes are flexible and are there to ensure we have support where it is most needed in the communities across rural Ireland, be it due to Brexit or other issues.

### **RAPID Programme**

3. **Deputy John Curran** asked the Minister for Rural and Community Development the analysis carried out to ensure that those communities most disadvantaged as previously identified in RAPID areas are receiving adequate support and funding under the community enhancement programme since the closure of the RAPID programme and the establishment of the community enhancement programme; and if he will make a statement on the matter. [43882/19]

**Acting Chairman (Deputy Frank O'Rourke):** Is Deputy Calleary introducing Question No. 3 in the name of Deputy Curran?

**Deputy Dara Calleary:** Yes.

The RAPID programme devised by Deputy Ó Cuív during his time in the Department was a very focused plan, especially with regard to urban disadvantage. There were 51 areas in it and it was beginning to achieve some success until funding was cut. The Minister, Deputy Ring, has now reviewed it and has come up with a new programme that takes in RAPID and extends it out. What is the current position? Has the Minister done analysis to show the impact of the dilution of the original RAPID scheme on those initial communities and on other communities?

**Deputy Michael Ring:** Under the original RAPID programme, funding was ring-fenced for areas designated as RAPID. The key difference with the new community enhancement programme is that funding is allocated to every local authority area, on the basis of the deprivation level in each area. This is done using the Pobal Haase Pratschke, HP, deprivation index, which measures the wealth or disadvantage of a particular area using data compiled from the census.

Once funding is provided to each local authority area, the local community development committee, LCDC, then administers the programme. LCDCs monitor the programmes and ensure that the funding is benefiting communities, urban and rural, across the country in the fairest way possible. This approach ensures that local knowledge and more up-to-date information is used to allocate funding, rather than only providing funding to areas designated as RAPID a number of years ago.

The community enhancement programme is not the only way in which my Department provides support to disadvantaged areas. For example, the social inclusion and community activation programme, SICAP, running from 2018 to 2022 is our country's primary social inclusion intervention. This is a €190 million national programme delivered locally to help those in the greatest need.

**Deputy Dara Calleary:** The original remit of RAPID was to address the way we do silo government in this country. I do not mean politically, it was to do with Departments doing their own thing. RAPID was supposed to bring everybody together, and specifically in the most disadvantaged areas, to agree on programmes and invest accordingly in a very targeted way. This

new way loses that targeting and the focus. I am aware that the LCDCs are in charge of the programme on the ground but is the Minister monitoring it nationally? Is there a system so we can measure on a consistent basis the impact across the country? Are there measurable targets to be met where we could see if an LCDC or a local programme is not delivering or where improvements or enhancements could be made?

The Minister made a commitment to my colleague Deputy Curran earlier this year that he would look at the community enhancement programme for re-profiling, to use the Minister's own phrase, in terms of money not being spent elsewhere in the Minister's Department during the final quarter of this year. Will the Minister indicate if he will be investing any more money in this programme before the end of the year?

**Deputy Michael Ring:** On the RAPID programme, to be fair it was closed in 2003 and reopened again in 2011. A value-for-money report was done on that programme, which stated that if we were ever to do another RAPID programme again it must be done a different way. There was a community facilities programme and a RAPID programme so I amalgamated both of them and brought it into the community enhancement programme. I then brought it down to the local level with the LCDCs because I felt that these are the people on the ground. The Deputy is aware of how these LCDCs are set up. They are made up of the local communities, including the elected representatives and different sections of society. By bringing it down to the grassroots I felt that they would have a better understanding and would be able to target areas in most need of the funding.

Deputy Calleary is quite correct that in my budget baseline last year, I had €4.5 million, which is the same for this year. I had savings last year and put a further €8 million into the scheme. This year I put €4.5 million plus €500,000 for the men's and women's sheds. If I am to re-profile money again it is something I would look at.

The Deputy asked a serious and good question about monitoring the programme. I have to monitor and am doing a review to ensure that this does not become a fund that is not targeted to the people that need it most, particularly in disadvantaged communities. We are monitoring the programme and reviewing it. We are looking at it and if I feel there is a need to make changes in the programme, I will.

**Deputy Dara Calleary:** What measurement is in place in the Department to ensure the consistency of the LCDCs across the country?

Can we look at a comparison between the 51 areas that were in the original RAPID programme and which were getting places, to see how they are faring under the new model of the community enhancement programme? Has there been a loss of investment or a loss of improvement in those areas as a consequence of the new programme?

**Deputy Michael Ring:** The Deputy is on the same hymn sheet as I am. I want to make sure this funding is targeted to the areas where it is needed most.

The Deputy asked about consistency. This is the reason I asked for the review. I went through a number of counties looking at the way they were allocating the funding. Some counties seemed to have a different way than did other counties. I needed to get some consistency in the ways they allocated funding. I do not want it to become a fund for anybody; I just want it to be targeted to the areas that need it most. The Deputy is aware that in disadvantaged areas in particular, they have used the funding for CCTV and to buy equipment. In some areas it has

been used very well but I saw some grants that I was not happy with and this is why I asked for the review. There are other schemes where they could make applications for those other grants. I want this programme to target disadvantaged communities be it for CCTV, to buy a lawnmower, for repairs to a community hall or to buy a small bit of machinery. This is what I want done. We are reviewing it and I am watching it. If it is not working, then I would have no difficulty in having another look at ways and means of doing a different scheme. I wanted to bring it down to the communities because I wanted to give the LCDCs the opportunity. They are on the ground and I know they will make the best decisions for the communities they represent.

## **Fire Safety**

4. **Deputy Ruth Coppinger** asked the Minister for Rural and Community Development if he will establish a national fund to assist community centres in need of fire safety works; and if he will make a statement on the matter. [43806/19]

**Deputy Ruth Coppinger:** The Minister will be aware that fire and safety audits are being done by many community centres and it results in them needing to significantly enhance their buildings and raise funds for that work. We all agree with increased fire safety regulations but there has to be a way for public buildings and community centres to get this work done. Hartstown and Huntstown are two community centres in close proximity in my constituency and the Taoiseach's constituency. They have been told they need to raise €120,000 each. I have raised this matter previously with the Minister and with the Taoiseach. It is not tenable for one local community to raise nearly €250,000 for fire safety. Will the Minister set up a national fund for such work?

**Deputy Michael Ring:** Community centres are cornerstones of community life in many towns, villages and urban areas. They bring people together in safe spaces for social, educational and other purposes. I acknowledge that it is very important that community facilities be safe for the groups and individuals that use them. Where upgrades to community centres are needed, whether for fire safety or other reasons, a range of funding sources across Departments and agencies can be availed of. On the funding provided by my Department, rural community centres can benefit from the town and village renewal scheme and LEADER programme funding. The community enhancement programme can also contribute small capital grants for facilities in both rural and urban areas. Given the constraints on my Department's Vote, it is not possible to open a new line of national funding for community centres in need of fire safety works. However, I am examining the possibility of setting aside a modest fund to assist in a limited number of particularly critical cases. I stress that where a community centre is in the ownership of a local authority, it is that authority's responsibility to identify and resolve any issue. Where ownership rests with other parties, I urge the communities involved to contact their local authority when issues are identified to explore and discuss the options available.

**Deputy Ruth Coppinger:** When I raised this idea with the Taoiseach earlier in the month, he said it was a good idea and indicated that he would look into it. However, in a letter he sent subsequently the fund was no longer mentioned. Instead, he pointed towards six funds. Is the Government seriously suggesting people go out fundraising and then claim from six funds, with all of the administration that involves? There will be a public meeting in Huntstown community centre tonight and there was a very large attendance at a meeting in Hartstown with the new board of management last night. All people want to know is whether the Government will

support the vital work community centres do or is it merely paying lip service. It is not clear that money will be provided. The problem is that claims have been made to some of these funds already and that people do not have the time, energy and space to go looking in six locations.

**Deputy Michael Ring:** I want the Deputy to be clear that I do not have a baseline in my budget for community halls all over the country. The Deputy, among others, the Taoiseach and a number of people came to see me. They had a problem in Hartstown and now there is a problem in Huntstown. I have put aside a small sum in my Department to assist these communities. In Hartstown we are waiting for the local authority to come back to tell us how much is actually required. The local authority is also committed to providing funding for the project. I do not have a baseline in my budget, but in other parts of the country people can obtain funding from the LEADER programme for community halls. The community enhancement programme is also available, whereby local authorities can provide assistance for community halls. This is a major issue that is developing. As such, I will put aside €250,000 from Dormant Accounts Fund money next year and will see what I can do to help. However, this issue cannot be left to one Department. Local authorities have to play their part, as do other Departments and people in leadership positions. We are committed to helping communities, which is why we have SI-CAP, the CSP and other programmes to assist them.

**Deputy Ruth Coppinger:** It is bizarre that fire safety regulations were increased, yet there is no mechanism to help organisations to meet them. Unfortunately, local authorities do not run all community centres. That is the problem. The greyhound industry which many believe is cruel received €17 million from the Government in the recent budget, while community centres have been left to bag-pack, organise pub quizzes, race nights and so on to raise funds to pay for fire safety measures such as fire doors. Is this for real? What are the priorities? As it is, community centres plug gaps where the Government has failed, in particular in dealing with the housing crisis in Dublin West. They provide breakfast clubs for kids, washing facilities for homeless families, hot meals and so on and are doing so from their own budgets. People do not care from where the money comes. They just want it to be made clear that the centres will be supported in what they do. While some people are employed, it involves a great deal of voluntary effort. I ask the Minister to sit down with the people involved to ensure they can draw down funds just as he would sit down if there was a crisis in a rural area, or wherever else, with which I fully agree.

**Deputy Michael Ring:** The Deputy should remember that this is the Department of Rural and Community Development and that it deals with urban, as well as rural areas.

**Deputy Ruth Coppinger:** Exactly.

**Deputy Michael Ring:** I have been in and out of many areas in urban as well as rural locations. This is a new problem that has developed. While the Deputy says it is a Government problem, the Government does not own some of the community halls. They may be owned by the church, local authorities or communities. A lot of the schemes and community organisations operating in them are being funded by the Government, rightly so. If we did not have those involved providing services, they would not exist. I appreciate that, but we have a problem and I am trying to help in dealing with it in some way. However, I will need cross-Government support. I have a small Department and the funding about which the Deputy is talking is not within my budget. I am making some funding available to deal with one or two of the problems highlighted by the Deputy and know that the same problems in other areas will be raised. It is something at which I have to look with the Government. I cannot give a commitment in

circumstances in which funding is not available in my budget line for next year. Nevertheless, I am making some funding available to deal with the problems we have. Ultimately, there will have to be a cross-Government decision.

### **Community Development Initiatives**

5. **Deputy Maureen O’Sullivan** asked the Minister for Rural and Community Development the way in which he plans to progress the report, Sustainable, Inclusive and Empowered Communities, to ensure real community development. [43818/19]

**Deputy Maureen O’Sullivan:** How does the Minister intend to progress the report, Sustainable, Inclusive and Empowered Communities, to ensure there will be real community development?

**Deputy Michael Ring:** In August 2019 I launched Sustainable, Inclusive and Empowered Communities: a five-year strategy to support the community and voluntary sector in Ireland. The strategy was co-produced by the Government and the community and voluntary sector through a cross-sectoral group established for that purpose. The strategy sets out 11 high level objectives and associated actions which will empower communities, their representative organisations and the community and voluntary sector to inform and shape responses to their needs. The implementation of the actions will be subject to an annual work planning process as indicated in the strategy. The cross-sectoral group will advise on and support the process and my Department is reviewing its membership to ensure appropriate stakeholder participation during strategy implementation. I envisage the first meeting of the new group taking place in early December.

I will provide funding in 2020 to begin the work of implementation of the report. It will include enhanced supports for the structures which enable community engagement in local decision-making, namely, public participation networks and local community development committees. This is an ambitious strategy which will support partnership and joint effort at all levels and between all stakeholders. While I acknowledge that the delivery of some of the actions will take time, I am fully committed to achieving the objectives of the strategy.

**Deputy Maureen O’Sullivan:** We heard a presentation on community development in the AV room recently by Dr. Patricia Kelleher. She went back over the history of community development, looking at the early stages of the Land League, the Gaelic League and the co-operative movement and the forms of rural and urban community development in the 1970s, 1980s and 1990s. What we saw then was real community development. Projects were innovative, enterprising and effective because they were from the bottom up. Between 2008 and 2011, we saw funding cuts of between 35% and 40%. By 2009, over 180 community development projects had been dissolved, prompting the title of Dr. Kelleher’s report, *The Systematic Destruction of the Community Development, Anti-Poverty and Equality Movement (2002-2015)*. It appears that the new strategy for community development is top-down, consisting of development initiatives taken by statutory agencies and local authorities, sometimes in partnership with local people, but that is not real community development, as the Minister and I know it from the past. My question, therefore, is whether the Minister is confident that his report will bring back the kind of community development that led to real changes in the past.

**Deputy Michael Ring:** I do not agree with the Deputy that it is a top-down approach. It is

from the bottom up. I am someone who very much believes in that.

On social enterprise and specifically this strategy, many people have talked about this for 20 years; I am the only Minister who has actually brought it in. Moreover, I put my money where my mouth is. I have allocated some funding this year for the public participation networks, PPNs, and the local community development committees, LCDCs. These people felt most strongly that they were not getting the supports to enable them to be in community organisations, in relation to their role and what they wanted to do. That is why the funding is in place.

Some 14,600 are in the community and PPNs. Many people are involved in the community sector. I am committed to protecting the community sector. As I told the previous Deputy, if we do not have the community sector, we will not have services in urban or rural Ireland because neither the health boards, the councils nor the State will provide. It would not happen for these communities. They will get my support - they have my support - and next year I have put €1.2 million towards the implementation of the strategy, for the PPNs and LCDCs.

**Deputy Maureen O'Sullivan:** Dr. Kelleher made the point that during the 1970s to the 1990s, there were really progressive civil servants who understood what community development was about. Dr. Pauline Conroy gave a critique of the five year strategy. She noted that there were 47 mentions of the word inclusion in the 52 page report. Her main point was that there has been an erosion of trust between the local authorities, the statutory agencies and the people who are working on the ground. It will be very difficult to get back to the 180 community projects which were dissolved. I attended the launch of another report yesterday by All Together in Dignity, ATD, on understanding the hidden dimensions of poverty. What we see there is the loss of those community projects because no one was focusing on the whole idea of poverty. There was also the lack of trust which has arisen over the years since the dissolution of those 180 projects. We need to return to that sense of trust. We are talking about local-based participatory democracy, where people in communities have their say and make decisions. I see statutory agencies and local government coming in and telling communities what is best for them rather than it being the other way around. I hope that the Minister's strategy leads to that but a close eye must be kept on it.

**Deputy Michael Ring:** The Deputy's question is fair. The 1960s to the 1980s were different times. Communities now have many difficulties, including health and safety and claims. There are many things which arise. When someone is in charge of or part of a voluntary group or board, he or she has a big responsibility. That is not right, really. There are pressures which come from outside. People in these organisations must be so careful that they are protected, trained and that they know their responsibilities because they could finish up in the High Court or any court because of how society has gone.

I expect the Deputy thinks in a similar way to myself on this so I wish to be clear: I want it from the bottom up. My officials, in fairness to them, have gone out and met community groups on this strategy. They have brought people together, talking and listening to them. We are establishing this group which will be set up by 1 December and its first implementation meeting will be in December. I will ensure that all sections of society will be on the group so that they can speak to the officials who ultimately have the responsibility for budgets. I assure the Deputy that I want this to work from the bottom up, not the top down because the bottom up knows what is going on where the top down sometimes does not.

## Ceisteanna Eile - Other Questions

### Local Improvement Scheme Funding

6. **Deputy James Browne** asked the Minister for Rural and Community Development his plans to provide additional funding for the local improvement scheme in County Wexford; and if he will make a statement on the matter. [43046/19]

**Deputy James Browne:** What are the Minister's plans for providing additional funding to the local improvement scheme in County Wexford?

**Minister for Rural and Community Development (Deputy Michael Ring):** The local improvement scheme, LIS, supports improvement works on private and non-public roads which are vital to the functioning of every day life in rural Ireland. The scheme is administered by the local authorities who identify the roads to be included under the scheme each year.

Since I reintroduced the scheme in September 2017, I have allocated over €48 million to the local authorities for improvement works on these roads. To date, almost 1,700 roads have benefited from this funding.

On 7 February last, I launched the 2019 LIS and allocated a sum of €10 million to Local Authorities. Funding allocations on a county by county basis can be found on the *gov.ie* website.

Wexford was allocated €329,878 under LIS this year and €1.3 million in total since the re-launch of the scheme in 2017.

The LIS is clearly a very popular scheme and is greatly appreciated by the people who use the roads. However, some local authorities have been slow to utilise the funds which I allocated to them last February. That is wrong. I emphasise that my officials are pressing the local authorities to make full use of these funds by the end of the year.

Given the importance of the LIS to the people who live in rural Ireland, I have secured funding for the scheme again in 2020. A new round of LIS will be announced next year, but I want to consider first how the scheme can be operated more effectively for the benefit of the people who use those roads on a daily basis.

**Deputy James Browne:** I raised a very specific roads issue, namely that of the local improvement scheme in my own county, Wexford. These improvement works on private and non-publicly maintained roads are very important to local communities. These roads often lead to houses or farms, but also, importantly, may also lead to lakes, rivers, beaches, castles and old graveyards and other historical and important cultural sites. These benefit historical and cultural access and access to facilities in Wexford as a tourism county and are therefore critical for improving development and infrastructure in rural Wexford. A total of 800 applications have been made for the scheme across the country but only about 30 have been funded.

In 2018 Wexford got the third lowest allocation despite being a five-seat constituency and one of the largest populations and counties. In contrast, the Minister's constituency, a four-seat constituency, received almost four times as much funding as Wexford. In 2019 the funding for Wexford has almost halved. Will there be further funding for Wexford for local improvement schemes? It is badly needed. We have the fifth worst roads in the country. While it is not ap-

plicable for public roads, the local improvement scheme would help the county.

**Deputy Michael Ring:** I do not like to say this to the Deputy, but the roads in Wexford cannot be that bad. I allocated €329,878 to Wexford and the total paid out to date is nil. Wexford has not drawn down one penny from the LIS scheme this year. The Deputy cannot expect me to consider giving any more LIS money when the local authority has not drawn down one penny. I will outline some other figures in the country. I gave them the money in February because I listened to people like the Deputy - to be fair to him, he is right and I agree with him - as well as my colleagues who told me that the local authorities were getting the money too late. I allocated the money in February and to date of the €10 million, I have paid out €1,977,914. That is 19.78% which has been paid out to local authorities. There is something very wrong if that is happening. If there is such demand for the LIS, that money should be drawn down and spent by now.

**Deputy James Browne:** Last year almost 100% of funding for Wexford was drawn down. It may be just a timing issue but there is a huge demand in the county. I am particularly interested in seeing funding allocated to cultural and historical parts of the county which might not otherwise receive funding. I thank the Minister for expanding the areas where the local improvement scheme can be used, such as roads which do not necessarily have houses on them but which provide access to castles or beaches, for example. It still requires a community to come together to apply for the funding. A prime example in Wexford is that of Tintern Abbey in New Ross near Saltmills which would greatly benefit from this. I am hopeful that an application can be put in there. It is critical for supporting rural Ireland. I have noted before how Wexford is one of only two counties outside Dublin which does not get any funding from the CLÁR programme it is still running on the basis of 2002 populations rather than more recent census figures. This is critical for a county such as Wexford, which needs additional funding. I hope more funding will be provided.

**Deputy Michael Ring:** Deputy Ó Cuív is beside Deputy Browne. Maybe I should do two things. The local contributions from owners or householders have been capped at €1,200 and I have reduced the percentage to be paid by the householder. The Deputies mentioned Mayo but there is a bigger demand in counties such as Mayo, Galway and Leitrim. It is not about the size of the county but where there is a need for the roads. These counties could do with more money but they should spend the money they have.

I am sure the Deputies will agree it is crazy that I am providing €10 million for the LIS, while local authorities are charging my Department between 10% and 13% for administration when they should match the amount. There are elected representatives on councils around the country and they can allocate some of their own resources to the LIS. My Department is the only body doing anything about the scheme. Other Departments should be participating, as well as local authorities, but instead they are taking 13% across the board from my Department. There is also a variation in prices for tar and chippings. I will review the scheme and consider other ways and means of delivering it.

**Acting Chairman (Deputy Aindrias Moynihan):** There are a few other Deputies in the Chamber seeking to ask questions and I want to try to get them in before we conclude.

## **Rural Regeneration and Development Fund Expenditure**

7. **Deputy Éamon Ó Cuív** asked the Minister for Rural and Community Development the amount provided in the 2019 Estimates for the rural regeneration and development fund, RRDF; the amount transferred to other subheads in the Vote; the amount remaining in the Vote for the fund; the amount spent to date; and if he will make a statement on the matter. [43662/19]

**Deputy Éamon Ó Cuív:** I was looking at some figures and it seems that after 9.5 months of this year, the Department has only spent approximately half its capital budget. I am curious as to whether the Minister will manage to spend the €52 million allocated to the RRDF or will he find some other way to spend the money? Both the Minister and I hate giving money back to the Exchequer.

**Deputy Michael Ring:** The RRDF seeks to support ambitious and strategic projects that have the potential to transform rural economies and communities. The Government has committed €1 billion over ten years to the fund and €315 million is allocated to the fund for the period 2019-2022, with €52 million allocated to the fund for 2019. Following the conclusion of the first call under the fund in February 2019, a total of 84 successful projects had been announced with funding of €86 million provided from the fund to support projects worth a total of €117 million.

Significant progress is being made on the implementation of these projects. A number of the projects have reached their first progress milestone and had funding released. To date, a total of €16 million has been drawn down from the fund by 29 separate projects and I expect payments from the fund will continue to accelerate over the coming weeks and months. Notwithstanding this progress, due to the requirement for due diligence and the time it takes for projects of the size supported by the fund to carry out procurement and get fully up and running, it is clear that savings will likely materialise in this subhead this year.

In that regard, I am pleased that demand under the LEADER programme has ramped up significantly this year and although I initially allocated €30 million to the programme, expenditure stands at approximately €33.3 million. Given this strong performance, I have, therefore, allocated an additional €10 million to the programme to cater for this increase in 2019. This is being reallocated from the savings to be realised under the RRDF subhead this year. I will continue to monitor spend and any savings will be used to benefit other demands under the rural and community programmes of the Department.

The improved activity in the LEADER programme is a welcome development, with more than 2,400 projects now being funded across Ireland. In this regard, I announced this week an additional allocation of €5 million to the ten local action groups most advanced in delivering the programme. These projects, along with the major strategic projects being progressed through the RRDF, are delivering significant economic and social development in rural areas throughout the country. I expect to make an announcement on future rural regeneration scheme projects shortly and am pleased with the great interest in this fund.

**Deputy Éamon Ó Cuív:** I applaud the Minister for transferring the money to the LEADER programme and I am glad it is being spent well, even if it is late in the day for it to start. That still leaves €42 million in the fund, with €16 million spent. In approximately six or seven weeks, the Department must spend €26 million, so is the Minister still confident the funding will be drawn down by the end of the year? Are there other areas in which he could spend the money? For example, has he considered putting more money in the LIS, although I understand the spending is slow there? We do not know whether the spending is slow because the work has

not been done or because the Department has not received the bills. It is a perennial problem faced by the Department.

Will the Minister consider, for example, asking local authorities to do some class 3 county roads, which the Minister knows are in poor condition? Quick decisions need to be made. For example, will there be another €10 million in hand to allow a €16 million spend in less than two months, as compared to the €16 million spent in 9.5 months? Should the Minister now make the quick decision to move the money into other funds and have it spent? It is no good trying to do this at the beginning of December.

**Deputy Michael Ring:** I am quite confident that all my funding programmes are on profile. I know I will not spend all the money for the rural regeneration scheme but I am confident a substantial amount of that money will be spent between now and the end of year. Many projects, including some in my county and the Deputy's county, are completed and the money will be drawn down between now and the end of the year. I am looking at ways and means of re-profiling the money but I have a big problem with LEADER and the way it is ramping up. There is no doubt that money is being drawn down and I will certainly have to find more money for the programme between now and the end of the year, which is good.

I can give the Deputy a commitment. I know he has been saying this for the past two years. Last year, I spent 100% of my capital funding, as I did the year before. Last year, I spent 99.5% of my current spending allocation and we made some savings in staffing and information technology. It was only a small amount. I spent almost 100% of the money. I can commit to the Deputy that same will happen this year. I hope I have enough money.

**Acting Chairman (Deputy Aindrias Moynihan):** I apologise but I am conscious of the time.

**Deputy Éamon Ó Cuív:** I presume the Minister will get the same amount for the RRDF next year.

**Deputy Michael Ring:** The amount has been increased.

**Deputy Éamon Ó Cuív:** When will the next tranche of applications be approved? He has had them for some time. The quicker stuff gets out before the end of this year, the quicker people will be in getting started and the more likely it will be that money will not have to be shifted around towards the end of next year. When will the Minister announce the next tranche of projects under the RRDF? I refer to approvals rather than calls to participate in the scheme. When will the next round of calls for projects to apply for funding?

**Deputy Michael Ring:** I am very pleased with my officials and we have done well. I am very proud of the Department as we will have a second call for the RRDF. None of the other schemes has had a second call. The Deputy asked a question and in the next two to three weeks I intend to have an announcement regarding the fund. There are some issues on which the Deputy and I disagree but there also some on which we agree.

**Deputy Éamon Ó Cuív:** That is good.

**Deputy Michael Ring:** I need to keep the schemes moving. As the Deputy knows, officials do not like us spending money in advance as at some stage, it will catch up with us, like it did with LEADER. The RRDF is fantastic but it takes time. We need a year or two of allocations

so it can level out. I am very proud of the way the Department has worked. There was a scheme last September that was closed in August and in the next two to three weeks, I will announce the successful applications. It will be open again early in the new year for a second round. There will be €1 billion over ten years and the money is there. Next year there will be an increase in the budget for the RRDF. As the years go on, there will be a bigger drawdown.

### **Community Services Programme Administration**

8. **Deputy Ruth Coppinger** asked the Minister for Rural and Community Development if he will increase funding of community centres to ensure workers receive a wage higher than the national minimum wage (details supplied); and if he will make a statement on the matter. [43809/19]

**Deputy Ruth Coppinger:** I wonder if the Minister can help so that people doing vital work in community centres can be brought above the poverty line, where many of them now live. There is a terrible anomaly between workers getting the national minimum wage and those on community employment, CE, or Tús schemes. Ironically, people on the schemes can end up having more income because they are also entitled to other allowances, while directly employed workers are not. The managements of the centres have limited resources and cannot necessarily afford to fund pay rises, which is a terrible anomaly. Obviously, there was no increase in the national minimum wage in the budget. An increase was deferred for reasons that have not been fully made clear.

**Deputy Seán Canney:** I thank the Deputy for the question. I presume she is referring to the community services programme which supports more than 400 community organisations in providing local services through a social enterprise model. CSP funding is provided as a fixed annual contribution towards the cost of an agreed number of full-time equivalent positions, including a manager, where warranted. A total of €32,000 per annum is provided towards the cost of the manager position, while €19,033 per annum is provided towards the cost of each full-time equivalent position. The CSP contribution is not aligned with the national minimum wage and does not meet the full salary cost of supported posts. It is a fixed annual contribution that must be co-funded by the organisations concerned from other sources, for example, income generated from the use of facilities and services provided. Supported organisations are obliged under the CSP to pay employees at least the national minimum wage.

Indecon Consultants is carrying out an independent review of the CSP programme on behalf of my Department and the review is nearing completion. It will examine, among other things, the programme's qualifying criteria and income generation requirements. It will help to inform decisions on the future shape and structure of the programme. In the meantime, the Department has provided over €1 million in additional support this year under the CSP support fund to help to address the financial challenges faced by many of the smaller CSP-supported organisations that struggle to pay employees the national minimum wage. The additional contribution paid under the fund was increased from €350 per full-time equivalent in 2018 to €1,100 in 2019.

**Deputy Ruth Coppinger:** As I do not have a copy of the written reply, I cannot interrogate all of the detail. I want to make this simple. I was approached by several workers in my local community centre. They work for €9.80 per hour. They are employed directly by a council-run community centre. They approached the council and the management committee to seek a pay rise to bring them into line with workers they were working alongside who might work 25 hours

and receive €11.70 per hour. When the fuel allowance kicks in, of which we are all in favour, these workers actually receive the equivalent of €12.70 per hour. We have an unreal situation where people who are employed directly are receiving €2 or €3 less per hour than others with whom they are working who work fewer hours. This cannot continue. People cannot actually survive on the national minimum wage, especially given the cost of rent and the cost of living. The carbon tax has just been imposed and so on. One in every four workers is low paid. Now we have a situation in community centres where there is a need for pay parity. It is the same demand as that being made in the public sector.

**Deputy Seán Canney:** I hear what the Deputy is saying. We do not want to have anyone living in poverty. I repeat that the CSP fund was extended in 2019 to provide additional funding for organisations which were finding it difficult to meet national minimum wage obligations. The CSP fund is totally different from the community employment programme which is a labour activation programme which has been designed to help people who are long-term unemployed to get back to work. The other important point is that under the CSP a contribution is made towards the cost of employing a person which must be co-funded by the organisation concerned. Those of us in the Department are delighted to say we have allocated a further €700,000 for the CSP fund in 2020, bringing the total allocation to €46.89 million. This means that we can bring more new entrants into the programme in 2020. The increase of €700,000 will allow for the approval of approximately 36 new full-time equivalent positions. It is important to reiterate that it is a contribution towards the cost of employment. It has not been designed to meet the full cost.

**Deputy Ruth Coppinger:** The way around the problem is to increase the funding provided for community centres specifically to increase the wages of the workers they employ. It should be ring-fenced for that purpose. I know that in reply the Minister of State will argue that the Department does not have the money to do so, but that is simply not tenable. We have the highest number of high net worth individuals - the super rich - that we have ever had in this country. We are also meant to be in recovery. We have seen a major increase in wealth in recent years.

I walked into a community centre in my area the day after the budget was announced and the manager immediately said to me all of the people there were worse off on that day than they had been the previous day. Their wages had not been increased since the national minimum wage had not been increased, but obviously other things were increased in the budget. How can the Government stand over this? We have a problem and I am not for one moment suggesting a downgrading of the salaries of the temporary workers employed. We can imagine how a person feels when he or she is employed directly when others can come in and work fewer hours and be paid more. The Government cannot stand over this. The only way around the problem is to ensure community centres have sufficient funds and increase the national minimum wage to make it a real living wage, an issue on which we had a debate earlier this week. We proposed that the national minimum wage be €15 per hour, a rate that applies in a number of US states. It also applies in other countries.

**Deputy Seán Canney:** I hear what the Deputy is saying, as does the Minister, Deputy Ring. I reiterate that Indecon Consultants is carrying out an independent review of the CSP programme on behalf of the Department. The review will examine, among other things, the programme's qualifying criteria and the income generation requirements that are necessary. It will help to inform decisions on how funding will be provided in the future. It is important to note that the review will be completed shortly. The timeline has been extended to facilitate regional consultation to ensure local input. We discussed this issue earlier. We intend to look at case studies and the extensive consultation with key stakeholders, including management and

staff in CSP-supported organisations. If there is a particular case the Deputy has in mind, she should forward the details to the Department. We can get Indecon to examine it.

### **Local Improvement Scheme**

9. **Deputy Brendan Smith** asked the Minister for Rural and Community Development to set out the likely timescale for the allocation of funding to local authorities in 2020 for local improvement schemes; and if he will make a statement on the matter. [43822/19]

28. **Deputy Brendan Smith** asked the Minister for Rural and Community Development to set out the level of funding to be allocated to local authorities in 2020 for the local improvement scheme; and if he will make a statement on the matter. [43821/19]

**Deputy Brendan Smith:** As the Minister knows and Deputy Browne put it so eloquently earlier, the local improvement scheme is particularly important for many rural parishes. It is not simply for one or two houses sited along individual lanes. In many instances, it can serve up to six or more families. In my county there is a significant backlog of applications running to almost ten years. In County Monaghan there is an eight-year waiting list. I am keen to see a substantial increase in the funding provided for this important scheme in 2020. It is a highly valuable scheme which represents a great investment in rural communities. It is important that this infrastructure be protected and receive investment in order that families can live along laneways that are drivable and to a decent standard up to their homes.

**Deputy Michael Ring:** I propose to take Questions Nos. 9 and 28 together.

Since I reintroduced the local improvement scheme in September 2017, I have allocated over €48 million to local authorities for improvement works on private and non-public roads. The scheme is administered by the local authorities which identify the roads to be included in the scheme each year. I have secured €10 million in funding in budget 2020 to continue the scheme next year. However, I also want to review it to ensure it is operating as effectively as possible for the people who use the roads on a daily basis. This year I introduced a cap on the level of contribution which any individual householder or landowner is asked to make to the cost of repairs to a road. However, I am still seeing wide variations in the cost of completing these works across local authorities. I am committed to continuing my support for rural communities in 2020 under the LIS and intend to announce a new round of funding next year when I have reviewed how the scheme has operated to date. I want to ensure we get the best value for taxpayers' money which is being used to fund the scheme. The exact level of funding to be provided for each local authority will be confirmed when the scheme is announced.

**Deputy Brendan Smith:** I thank the Minister for his reply. As people who represent rural constituencies, the Minister and I are conscious of how important the scheme has been during the years. I am keen to see more money invested to try to reduce the substantial backlogs in many counties. The funding allocated to my county in recent years has been drawn down. Knowing many of the lanes involved and families who have been the beneficiaries, the work was carried out to a very high standard. I am glad that the Minister has introduced a cap on the local contribution because, in many instances, it was prohibitive, particularly for older people who are surviving on a pension and who would not have money available to contribute. It is important that the scheme not be put beyond people's reach because of income pressures. In many instances, members of families, often sons or daughters, may want to set up home on a

site given to them by their parents. One of the factors taken into consideration when deciding whether to build in a particular location is the quality of the roadway to the proposed home and the quality of the road network more generally. In many parishes, thankfully, there is good quality community infrastructure like football and hurling clubs, soccer clubs and community centres, with, by and large, a great network of primary schools. We want to try to ensure people who wish to remain living in rural parishes will not be denied that opportunity.

**Deputy Michael Ring:** To be fair, County Cavan was allocated €269,254, but, to date, not one penny has been drawn down from my Department. It is sad that it has to telephone local authorities to ask them to draw down money. County Monaghan was also allocated a substantial sum of approximately €250,000, but, to date, not one penny has been drawn down. I was delighted to be able to reintroduce the LIS. There had been no scheme in place for a number of years as it had been closed down. My Department has played a major role in that regard. A total of €48 million has been allocated for the scheme since it was reopened two years ago. However, I am not getting any support from anybody else. The time has come for other Departments to consider contributing some funds to the LIS. One issue that really annoys me about the scheme which is under review is that local authorities are charging between 10% and 13% in administration costs for delivering the scheme when they should be matching the funding I am providing.

**Deputy Bobby Aylward:** Can some of the money be redirected to counties Carlow and Kilkenny?

**Deputy Brendan Smith:** I assure the Minister that in respect of both County Cavan and County Monaghan the entire allocations will be drawn down before the end of the year. The local authorities in both counties would be very glad to spend an even greater allocation next year. If the Minister were to double or even treble the funding provided, I assure him that it would be spent very well in both counties. In the past the Minister's Department, through the CLÁR programme, used to provide a top-up which was funded directly by the Department of Transport, Tourism and Sport. In 2012 the then Minister, Deputy Varadkar, now Taoiseach, abolished the scheme, but I would love to see it brought back as a mainstream programme in the Department of Transport, Tourism and Sport, with the Department of Rural and Community Development supporting it in the most isolated areas with a top-up payment. That is the route we should take to ensure isolated communities will have the investment and support they need in order that we can keep as many people as possible in rural Ireland.

**Deputy Robert Troy:** I support what my colleague said about the need to reallocate the scheme to the Department of Transport, Tourism and Sport and have a top-up payment made by the Department of Rural and Community Development. It is worrying to hear that certain local authorities are not availing of the scheme and not drawing down the allocated funding when county councils such as those in counties Longford and Westmeath have schemes that are over-subscribed every year. Is there an opportunity for the councils that are proactive and deliver in the early part of the year and have schemes that are oversubscribed to avail of moneys allocated to other councils that have not been used by the end of the year? The last thing we want to see happen is money not being used and going back to the Department.

**Deputy Michael Ring:** In response to Deputy Troy, Longford County Council has not drawn down any of the funding allocated to it this year, although Westmeath County Council is a credit, having drawn down 100% of its allocation. As Deputy Brendan Smith said, my Department reintroduced the LIS. However, I have been saying since its reintroduction that I need

support from local authorities and other Departments. The Deputy is correct in saying I should only be topping up the money available under the LIS. Local authorities should be providing some funding. They have revenue and the elected councillors, regardless of who they are, can make decisions on budgets. They could use some of their own discretionary moneys and some of the funds generated in rates and so on and put them into the LIS. I will continue with the scheme for next year-----

**Deputy Brendan Smith:** In fairness, the counties that most need the LIS are also the ones with a smaller rates base, unfortunately.

**Deputy Michael Ring:** Yes, but at the same time, local authorities have access to lots of money. They are always able to find it when they want to find it and want to become involved in particular schemes. I have respect for the local authorities, but I do not like the fact that they charge my Department for administering the scheme. The revenue raised from charge should be put into the scheme.

### **Departmental Strategy Statements**

10. **Deputy Bernard J. Durkan** asked the Minister for Rural and Community Development the mission statement of his Department; the degree to which he remains on course to achieve or exceed its targets; the degree to which these objectives can be widened to cater for a wider section of the community, if not already covered; and if he will make a statement on the matter. [43823/19]

288. **Deputy Bernard J. Durkan** asked the Minister for Rural and Community Development the extent to which he expects to be in a position to respond in full to the request in respect of rural and community development in both rural and urban areas in proportion to need; and if he will make a statement on the matter. [44122/19]

**Deputy Bernard J. Durkan:** I wish to ask the Minister about the extent to which the mission statement of his Department is sufficiently broad to enable it to cater for the wider community to the greatest extent possible.

**Deputy Seán Canney:** I propose to take Questions Nos. 10 and 288 together.

The mission statement of my Department, as set out in its published statement of strategy, is to promote rural and community development and support vibrant, inclusive and sustainable communities throughout Ireland. The Department was established in 2017 to facilitate the achievement of this mission through creating conditions to support increased economic opportunities and local employment in all areas of the country; delivering schemes and programmes that support the revitalisation of towns and villages; improving access to services and social networks that ensure a high quality of life; enabling communities disadvantaged by location or social issues to reach their full potential; and supporting communities to have a voice in shaping their own future. I am satisfied that, through its various funding supports and policies, the work of the Department is delivering positive outcomes for communities throughout Ireland.

Project Ireland 2040 recognises the economic and social importance of rural Ireland through the €1 billion rural regeneration and development fund, the objective of which is to strengthen rural economies and communities. Other funding supports provided by the Department com-

24 October 2019

plement this fund, including town and village supports, community services programme and SICAP funding. In addition, my Department continues to work with colleagues across government to drive positive rural and community development and deliver policies and initiatives that consider the economic and social needs of all communities, regardless of location. The policies include the publication in 2019 of Ireland's first national policy on social enterprise and a five-year strategy to support the community and voluntary sector in Ireland entitled, Sustainable, Inclusive and Empowered Communities. The Department is also in the process of developing a new rural development policy to follow on from the action plan for rural development and a national strategy for volunteering, in consultation with all stakeholders. Supporting agencies, including the Western Development Commission, Water Safety Ireland, the Charities Regulator and Pobal, also helps communities.

I am confident that the work of my Department is benefiting all communities and delivering on our mission statement. I am determined that this will continue to be the case and that available funding and supports will continue to deliver positive, visible impacts for all communities across the country on a fully inclusive basis.

**Deputy Bernard J. Durkan:** In its work to date with various community groups throughout the country has the Department observed a need to extend or expand its various schemes, with a view to enhancing its direct links with community and rural development groups?

**Deputy Seán Canney:** We are very satisfied that departmental funding and policies are making a positive difference to communities. Many vibrant towns and villages across Ireland are gaining and one can see that positive changes are happening. Evidence of our impact can be seen in the growing opportunities for employment creation and improved quality of life across rural Ireland. Funding for rural development, town and village renewal and community support schemes is just one of the noteworthy examples. Once schemes are put in place, they are reviewed on an annual basis in order to ensure the public money being provided is delivering the required outcomes. There is not a town, village or community in any of the 31 local authority areas that has not benefited in some way from the schemes being run by my Department. All morning we have been talking about various departmental schemes, including the LIS. There is a need for more support, particularly for the LIS, from the Department of Transport, Tourism and Sport and local authorities so as to ensure we will leave nobody behind.

12 o'clock

*Written Answers are published on the Oireachtas website.*

### **Visit of Romanian Delegation**

**An Ceann Comhairle:** Before proceeding with business, I wish on behalf of myself and Members of Dáil Éireann to offer a most sincere welcome to a delegation of the Committee on Education, Science, Youth and Sports of the Romanian Chamber of Deputies, led by the committee chair, Mr. Sorin Mihai Cîmpeanu. Accompanying the delegation is the Romanian ambassador, Her Excellency Mrs. Manuela Breazu, who is no stranger to us here.

## **Gnó na Dála - Business of Dáil**

**An Ceann Comhairle:** Before proceeding to Leaders' Questions, I wish to bring Members up to date with matters relating to the voting process in this House on 17 October. On Tuesday, I informed the House that I had commissioned a review into the conduct of the voting bloc on Thursday, 17 October. The review, which was undertaken by the Clerk of the Dáil with the assistance of senior officials of the Houses of the Oireachtas Service, was submitted to the Committee on Procedure, which this morning incorporated the review into its own report, which has now been laid before the Dáil.

The controversy that ensued following the voting one week ago has further eroded public confidence in how our national Parliament conducts its business. Like many Members, I have received emails, phone calls and correspondence from the public, which have been highly critical of our voting practices. It is most timely that I remind Members of the code of parliamentary standards adopted by resolution of the House on 7 July 2010. The first principle of that code reads:

Members belong to an institution that is a cornerstone of and plays a central part in our democracy. They have a fundamental duty to behave in a manner that supports and reflects this and should endeavour to avoid comment or action that undermines the institution of parliament or how it is perceived.

Politics is an honourable profession, and, as politicians, we must conduct ourselves professionally. It is a matter of deep personal and professional regret to me that this did not happen last week.

Over the coming hours, I hope Members will take the opportunity to read the report. It is factual and evidence-based. It makes no finding against any individual, but the facts as laid out in the report are stark and unpalatable. It is sobering to reflect on the voting irregularities that occurred last week and under no circumstances can they be allowed to happen again. The Constitution requires Members to be present in the Dáil Chamber when voting and there can be no deviation from this fundamental requirement.

On a personal level, I have always believed that when errors are made in life - and we all err - they should be admitted and learned from. I would apply this maxim to what transpired last week. As Ceann Comhairle, I have endeavoured to be open and accountable about these events. As a parliamentary institution, we can take some solace from having established the facts expeditiously, and for that, I thank the Clerk of the Dáil and his dedicated staff. I also very much appreciate the co-operation from every Member in the course of this process.

As stated in the report, a number of complaints have now been made pursuant to the Ethics in Public Office Acts. Of necessity and based on legal advice, these complaints must be allowed to take their course in accordance with the processes laid down in statute. It is now for the Committee on Members' Interests to examine the matter and recommend any appropriate sanction. Any recommendation from that committee will be made to this House, and this House, rather than any one committee, will decide on the imposition of sanctions if deemed appropriate.

Later today, we will have statements in the House on the report. It is my sincere wish that Members read the report before expressing their views. I refer again to our code of parliamen-

24 October 2019

tary standards, which states that Members are expected to recognise the importance of their collective responsibilities and show respect for both the institution of Parliament and each other by conducting themselves with decorum.

Dáil Éireann is first and foremost a Legislature and I am, therefore, reassured by the advice of the Chief Parliamentary Legal Adviser regarding the presumption of constitutionality that attaches to all legislation passed by the Oireachtas. This presumption also applies to resolutions of this House.

As Ceann Comhairle and chairman of the Committee on Procedure, I commissioned the report, and I now undertake to do my utmost to lead the changes required as a result of it. However, I will require all Members to work with me in implementing solutions. The problems of last Thursday were not of a technical nature; the failure was a political one. As politicians and parliamentarians, there is an onus on us to deliver the solutions that are now required.

In conclusion, I thank Deputies for their attention. I am under no illusion regarding the work that now needs to be undertaken, but I know I can count on the support of all Members of this House in implementing the necessary measures to strengthen public confidence in the proceedings of Dáil Éireann. Go raibh maith agaibh.

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

**Deputy Dara Calleary:** I welcome the Ceann Comhairle's remarks. He has this party's full support in the work ahead. I thank the Clerk of the Dáil and everyone involved in the work this week. There will be time this afternoon to reflect further on that report.

The report issued overnight by the Environmental Protection Agency, EPA, shows that Ireland will exceed its climate change emissions targets by up to 6% for 2018, which is the third year in a row we will have exceeded those targets. We are 5 million tonnes in excess of the target to which we all signed up. The bottom line is that emissions are increasing in several sectors. Our climate response seems to be more spin than substance and is completely at odds with our international requirements. There was a small reduction in output in 2018, but that more to do with a plant being out of commission for repairs than a policy response by the Government. The EPA has again highlighted that we are likely to miss our 2020 climate commitment by well over 90%, which shows how far away we are from the Government's aspirations and spin. That failure, in turn, will result in penalties of hundreds of millions of euro that could be spent elsewhere. The analysis confirms that Ireland has "drifted off target", to quote the Tánaiste's colleague, the Minister for Communications, Climate Action and Environment, Deputy Bruton, during the nine years the Government has been in office. It shows that the Government is wedded to our climate laggard tag. The Tánaiste may point to the new climate plan, but we have yet to see much of the substance behind that plan's aspirations, implementation plans that can be measured, or targets against which agencies and sectors can be held. What is the Tánaiste's response to the EPA report? Has the Department of Communications, Climate Action and Environment measured where the 2019 figures stand at this stage in the year? What plans does the Government have to reduce the 2019 and 2020 figures in order that we can send a signal that we are taking our responsibilities seriously?

**The Tánaiste:** The Ceann Comhairle will have complete support from my party in the work that needs to be done in response to the report laid before the Oireachtas today. We look forward to an appropriate debate later this afternoon on the contents of that report.

The EPA report on the 2018 emissions outcome reinforces the importance of implementing the climate action plan, which, as the Deputy will be aware, was designed and published after 2018. Ireland has drifted off target, and we must implement a decisive policy shift each and every year. That is what we are committed to doing. The 2020 budget was an important watershed in that regard. Earlier this year, the Government published the climate action plan, which sets out the actions we need to take to ensure we meet our 2030 climate commitments, putting us on a trajectory to net zero emissions by 2050. I welcome the EPA's report today, for our plan, which is a roadmap forward to decarbonise and secure a sustainable and more resilient Ireland for future generations.

The figures released today reflect the position prior to the publication of the national climate action plan. While the EPA statement today shows that emissions have fallen for the second year in a row, the decrease is too small and is driven, as the Deputy correctly said, by some temporary occurrences, primarily the temporary closure of Moneypoint in 2018. We still saw an increase in emissions from households and in transport and agriculture last year.

I note the commitments of the EPA today, which call for the swift implementation of the action plan. This is our pathway forward and today's results underline the urgency of implementing those actions in full across the Government. Quite frankly, we will need the support of Fianna Fáil in our efforts to do that, as the Government seeks support in the House to make the changes necessary.

The Minister, Deputy Bruton, has taken a new and different approach. He has only been in office for 12 months and has made an extraordinary impact in changing the approach to climate policy in Ireland, and the Government will continue to see that plan through.

**Deputy Dara Calleary:** I thank the Tánaiste. The Minister, Deputy Bruton, has been in office 2011 in various Departments, a period during which a lot of the targets were missed. The Government has my party's support. It was my party that proposed that the carbon tax funding be ring-fenced for initiatives such as increasing the quality of our housing supply and a just transition for the midlands in particular. That ring-fencing must proceed. Can the Tánaiste state whether legislation is required to ensure that ring-fencing will happen? When will the ring-fencing be introduced?

The climate action plan only goes part of the way. We need to look at investing in retrofitting, in communities that need to make a just transition and in bringing people with us. I spoke to the Taoiseach yesterday about the new CAP programme. Farmers must be given the chance to lead this discussion and realise that there is something in it for them. They have to be compensated for whatever losses are coming. We cannot continue to keep publishing plans and engaging in PR opportunities in the one electric bus in the city. We need action and the EPA report should be the final wake-up call.

**The Tánaiste:** We are beyond a wake-up call. We have an action plan and it is being implemented. The budget that has been passed, on which the Deputy made a contribution, is proof of that. We are investing more in electric vehicles. We have ambitious targets and we need to meet them. We are investing more in warmer homes and have a budget to match.

24 October 2019

We have a commitment to have a radical change in how we manage waste from next year on. We are decarbonising the energy supply. Some 30% of our energy needs are now being provided by renewables and by 2030, that figure needs to be 70%. We have a new approach to just transition, in particular in the midlands in the context of the challenge faced by Bord na Móna. We have put money behind those new approaches.

We will appoint a just transition commissioner in order that we have somebody who is managing the transition, with a significant budget, and works with the affected sectors and people and families involved. We have set aside €7 million to restore 1,800 ha of bogs between 2020 and 2024. We are at the point of implementing an action plan. Each Department has targets it needs to meet by law. That is uncomfortable for some people but there is now a need for our action plan to be quite uncomfortable, in terms of the pressure it puts on people to deliver on the targets on which they must deliver across sectors in a way that is just and fair to the people on whom we are imposing that new policy.

**Deputy Martin Kenny:** I assure the Ceann Comhairle that he will have our full support for the work he is taking on in respect of what he announced at the beginning of business today.

Yesterday, 39 people were found dead in the back of a lorry in England. My thoughts are with their families and the emergency response services who had to deal with this terrible tragedy. A tweet today read, “One of those people was the last to die and watched 38 die before them”. This is an unimaginable horror. We have our own tragic history in this country in that regard. The owners of coffin ships exploited Irish immigrants by cramming them into holds and under decks. Today, shipping containers and lorries are the coffin ships of the 21st century. It highlights the human tragedy of displacement and conflict. These coffin containers are what many people fleeing persecution and war have to resort to in order to get to safety. Tackling the criminal gangs behind them, who are people trafficking, must be prioritised and they must be put out of business across Europe.

Unfortunately, some people in this country peddle far right ideology and may be happy that 39 fewer immigrants will be coming to Ireland. The hatred that these people disseminate, mainly through the Internet, is regrettably taking root in some places in our society and that is what I want to talk about today. The language the far right uses and the tone of speech that it normalises has taken root among people who would otherwise be decent and reasonable. That is where the greatest danger lies. It has become acceptable for some people to talk about asylum seekers being dumped in a town. The word “dumped” insinuates something is of no value. We only dump rubbish. Legitimate concerns that people and communities have about education or health services being stretched are being twisted into reasons to be intolerant. All of us elected to public office have a duty to stand firm against this and we must educate and convince people of the dangers of that indirect prejudice and what it produces.

This issue goes beyond immigrants and minorities. It is also an issue of class because in many places around the country where there are proposals to build emergency accommodation or social housing, there are objections from communities which are excited by hysteria that they do not want those sort of people around them. That is the challenge for the Tánaiste, the Government and all parties. The Government’s limited policies on social housing to provide for the underprivileged is always heralded in this Chamber, but on the ground it is the secretaries and chairs of Fine Gael branches, and even Fine Gael councillors, who lead the protests to block such housing. I have personal experience of senior members of Fine Gael, including a local councillor, whipping up hysteria, demonising people and standing as a bulwark against reason

and civil discourse in favour of domination and superiority.

Fearmongering discussion about being overrun has become common and acceptable language. I even hear radio journalists speaking in those terms. We have a job of work to do in our society. We have to stand for equality and justice every day, on the hard days and the easy days. I want the Tánaiste to assure me that he is prepared to stand against prejudice and that the Government is prepared to stand against this sort of thing creeping into our society.

**The Tánaiste:** I thank the Deputy for raising this issue. On behalf of the Government, I would like to say that the tragedy which unfolded yesterday, in which 39 Chinese people, 31 men and eight women, including one teenager, died, was a reminder of how ruthless and shocking people trafficking is. This is not something which is comparable to trying to bring refugees from countries like Libya across the Mediterranean Sea. This is an issue which comes right into our own lives. The investigation under way in the UK involves An Garda Síochána, and I can assure the House that the investigation by the Essex police will have the absolute and full co-operation of the Garda.

It is also important to say that we have a national action plan to prevent and combat human trafficking in Ireland. It is comprehensive and An Garda Síochána has committed significant resources to investigating and prosecuting cases of human trafficking. A specialised Garda unit, the human trafficking investigation and coordination unit, has been established and is very much part of that human trafficking strategy. I want to give that reassurance.

Second, I want to comment on the approach towards asylum seeker accommodation in Ireland. I commend the Deputy for what he said today, which needs to be said by more Members in this House. We have a legal obligation to protect and look after asylum applicants as we assess their applications. In my view we also have a moral obligation to ensure that they are looked after in terms of food, shelter and supports, be they medical or otherwise. We have done a reasonably good job in this country of ensuring they can integrate into broader society. It is not perfect. Direct provision is far from perfect but we are trying to improve it all the time. An increasing number of people want to come to Ireland and are coming to Ireland and claiming asylum here. This Government is looking for new accommodation for that increased number. Currently, about 1,400 asylum seekers are in hotels and bed and breakfasts because we do not have sufficient accommodation to look after them properly and we need to address that honestly across the country. This is what is happening in a number of locations.

However, there is a need to answer questions fully. When communities have concerns that are legitimate, they have a right to ask the hard questions and to have answers to those questions. Today, the Minister of State, Deputy Stanton, is attending a meeting with local community representatives, councillors and some Deputies regarding the Ballinamore case referred to by the Deputy. I recognise the Deputy's role in trying to bring a context to the discussion in terms of reassuring local communities that the integration of some asylum-seeking families into their communities can be managed appropriately in a way that does not threaten anyone in the community. That is what we need to continue to do across the country when there are legitimate concerns among communities.

**Deputy Martin Kenny:** I understand that and I do not want to make this about the situation in Ballinamore or anywhere else, but the Tánaiste did not address my main point, which was that using direct provision centres to accommodate asylum seekers is the policy of this Government yet around the country, people from other political parties and other community

organisations are saying that we must be reasonable. People from the Tánaiste's party and other parties are demonising us for doing that. We have this situation everywhere. We need to recognise that Fortress Europe is not working and that we must have a legal pathway to deal with the situation. More than anything else, we have to take responsibility. It is outrageous that hate speech is becoming normalised and is being allowed to become normalised. It is becoming normalised. It is becoming acceptable for that to happen. Those of us who are victims of it and who get the text messages and all these threats will not stand down. We will stand firm but we need to know that the people who are putting those policies in place will also stand firm. This is the question the Tánaiste did not answer today. The people and I need to hear that from him.

**The Tánaiste:** This Government is looking to ensure we have appropriate accommodation and invest accordingly to ensure we can look after asylum seekers properly when they come to Ireland until their asylum applications have been processed and decisions have been made. This is why the Minister of State, Deputy Stanton, will attend a meeting today to answer questions and reassure people about practical things like GP services, education and health support services for vulnerable families that may have been through significant trauma in recent months that results in them being here as asylum seekers in the first place. I appeal to everyone in this House to make sure that when we contribute to those discussions and debates, we do so in a way that recognises the obligations we have as a country and tries to calm what is sometimes hysterical language in a way that is reassuring. There are legitimate questions that need to be answered but they can be answered. There are many examples of asylum seekers who have moved to towns and villages without large populations where integration has been a success story. We will continue to ensure that we fulfill our obligations to provide appropriate accommodation for vulnerable families in difficult circumstances.

**Deputy Brendan Howlin:** A Cheann Comhairle, I welcome the strength and earnestness of your comments on voting in this House. We know we now need to act to address the genuine concerns of the general public.

There is near unanimity in this House that from an Irish perspective, there is no such thing as a good Brexit. However, there are bad Brexits and worse Brexits. In recent weeks, there was a genuine fear that Boris Johnson would pull the UK out of the EU without a deal. The threat of no deal has receded thanks to the Benn Act and the Letwin amendment, which are designed to prevent a no-deal exit, although I am not convinced that a no-deal exit is still impossible.

Last week's agreement between British and European negotiators is certainly better than no deal. The new agreement seems to guarantee an open Border, which has been our collective primary responsibility and objective in this House. Other than that, it is a worse deal than the one negotiated with Theresa May. The new political declaration sets out a vision of the UK diverging to a greater extent from the EU and its standards. The new text gives greater emphasis to respecting each other's autonomous decision making. The future role of the European Court of Justice is reduced and the UK's future relationship with the EU is no longer to be as close as possible but on the basis of a free trade agreement. This indicates that Boris Johnson wants to distance the UK from the Single Market and our customs union or even from a single customs territory, as was envisaged by Theresa May in her deal. If Boris Johnson wins the next general election, the UK is likely to move away from alignment with European rules. There is no commitment to maintaining a level playing field into the future other than not rowing back from existing shared standards. In short, it is no longer safe to assume that the UK will remain close enough to the EU rules for British-Irish trade to continue even as a semblance of what it is currently. It looks like the UK is now determined to go down a radically different path, includ-

ing deregulating of industries regulated by EU rules. What analysis has the Government done or initiated to estimate the effect on our economy if the UK pursues a very different approach to the harmonisation envisaged by Theresa May and instead embarks on a much more hardline separation, as envisaged by Boris Johnson?

**The Tánaiste:** The deal between the UK and the EU is one we can live with. It is a deal that protects Ireland's core interests in terms of the lack of any Border infrastructure, be that live animal, sanitary and phytosanitary, customs or regulatory checks or any form of tariff. What we have managed to achieve with our partners in the EU is a negotiated deal with two different British Governments, both of which took quite a different approach under former Prime Minister Theresa May and Prime Minister Boris Johnson. Those deals had to be designed primarily around British red lines while at the same time protecting core Irish interests.

It is important to say that the revised political declaration on the level playing field issues is stronger than Deputy Howlin suggests in terms of an insistence by the EU side on a level playing field in the future should there be free trade that is tariff and quota free, which is the stated objective.

The briefing from the EU after the deal was done referred to the political declaration, stating it:

...provides for an ambitious FTA with zero tariffs and quotas between the EU and the UK. It states that robust commitments on a level playing field should ensure open and fair competition. The precise nature of commitments will be commensurate with the ambition of the future relationship and take into account the economic connectedness and geographic proximity of the UK.

If the UK wants tariff-free and quota-free trade that is as seamless as it would like it to be with the EU under an FTA, it will have to provide guarantees, sector by sector, regarding issues on a level playing field and equivalents. That is an absolute must or else the UK will not have the type of FTA that it wants. We cannot have a situation whereby the UK decides to change fundamentally its regulatory model, diverges from EU standards and, at the same time, trades into the EU uninhibited. I am afraid that is not realistic. We have to protect our market, our consumers and our businesses. I hope there will be free trade because that is in the interests of Ireland and the UK. If that is to happen, however, the issue of the level playing field will be a big part of any discussion of the future relationship. I hope we can get to that if we can get the withdrawal agreement ratified and settled and allow the UK to leave the EU in an orderly manner so that we can move onto a transition period to resolve all of these issues.

**Deputy Brendan Howlin:** We agreed in this House that the core issue - and Deputies from all of the benches gave incredible solidarity to the Government - was maintaining a borderless island. As the Tánaiste indicated, all trade, including animal trade, between North and South is protected. That does not, however, include east-west trade, which is the bulk of our trade. That is, or should be, a core issue for us as well. It is an area, however, that we will have less control over if the UK leaves the EU. My central point, however, is that there has been a fundamental shift in British policy from that pursued by the May Government, which we had envisaged would have close alignment into the future, to that now being pursued by the Johnson Government, which has set out on the hard Brexiteer path of separating the UK from the standards of the EU to give themselves a trading advantage.

The Tánaiste has outlined what we have all known for three years. It has, however, taken that long to dawn on the hard Brexiteers. From the very first negotiations, they thought that they could have their cake and eat it, that they could have free access and be able to carry on other trade as well. My fear is that the Johnson Government is now determined to have a no deal immediately or else in 14 months, or whenever the trade talks end, when there is a failure to agree the free trade terms outlined by the Tánaiste. What preparations are we making for that eventuality if Johnson remains Prime Minister?

**The Tánaiste:** I believe the British Prime Minister does want a deal. The deal he has struck with the EU is fair from an Irish perspective regarding our priorities in these negotiations. Northern Ireland has a unique set of circumstances. As part of the UK, it is leaving the EU. It is also, however, subject to a peace agreement that is 21 years old. We all know the complexities and vulnerabilities brought about by the challenges of Brexit in that regard. That is why Northern Ireland has been given a unique solution, which essentially allows it to stay, legally, within the UK customs union and single market while, at the same time, ensuring that businesses in Northern Ireland can have uninhibited access into the EU market.

**Deputy Brendan Howlin:** We all agree on that. I was referring to the future of east-west relations.

**The Tánaiste:** The east-west future will be determined on the basis of the future trading agreement. There is a stated objective in the political declaration of a tariff-free, quota-free trading arrangement, which I will work towards achieving. For that to be achieved, however, the EU will, of course, insist on level playing field issues, which are mentioned specifically, whether those are environmental standards, workers' rights or climate issues. We must ensure that businesses in the UK operate to an equivalent standard to businesses in this country. Otherwise, it will simply not be a level playing field and it will not be possible, therefore, to facilitate the type of trade we would like to envisage in the future.

**Deputy Richard Boyd Barrett:** Are the figures from the EPA on our CO<sub>2</sub> emissions not yet another damning indictment of the failure of this Government to take the issue of climate change seriously? Some 5 million tonnes of CO<sub>2</sub> have been emitted above the required targets and this is the third year in a row that we have missed them. From the point of view of the public, crucially, we are now facing fines amounting to hundreds of millions of euro. That is money that could be spent on housing, health, education and actual climate measures. The Government is intending to make ordinary people pay for its policy failures on climate change with a punitive and regressive carbon tax. Even the Economic and Social Research Institute, ESRI, stated that it is regressive. It will hit the poor and the less well off. The carbon tax has been in place for some years but has done nothing to reduce our carbon emissions.

Do these figures not demonstrate that the Government is guilty of rampant climate hypocrisy? It has blocked Deputy Bríd Smith's Bill to keep fossil fuels in the ground, which was the central demand of the secondary school students who were on the streets seeking climate action. This week, the Government proposed to the EU that a liquid natural gas, LNG, terminal be built at Shannon to import, for decades to come, poisonous, toxic fracked gas from the United States. The Minister for Agriculture, Food and the Marine, Deputy Creed, this week refused to take action against the beef barons on the issue of feedlots, which are the major culprit when it comes to emissions in agriculture. He also refused to act against the dairy barons while the poor small farmers, meanwhile, who are not guilty of climate sabotage, are being thrown under the bus with the Mercosur deal. That deal was agreed with the Brazilian president, Bolsonaro,

who is burning down the rain forests that produce our oxygen and flooding Europe with cheap beef at the expense of small farmers. The Government is also allowing bus fares to increase, and they will increase further following the carbon tax increase, which it should be encouraging people to use public transport but this Government is privatising it. It also consistently fails to meet afforestation targets.

Why does the Government not listen to our proposals? We have been relentless in proposing to keep fossil fuels in the ground, stop the LNG terminal at Shannon bringing in fracked gas, get rid of fares on public transport and add 1,000 more buses to the national fleet to improve our public transport system. There should also be better grants to make it affordable for people to insulate their homes and enable them to reduce their energy usage and energy bills. Grants for small farmers should also be dramatically increased so that they can move away from environmentally-damaging agricultural activities and into afforestation. We have repeatedly asked the Government to do these things. All it wants to do, however, is tax ordinary people for its failure. Is that not climate hypocrisy and climate failure?

**The Tánaiste:** I do not think producing a robust action plan to deliver on the targets we need to meet by 2030 is in any way hypocritical. We now have a Minister for Communications, Climate Action and Environment, Deputy Bruton, who he is leading the argument on what Ireland needs to do in this respect and, more important, how we are going to get that done. That will require all the relevant Departments, which is most of them, to set and meet targets on an annual basis. We now have a reminder from 2018 that Ireland is not on target and needs to change. In 2019, our climate action plan is responding to that to ensure we not only get back on track but ahead of the targets we need to meet in multiple sectors, including public transport, the electrification of transport and an approach to fossil fuels that keeps them in the ground.

**Deputy Peadar Tóibín:** That is all in the future tense.

**The Tánaiste:** The plan also recognises that gas will be, in all likelihood, a transition fuel for the foreseeable future. As we make that transition, however, we have to ensure we also have energy security. That is something completely ignored by Deputy Boyd Barrett over and over again. What we have is a robust and tested plan. All of the independent commentary on our climate action plan has, by and large, been positive if we can deliver on it and are getting on and implementing it. If the Deputy wants to talk about hypocrisy, anybody who opposes sending a clear signal on the cost in the next ten years is the one who is being the hypocrite in this argument. There is nobody credible of whom I am aware who is suggesting it is not good to indicate to people that each year for the next ten years the cost of using carbon will increase. We are, therefore, encouraging them through grant aid and other supports and incentives to move away from using it as a fuel. Instead, the Deputy has tried to politicise the issue in the way he does with everything, rather than taking a responsible approach and working with us to ensure we will have a just transition in moving away from the use of carbon in homes and business by families and others. The Deputy is trying to weaponise it in the way he does with everything else. That is hypocrisy.

**Deputy Richard Boyd Barrett:** The Government's policy is always to make the little person pay.

**The Tánaiste:** Nonsense.

**Deputy Richard Boyd Barrett:** Whatever it is, be it water charges, property charges, park-

ing charges or carbon taxes, the small person always pays-----

**Deputy Michael Creed:** Everybody pays.

**Deputy Brendan Griffin:** What about the people of north Kerry?

**Deputy Richard Boyd Barrett:** -----but the Government never asks the polluting corporations to pay. They get away scot-free. When they lobby the Government, it states it will block Deputy Bríd Smith's Bill to keep fossil fuels in the ground.

**Deputy Brendan Griffin:** What about people living in rural areas?

**Deputy Richard Boyd Barrett:** The Government states it will install a terminal that will lock us into the use of toxic fracked gas for decades to come at a time when, by the way, the British energy regulator has told the Government that it can use British gas up until 2035, by which time we should have reduced our use of that fossil fuel.

**Deputy Brendan Griffin:** Look around.

**Deputy Richard Boyd Barrett:** Where are the grants to make it possible for somebody who needs to have his or her home insulated, who is living in a damp and cold home but does not have the money to insulate it? The Government wants to tax such a person because he or she does not have enough money to do the work.

**Deputy Josepha Madigan:** They will actually have more money.

**Deputy Richard Boyd Barrett:** The Government always blames the small person and never takes on the corporations. One hundred corporations are responsible for 70% of global emissions. Where are the taxes on them? Where are the penalties to make them change their behaviour? The carbon tax which has failed to reduce emissions to date is the only measure about which the Government talks. On everything else such as public transport, it privatises and lets fares to go up. It is not serious about tackling climate change. It is merely using it as an excuse to attack ordinary people.

**The Tánaiste:** It is difficult to have a rational debate with somebody when he or she does not want to see the facts. If the Deputy wants to look at what we are doing to have warmer homes and cheaper energy bills, since 2016 we have increased the funding available for home upgrades threefold. That is the first point.

**Deputy Richard Boyd Barrett:** It is still unaffordable.

**The Tánaiste:** In 2020 an allocation of €146 million, a €29 million increase on the figure for last year, will be used to upgrade 24,000 homes and businesses, yet the Deputy is saying we are doing nothing.

With reference to the Shannon liquefied natural gas, LNG, plant - it is important to make this point because the Deputy does not want to hear it because it suits him to misrepresent the facts - concern has been expressed about it. It was designated as a project of common interest by the European Commission for six years in 2013 and again in 2015 and 2017. The Minister for Communications, Climate Action and Environment, Deputy Bruton, has said he will not support any grant application made by Shannon LNG to the Connecting Europe facility until a security of supply review has been completed and considered by the Government and the Dáil.

He has also asked the European Commission to review the implications of importing LNG, both conventionally and unconventionally extracted, into the European Union in terms of sustainability and having a secure and competitive European energy policy.

**Deputy Bríd Smith:** The Minister has left it on the projects of common interest list.

**The Tánaiste:** The Minister has indicated that he will carry out a comprehensive energy security review which will also consider scientifically from whom and where fossil fuels are sourced during the transition to having a carbon neutral economy.

**An Ceann Comhairle:** Time is up.

**The Tánaiste:** We are doing all of what the Deputy is suggesting we are not doing. We are applying the science and rationale-----

**Deputy Bríd Smith:** The scientists have told us that it is fracked gas. There is no other form coming from North America except fracked gas.

**The Tánaiste:** -----as opposed to the politics Deputy Boyd Barrett brings to these debates. It is hypocrisy.

**Deputy Brendan Griffin:** Deputy Boyd Barrett would not make a decision based on science that would affect hundreds of people in my constituency of Kerry North.

**Deputy Bríd Smith:** The scientists have told us that it is fracked gas.

**Deputy Brendan Griffin:** It is popular for the Deputy to say it.

**Deputy Bríd Smith:** There is no other gas available.

**Deputy Brendan Griffin:** Ignore the people of north Kerry. Spend a week there to see what is happening.

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

**Deputy Ruth Coppinger:** He is pathetic.

**Deputy Brendan Griffin:** They are living in a different universe.

**Deputy Ruth Coppinger:** The Minister of State is acting like a Healy-Rae.

**Deputy Brendan Griffin:** They do not have a clue what is going on.

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

**Deputy Bríd Smith:** We have obviously pushed his button the wrong way.

**Deputy Brendan Griffin:** I have been listening to this rubbish for months.

**An Ceann Comhairle:** I am listening to the Minister of State and asking him to calm down. He should take it easy.

**Deputy Brendan Griffin:** They do not have a clue what is going on in counties such as Kerry.

24 October 2019

**An Ceann Comhairle:** We do not need Deputy Bríd Smith's intervention at this stage.

**Deputy Bríd Smith:** I just pushed the Minister of State's button.

**An Ceann Comhairle:** The Deputy should push her own.

**Deputy Brendan Griffin:** They should read the science.

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

**An Ceann Comhairle:** Twenty-eight Deputies have indicated.

**Deputy Dara Calleary:** To continue the debate, when is it proposed to introduce the legislation to ring-fence the revenues raised from the carbon tax?

**Minister for Communications, Climate Action and Environment (Deputy Richard Bruton):** In the absence of the Minister for Finance, I will take that question. The legislation will form part of the Finance Bill. There is an issue as to whether we should make a commitment in respect of the long-term trajectory, but it is one for the Minister for Finance and the Dáil to decide.

**Deputy Martin Kenny:** I raise the issue of justice, in particular the presence of gardaí on the streets. In Dublin the other day a young woman was robbed in Long's Place, just off Thomas Street, by an armed man who was casually smoking a cigarette. The reason it is happening is there is no Garda presence on the streets of the cities and towns. That is why criminals believe they can wander around and do stuff like this. In the budget and its commitment to provide additional resources the Government continually falls short. There is a need for an absolute commitment from what is supposed to be the Government of law and order to put in place the resources the Garda requires to be out in the community with community police officers.

**The Tánaiste:** All I can say is we have provided in the budget for next year for an extra 1,000 gardaí. That is a significant increase. We have seen repeatedly, year after year, significant increases in Garda numbers across the country.

**Deputy Brendan Howlin:** All week the House has been convulsed by voting irregularities. There has also been plenty of speculation about the date of the general election. It is nearly a year since the regulatory impact assessment was made of the electoral commission Bill. For some time we have been promised an electoral commission which is to be established by the Government. It is the subject of a commitment in the programme for Government and has been repeatedly promised in schedules for the Dáil. This is a direct and simple question. When will the electoral commission be established? Will it be established in time for the next general election?

**The Tánaiste:** Approval to draft the heads of the Bill was given by the Government in July and the drafting process is ongoing. We are anxious to introduce the Bill as quickly as we can, but we need to get it right.

**Deputy Brendan Howlin:** Will it be introduced in time for the next general election?

*(Interruptions).*

**Deputy Josepha Madigan:** May 2020.

**The Tánaiste:** I certainly hope so.

**Deputy Ruth Coppinger:** I am wondering if the Government has changed its mind about passing Solidarity's Anti-Evictions Bill 2018 in the light of what we have seen in the past week when a homeless man was murdered in Cork and another person died in Dublin. We have had children eating their dinner on a piece of cardboard in front of the GPO. We have had RTÉ showing children in their school uniforms queuing for food with their parents, not only for that night but also for their lunches the next day because they are homeless. If the Tánaiste is not sickened and appalled by this, ordinary people certainly are. There is, for example, a Facebook page called, Protest against Homelessness in Ireland. It has 33,000 members and was set up less than a week ago. Some 1,500 are joining it every day. They have called a protest at noon on 5 December. They cannot understand the business-as-usual attitude here. In fact, they cannot understand why members of the two big parties cannot even be bothered to press a button to vote on important issues. They cannot understand why evictions are being allowed to continue. Only for the intervention of volunteers on the streets and ordinary people, there would be a lot of families starving. Is the Government ashamed? Is it disgusted? Is the Tánaiste ashamed by what he has seen shown on television and in photographs?

**An Ceann Comhairle:** I understand the Minister of State at the Department of Housing, Planning and Local Government, Deputy English, will take this question.

**Minister of State at the Department Housing, Planning and Local Government (Deputy Damien English):** A couple of questions were asked. The legislation on renting was updated in July. There will be another Bill coming through the Houses in the months ahead. We will, therefore, discuss the issue again. There was clear advice that we could not deal with the amendment on landlords who wanted to secure evictions before they sold their houses.

Second, in respect of families with children living on the streets, we are very clear, as is the Deputy, that there is no reason any children should be living on the streets. The supports are there for families in temporary emergency accommodation, be it in family hubs or commercial hotels-----

**Deputy Ruth Coppinger:** To queue for food for their lunch the next day that they cannot make in a hotel.

**An Ceann Comhairle:** Please, let the Minister of State answer.

**Deputy Damien English:** The supports are there and in every-----

**Deputy Ruth Coppinger:** Stop telling lies.

**Deputy Damien English:** -----budget in the past three or four years we have increased the funding in this area.

**Deputy Ruth Coppinger:** Stop telling lies.

**An Ceann Comhairle:** It is not in order-----

**Deputy Ruth Coppinger:** They are hardly queuing for no good reason.

24 October 2019

**An Ceann Comhairle:** It is not in order, Deputy Coppinger, to accuse-----

**Deputy Ruth Coppinger:** Seriously, the Minister of State's business-as-usual attitude is unbelievable. Are they queuing in their uniforms for fun? It is unbelievable. They cannot make lunch for their children.

**An Ceann Comhairle:** Please, Deputy Coppinger. Will you resume your seat? It is not in order to accuse a colleague of lying.

**Deputy Ruth Coppinger:** It is. Why did he say families are doing it for no reason?

**An Ceann Comhairle:** It is not in order, Deputy Coppinger.

**Deputy Seán Barrett:** Withdraw the remark.

**An Ceann Comhairle:** Is the Minister finished his response?

**Deputy Damien English:** No. I am not. To be clear and to ensure there is not any doubt, it is not business as usual. We have just passed-----

**Deputy Josepha Madigan:** Withdraw that remark.

**Deputy Ruth Coppinger:** You withdraw your complacency and smugness. It would actually make a big difference.

**Deputy Damien English:** A Cheann Comhairle, can I-----

**An Ceann Comhairle:** Please-----

**Deputy Ruth Coppinger:** That is all you care about.

**Deputy Brendan Griffin:** You do not have a monopoly on care.

**Deputy Ruth Coppinger:** A dose of reality.

**Deputy Josepha Madigan:** Do not accuse me of that.

**Deputy Ruth Coppinger:** Smugness and arrogance is the *raison d'être* of many Members on that side of the House. Look at them.

**Deputy Josepha Madigan:** I am sorry, a Cheann Comhairle-----

**Deputy Ruth Coppinger:** They have done nothing. There has been no emergency legislation on homelessness.

**An Ceann Comhairle:** Deputy, please, would you stop-----

**Deputy Josepha Madigan:** That is disgraceful.

**An Ceann Comhairle:** Deputy Coppinger, please, do not force me to suspend-----

**Deputy Ruth Coppinger:** I am one of the TDs dealing with families-----

**An Ceann Comhairle:** Resume your seat when the Chair is on his feet.

**Deputy Ruth Coppinger:** -----and the Members opposite are saying those families are

making it up and that they do not need to queue for food.

**An Ceann Comhairle:** Resume your seat, please, Deputy. Please do not make me suspend the House. Show some respect.

**Deputy Damien English:** To be very clear, we take this issue very seriously. The House has just passed the largest housing budget ever, with a concentration on extra resources and money-----

**Deputy Ruth Coppinger:** That is not true.

**Deputy Brendan Griffin:** Will you listen?

**Deputy Ruth Coppinger:** It has not passed the largest budget ever.

**Deputy Damien English:** The extra finance is available to focus on catering for families who do not have a house today. All the supports are in place for emergency accommodation, be it in a family hub or a commercial hotel. All the other supports through the various Departments, including the Departments of Employment Affairs and Social Protection; Health; Education and Skills; and so on, are available also to support families. We recognise and accept there is not a house for everyone straightaway. That is why we step in with all the emergency supports.

**Deputy Ruth Coppinger:** That is one way of putting it.

**Deputy Damien English:** That is what we try to do. The majority of families that present as homeless every week are found a house quite quickly. In most cases, we were able to intervene and prevent them becoming homeless. That is very different from the position two or three years ago because this House takes the issue seriously and has allocated the money and the resources. A new outreach team now works on the streets of Dublin, through the Dublin Simon Community, with people who are homeless and rough sleepers to make sure they do not have to go out on the streets. That is what we are doing while at the same time trying to build and find more houses in which to house families. There are accommodation solutions for people who find themselves in an emergency situation.

**An Ceann Comhairle:** Deputy Coppinger, you accused the Minister of State of lying. It is completely out of order. I ask you to withdraw that accusation.

**Deputy Josepha Madigan:** And the remark-----

**Deputy Ruth Coppinger:** Can I make a-----

**Deputy Brendan Griffin:** No.

**An Ceann Comhairle:** I am asking you to withdraw-----

*(Interruptions).*

**Deputy Josepha Madigan:** The Deputy should withdraw the remark made to me also.

**An Ceann Comhairle:** I do not need any help from that side of the House, please.

**Deputy Ruth Coppinger:** A Cheann Comhairle, the Minister gave figures that are not true.

24 October 2019

**An Ceann Comhairle:** Will the Deputy, please, resume her seat?

**Deputy Ruth Coppinger:** You asked me to withdraw the remark.

**An Ceann Comhairle:** Will you, please, withdraw the statement that you have made?

**Deputy Ruth Coppinger:** Okay. He told an untruth.

**An Ceann Comhairle:** Thank you.

**Deputy Ruth Coppinger:** It is the same thing.

**Deputy Josepha Madigan:** A Cheann Comhairle-----

**Deputy Damien English:** A Cheann Comhairle, what did the Deputy say about me telling an untruth?

**An Ceann Comhairle:** Resume your seats. We are not having a-----

**Deputy Ruth Coppinger:** First of all, it is not the largest budget ever-----

**Deputy Damien English:** It is.

**Deputy Ruth Coppinger:** It is not.

**An Ceann Comhairle:** You are making a farce of this session. We do not need comments from the Government side of the House and we need Deputy Coppinger to resume her seat and let business proceed.

**Deputy Damien English:** A Cheann Comhairle, can I make a point of clarity?

**An Ceann Comhairle:** You can make a complaint to the Committee on Procedure if you wish.

**Deputy Damien English:** Can I make a point of clarification?

**Deputy Ruth Coppinger:** It is very busy right now but he can make a complaint.

**The Tánaiste:** A Cheann Comhairle, can the Minister offer a clarification on the matter?

**An Ceann Comhairle:** What do you want to clarify?

**Deputy Damien English:** To be clear, I said, and I am right to say this, that the largest housing budget ever was debated in the House and passed over two nights. That is what we are doing because we take this issue seriously. It is not right to say I am telling an untruth because I am not, and I would not.

**An Ceann Comhairle:** Thank you very much.

**Deputy Ruth Coppinger:** You said there were no families-----

**An Ceann Comhairle:** No, please.

**Deputy Ruth Coppinger:** A Cheann Comhairle-----

**An Ceann Comhairle:** Resume your seat. You are being disorderly, Deputy.

**Deputy Brendan Griffin:** If you had any decency you would withdraw the remark you made.

**An Ceann Comhairle:** You are being disorderly, Deputy.

**Deputy Ruth Coppinger:** If you had any decency you would-----

**An Ceann Comhairle:** You are being disorderly, Deputy.

**Deputy Mattie McGrath:** I am glad the Minister of State for housing is here because I am writing to him today on behalf of Nicole Cronin of 28 Railways Cottages, Kilsheelan, in Clonmel, who is living with her brother in a house since their dad passed away some months ago. I am very disappointed that Clúid, a national housing body - I am a member of one also - has given the family a notice of eviction for 12 o'clock tomorrow. There have been extenuating circumstances within this-----

**An Ceann Comhairle:** Deputy, we cannot get into that.

**Deputy Mattie McGrath:** If a housing body like Clúid is going to deal with situations like that-----

**An Ceann Comhairle:** Ring them and talk to them.

**Deputy Mattie McGrath:** I am asking for mediation. I have permission from the constituent. This situation of eviction by a housing association is untenable. It is due to happen tomorrow at 12 o'clock.

**An Ceann Comhairle:** We cannot bring the eviction of every tenant in the country onto the floor of this House.

**Deputy Mattie McGrath:** It is more than that, a Ceann Comhairle. It is a national housing body. It gets a lot of funding from the Government-----

**An Ceann Comhairle:** The Minister of State wants to reply to the Deputy.

**Deputy Mattie McGrath:** -----and it has to treat its tenants with respect.

**Deputy Damien English:** When I get the Deputy's letter, I will certainly help and deal with the individual issue. In general, however, a housing body or a local authority does not evict tenants for no reason. If someone passes away and there are tenants in the house who were named on the tenancy, that is always dealt with in a fair and approachable way. I would be surprised if the story is as the Deputy describes. However, when I get his letter we will look at it and help where we can but, to be fair, it is not something we do in normal practice.

**An Ceann Comhairle:** Deputy Cullinane is not present. I call Deputy Casey.

**Deputy Pat Casey:** Under the programme for Government and environmental protection, I ask the Tánaiste or the Minister for Communications, Climate Action and Environment to confirm that the future funding will be in place for the Pure Project in Wicklow. The Minister will be aware of this ground-breaking anti-dumping and environmental awareness project, which has operated for 13 years, which has collected more than 3,500 tonnes of illegal dump material in one truck in the Wicklow and Dublin mountains. Local authorities, working together with State bodies, and the Department, has led this project to award-winning success and it is one

that should be rolled out nationally. Funding for the project runs out in December.

**Deputy Richard Bruton:** I assure the Deputy that funding is being provided to support community-based initiatives like the one he has described. It is for local authorities to submit proposals to draw on that fund but given the description, I am sure it has a great chance of succeeding. I do not make individual decisions on the applications; they will be considered as normal.

**An Ceann Comhairle:** Deputy Pat Buckley is not present. I call Deputy Crowe.

**Deputy Seán Crowe:** There is a commitment in the programme for Government to safeguarding our towns and villages from the sale and supply of illicit drugs on our streets that are destroying lives and communities and the quality of people's lives throughout the length and breadth of our land. Earlier this year, a report from the Blanchardstown Local Drugs and Alcohol Task Force highlighted that children were dealing drugs in the area. The report found that the average age of a drug runner was 13 years and the youngest reported was eight years. That is replicated across Dublin and, I am sure, in other towns and villages also. Are there any plans to amend legislation? One of the recommendations in this report was that there would be increased sentences for drug dealers who were using children in this way. There are also issues of drug dealing near schools. We need to have safe zones.

**An Ceann Comhairle:** The time is up, Deputy. I call Deputy Quinlivan on the same matter.

**Deputy Maurice Quinlivan:** The national drugs strategy was launched in July 2017. I said at the time that without additional funding it would not work. I firmly believe that, unfortunately, it is panning out to be the case. Recently, at a joint policing committee meeting in Limerick, I raised the issue of cocaine use in the city, especially among younger people, and I used the words "an epidemic". Those words were echoed by the Limerick Garda chief superintendent at the meeting who stated that a cocaine epidemic is the biggest problem facing Limerick gardaí. I ask the Tánaiste, and the Minister for Finance, to ensure that the funding for regional drug and alcohol forums that was cut in 2008 be restored as soon as possible and that the issue of drug dealing be officially addressed.

*1 o'clock*

**The Tánaiste:** On the individual locations that have been referred to, I will ask the Minister of State, Deputy Catherine Byrne, to revert to the Deputy. She has responsibility for the national drugs strategy but this is a combination of both the national drugs strategy and the response by An Garda Síochána. Both cocaine and heroin are significant problems. The numbers of users of both have increased, not only in the capital but outside it also. The new national drugs strategy is aimed at responding to that, as is the approach of An Garda Síochána. More gardaí and more investment in An Garda Síochána is a necessity and that is happening.

**Deputy Seán Crowe:** Eight year old children.

**Deputy Peter Fitzpatrick:** The Government must allow local authorities to build on their own landbanks. The Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, has stated that the development of publicly owned residential land for social and affordable housing is a priority for the Government and he promised to make billions of euro available for this. Louth County Council has 52 acres of land which could be used for social and affordable houses, but it has no funds. There are over 5,000 people on the housing list and thousands more cannot afford to buy their own house. In addition, there are scores of unoccupied, council owned houses in County Louth. All they require is a small amount of funding.

Will the Minister or the Minister of State, Deputy English, please come to County Louth, meet the CEO and planning officers and, once and for all, give the people of Louth an opportunity to own their own house?

**Deputy Damien English:** For the third or fourth time in response to different colleagues from County Louth, I wish to be absolutely clear that the funds are available for Louth's local authority and other local authorities to bring forward projects for their lands. We have repeatedly asked every local authority to put projects in place for this year, next year and the following year, so there is a pipeline of projects. I have met Louth's local authority and I have discussed this with the Deputy. We would like that landbank to be developed for housing and we have suggested ways to do it. The funding is available but the local authority must bring forward the applications and solutions before we can release it.

**Deputy Robert Troy:** On the last two Thursdays I raised two separate issues with the Tánaiste and he undertook to have the relevant Ministers refer back to me. That has not happened to date.

Today, I wish to raise the Land Development Agency. It was announced in the budget of two years ago as part of the solution to the housing crisis. Despite pre-legislative scrutiny before the relevant Oireachtas committee no less than four times, we are still waiting for the legislation to be adopted. The appointment of highly paid officials is the only thing that appears to have happened in respect of the Land Development Agency tackling housing. No land has been transferred and no houses have been built. Some eight or ten sites have been identified but the future of those sites is unsure. I refer to Columb Barracks, Mullingar, where 21 community groups have been working from the site for a number of years. The barracks was closed by the Government some years ago. When will those community groups have certainty about the future of that site? When can we expect the legislation on the Land Development Agency debated in the House and when can we expect to see houses built as a result of establishing this agency? The Government has over-promised for the last two years in this regard.

**The Tánaiste:** That legislation will come forward in this session. I understand we are expecting planning applications for at least two of the sites very soon.

**Deputy James Browne:** On page 57 of the programme for Government there is a commitment to ensuring appropriate care pathways are in place to improve cancer services and invest in end-of-life care. In County Wexford, sick children cannot access specialist palliative child-care teams when needed. Approximately eight weeks ago, a 16 year old child in Enniscorthy died from cancer. He was in hospital and wanted to go home for his last few days, but there was a row between two different hospitals and two different clinical teams because there was no specialist team in place to take care of him. I am not blaming the clinicians: it is a lack of specialist childcare palliative teams in the south east. When can such a specialist team be put in place in this very large area with a population of 0.5 million people?

**The Tánaiste:** I will have to ask the Minister to respond to the Deputy directly. It is a serious issue.

**Deputy Michael Collins:** The programme for Government referred to rural small schools and stated that the closed school rule for school transport should be maintained. Many schools were closed in outlying areas in many parts of rural Ireland and the pupils from the catchment areas of the closed schools were given school transport to the central school in the parish. This

was known as the closed school rule. Parents were happy to allow these small schools on the outskirts of a parish to be closed because they were guaranteed school transport in the future. However, the last Government scrapped the closed school rule and pupils in the catchment areas of many of the closed schools were denied school transport and were told they had to go to the nearest school, which was often in another parish and not the central school that replaced their own school. In many cases the school bus is passing the doors of pupils who have been denied school transport even though they are within the catchment area of the closed school. It is a living nightmare for many parents in west Cork, particularly for the parents of children going to school in Ballineen trying to get transport to the secondary school in Bandon. The public and parents were misled that the issue was resolved: there are still ten children on the roadside. It has not been resolved. When will the Government restore the closed school rule as promised in the programme for Government?

**The Tánaiste:** I am aware of the problems in west Cork in terms of school transport this year. The Minister for Education and Skills, Deputy McHugh, intervened to improve the situation but there are still outstanding issues. I will ask him to refer back to the Deputy directly on it.

**Deputy Bernard J. Durkan:** The Irish nationality and citizenship (amendment) Bill is promised legislation that arises from a court judgment in respect of the 1957 legislation. To speed up to the process, when is the Bill likely to come before the House? Will it be in this session?

**The Tánaiste:** It will be this session.

**Deputy Peadar Tóibín:** Molex Ireland intends to close its facility in Shannon while 300 people are set to lose their jobs in Novartis in Cork. Ireland is radically imbalanced geographically at present, with investment, jobs and infrastructure going to Dublin. It is becoming a city state and it has got worse under this Government. It is also radically exposed in respect of its economic model. Foreign direct investment is good and should be pursued, but Ireland is over-reliant on it. Our indigenous sector is the poor relation in Government policy. It has deeper roots, is more sticky and is less mobile and less exposed to corporation tax and tariff changes. These corporation tax and tariff changes are coming down the track. When will the Government start to prioritise regional Ireland and make sure that indigenous business is not the poor relation?

**The Tánaiste:** That is exactly what the new national planning framework and the 2040 plan are all about - ensuring that as population growth continues, it happens at twice the pace outside Dublin as in Dublin. The investment decisions and priorities we are making are consistent with that. I do not disagree with much of what the Deputy said, although I would not draw conclusions from the unfortunate announcements this week of job losses in Shannon and Cork. There are other reasons for those. In terms of the broader approach of ensuring economic development outside of Dublin and creating counterbalances of scale to Dublin as a driver for jobs growth and investment, that is exactly what the Government is trying to do.

**Deputy Michael Moynihan:** Legislation has been enacted to support the Garda and to tackle crime. Operation Thor has been very successful and I congratulate the gardaí who were involved in an incident in Freemount last Saturday evening. They waited for a gang from Cork who had travelled there. In fact, they had identified the house so successfully that they waited inside it for the gang. I congratulate them on their work, but it has come to my notice that one

of the people arrested had been handed a 14 year sentence and a ten year concurrent sentence for robbery. Just five years later, the individual was free to terrorise citizens again. If we are serious about supporting the Garda and communities, we must tackle that and ensure that the sentences imposed for burglary or other offences are served to the full extent.

**The Tánaiste:** We must be careful in how we respond to individual decisions by judges in courts. There is a separation of powers that we must respect. However, on the broader sentencing policy issue, the Deputy should table a parliamentary question for the Minister for Justice and Equality.

**Deputy Jackie Cahill:** Ash dieback is a disease that, unfortunately, has come to our shores. Huge losses are being suffered by the landowners and plantation owners affected. The disease got into this country due to a bio-security lapse by the Department. What plans does the Government have to put in place proper compensation for the plantation owners affected?

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I am not sure that the cause of ash dieback is due to a bio-security lapse by the Department. This condition has affected ash plantations not just here but throughout countries in western Europe. I will ask my colleague, the Minister of State, Deputy Doyle, to communicate directly with the Deputy on the support that is available.

**Deputy Michael Fitzmaurice:** Four years ago there was an announcement in the budget that people who had to use incontinence wear would be given €75 to help them each year with the new pay-by-weight system. There have been four budgets since then and it has not come into effect. Why is that?

**Deputy Richard Bruton:** The difficulty has been in devising a scheme that could be administered effectively and which would not breach data protection law. It has proved very difficult. We continue to work to find solutions. We have met various bodies but it has proved very difficult to come up with a scheme that could be administered.

**Deputy John Brassil:** There was a lot of disappointment that there was no reference to the fair deal scheme in the recent budget. In promised legislation and in previous budgets, promises were made that the issue of uncapped liability on farm assets for small farmers and small businesses under the fair deal scheme would be dealt with. When will the Government honour its commitment to remove the discrimination against farming and other small business assets, as promised in last year's budget?

**Deputy Carol Nolan:** I would like to speak on this issue of the fair deal scheme. This has gone on and on. This has been approved in Cabinet, so the delays are totally unacceptable. I know of many farming families who are continuously struggling with the heavy costs of nursing home care. The Minister met a delegation from the IFA, along with a farmer who is very badly affected by this issue, Mr. Joe Carroll from Kilcormac, County Offaly. Will the Government provide a timeframe as to when we can debate the legislation and finalise this matter?

**The Tánaiste:** This is something to which the Government is committed. The Minister of State, Deputy Daly, has led on the issue and has done a really good job. Pre-legislative scrutiny of the relevant Bill begins in committee on 13 November. Further legislation is needed.

**Deputy Eugene Murphy:** Deputy Naughten and myself have been made aware of an issue that has arisen in respect of some essential repair works that must be carried out on the court-

house in Roscommon town. We do not know how long that work will take. When dealing with such an old building, things can naturally take a long time but there are strong suggestions that the Courts Service will be moved to Carrick-on-Shannon, County Leitrim. This is acceptable to neither Deputy Naughten nor me. There are a number of suitable buildings in Roscommon town that could be adapted quite easily and economically. I ask whichever Minister has responsibility to ensure that the Courts Service stays in Roscommon town.

**The Tánaiste:** This is the first I have heard about this issue. I presume the Courts Service will respond pragmatically. I will ask the Minister for Justice and Equality or his office to come back to the Deputy on this matter.

**Deputy Denis Naughten:** The programme for Government includes a clear commitment to improve ambulance response times across the country. A report in respect of ambulance response times this week showed that on at least 103 occasions, it has taken an hour or more for ambulances to respond to life-threatening emergencies. In fact, in Galway, Roscommon and Mayo, on at least 12 occasions an ambulance has taken more than 80 minutes to respond to a life-threatening emergency. The difficulty for those who represent rural communities is that it is not just about the ambulance arriving, but about the ambulance getting to an accident and emergency department afterwards. In the decision the Government made in respect of the trauma report, it committed to prioritising investment in the ambulance services in communities that are more than an hour's travel time from an accident and emergency department. Will the Government provide an update in that regard?

**Minister for Health (Deputy Simon Harris):** I thank Deputy Naughten. I hope he will excuse me for missing the start of his contribution but I certainly got its full meaning. Budget 2020 provides additional resources for the National Ambulance Service. The Deputy is correct. When engaging with me on the trauma strategy, he highlighted the need for more ambulances in rural areas. I will make sure that is reflected in the national service plan. I will also reply to the Deputy directly.

**Deputy Barry Cowen:** I refer to a commitment made by Government at this time last year. It said that it would provide local authorities with the discretion to develop housing projects to the value of €6 million in their own jurisdictions without Government pre-approval, an increase from €2 million. This would speed matters up and allay the current four-stage approval process, which hamstring local authorities and, indeed, the Government in their efforts to meet the demands of the housing crisis. It is a breach of faith that this measure has not been taken to date. What measures will be taken in the near future to ensure it happens forthwith?

**Deputy Damien English:** Such a measure would not speed up delivery. This year, local authorities will achieve and exceed their targets to deliver more than 10,000 new social houses into the system. This is way beyond the targets set with them over recent years. With regard to the specific requirement discussed during budget negotiations last year, we are still in discussions with the Department of Public Expenditure and Reform and other Departments. To be very clear, in all our meetings with local authorities - which I meet every week - and at all our housing summits, we do not see any demand among local authorities to change the system.

**Deputy Barry Cowen:** I beg to differ.

**Deputy Damien English:** The previous scheme was not overly used and was not needed. This will not necessarily speed up delivery. In fact, we have changed the rules in respect of

delivery and most local authorities are now achieving the target of 59 weeks.

**Deputy Barry Cowen:** The Government is not doing it then.

**Deputy Damien English:** I did not say we were not doing it. I am saying it will not achieve what the Deputy claims it will achieve.

**Deputy Barry Cowen:** It was agreed. It is not the Minister of State's decision.

**Deputy Damien English:** Yes, but the Deputy is the only one asking for it. I do not hear any local authorities asking for it.

**Deputy Barry Cowen:** I am sorry but it is not the Minister of State's decision.

**Deputy Damien English:** The Deputy should not claim he is asking on their behalf.

**An Ceann Comhairle:** Six Deputies were not reached; I apologise to them.

### **Finance Bill 2019: Financial Resolutions**

**Minister for Finance (Deputy Paschal Donohoe):** I move the following Resolutions:

THAT Chapter 4 of Part 5 of the Taxes Consolidation Act 1997 (No. 39 of 1997), which relates to other benefit in kind charges, be amended in sections 121 and 121A in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT Part 11C of the Taxes Consolidation Act 1997 (No. 39 of 1997), which relates to emissions-based limits on capital allowances and expenses for certain road vehicles, be amended in sections 380L and 380M in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT Part 6 of the Taxes Consolidation Act 1997 (No. 39 of 1997), which contains provisions in relation to distributions and dividend withholding tax, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT Chapter 2 of Part 29 of the Taxes Consolidation Act 1997 (No. 39 of 1997), which contains provisions for allowances and credits for scientific and certain other research, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT Part 35A of the Taxes Consolidation Act 1997 (No. 39 of 1997), which provides rules on transfer pricing, be substituted in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT section 110 of the Taxes Consolidation Act 1997 (No. 39 of 1997), which deals with the taxation of special purpose companies set up to securitise assets, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT Part 25A of the Taxes Consolidation Act 1997 (No. 39 of 1997), which deals with the taxation of Real Estate Investment Trusts, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

24 October 2019

THAT Chapter 1B of Part 27 of the Taxes Consolidation Act 1997 (No. 39 of 1997), which deals with the taxation of Irish real estate funds, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended, by inserting Part 35C giving effect to Council Directive (EU) 2016/1164 of 12 July 2016 as regards hybrid mismatches, in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT section 739J of the Taxes Consolidation Act 1997 (No. 39 of 1997), which deals with the taxation of investment limited partnerships, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT Part 28 of the Taxes Consolidation Act 1997 (No. 39 of 1997), which deals with the charge to tax under Schedule D, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT section 96 of, and Schedules 2 and 2A to, the Finance Act 1999 (No. 2 of 1999), which provide for the carbon charge and rates of mineral oil tax, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT section 98 of the Finance Act 1999 (No. 2 of 1999), which provides for repayment of mineral oil tax paid on heavy oil or liquefied petroleum gas used by a horticultural producer, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT Schedule 2 to the Finance Act 2008 (No. 3 of 2008), which provides for the rates of electricity tax, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT section 67 of the Finance Act 2010 (No. 5 of 2010), which provides for the charging and rates of natural gas carbon tax, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT section 78 of, and Schedule 1 to, the Finance Act 2010 (No. 5 of 2010), which provide for the charging and rates of solid fuel carbon tax, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT section 132 of the Finance Act 1992 (No. 9 of 1992), which sets out the charge of excise duty (vehicle registration tax), be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT section 135C of the Finance Act 1992 (No. 9 of 1992), which sets out the remission or repayment in respect of vehicle registration tax on certain hybrid vehicles, certain flexible fuel vehicles, certain plug-in hybrid electric vehicles, certain electric vehicles and certain electric motorcycles, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT the Value-Added Tax Consolidation Act 2010 (No. 31 of 2010), be amended in Chapter 1 of Part 8 which relates to general provisions in connection with deductions, in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT Schedule 3 to the Value-Added Tax Consolidation Act 2010 (No. 31 of 2010), which relates to goods and services chargeable at the reduced rate, be amended in the manner and to

the extent specified in the Act giving effect to this Resolution.

THAT section 124B of the Stamp Duties Consolidation Act 1999 (No. 31 of 1999), which provides for a stamp duty in the form of a levy on certain premiums of life assurance, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT section 125 of the Stamp Duties Consolidation Act 1999 (No. 31 of 1999), which provides for a stamp duty in the form of a levy on certain premiums of insurance, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.

THAT section 86 of the Capital Acquisitions Tax Consolidation Act 2003 (No. 1 of 2003), which provides for an exemption from capital acquisitions tax in the case of a gift or an inheritance of certain dwelling houses, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.”

THAT section 481 of the Taxes Consolidation Act 1997 (No. 39 of 1997), which provides for a payable tax credit for relevant expenditure on films, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.”

THAT section 485C of the Taxes Consolidation Act 1997 (No. 39 of 1997), which provides for the interpretation of Chapter 2A of Part 15 of that Act, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.”

Question put:

<i>The Dáil divided: Tá, 88; Níl, 47; 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>Breathnach, Declan.</i>	<i>Broughan, Thomas P.</i>	
<i>Breen, Pat.</i>	<i>Buckley, Pat.</i>	
<i>Brophy, Colm.</i>	<i>Burton, Joan.</i>	
<i>Browne, James.</i>	<i>Collins, Joan.</i>	
<i>Bruton, Richard.</i>	<i>Collins, Michael.</i>	
<i>Burke, Peter.</i>	<i>Connolly, Catherine.</i>	
<i>Byrne, Thomas.</i>	<i>Coppinger, Ruth.</i>	
<i>Cahill, Jackie.</i>	<i>Crowe, Seán.</i>	
<i>Calleary, Dara.</i>	<i>Cullinane, David.</i>	
<i>Canney, Seán.</i>	<i>Doherty, Pearse.</i>	
<i>Carey, Joe.</i>	<i>Ellis, Dessie.</i>	
<i>Casey, Pat.</i>	<i>Ferris, Martin.</i>	
<i>Cassells, Shane.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Chambers, Lisa.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Collins, Niall.</i>	<i>Healy, Seamus.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>Howlin, Brendan.</i>	

<i>Coveney, Simon.</i>	<i>Kelly, Alan.</i>	
<i>Cowen, Barry.</i>	<i>Kenny, Gino.</i>	
<i>Creed, Michael.</i>	<i>Kenny, Martin.</i>	
<i>Curran, John.</i>	<i>Martin, Catherine.</i>	
<i>D'Arcy, Michael.</i>	<i>McDonald, Mary Lou.</i>	
<i>Deering, Pat.</i>	<i>McGrath, Mattie.</i>	
<i>Donnelly, Stephen.</i>	<i>Mitchell, Denise.</i>	
<i>Donohoe, Paschal.</i>	<i>Munster, Imelda.</i>	
<i>Dooley, Timmy.</i>	<i>Murphy, Catherine.</i>	
<i>Doyle, Andrew.</i>	<i>Murphy, Paul.</i>	
<i>Durkan, Bernard J.</i>	<i>Nolan, Carol.</i>	
<i>English, Damien.</i>	<i>O'Reilly, Louise.</i>	
<i>Farrell, Alan.</i>	<i>O'Sullivan, Jan.</i>	
<i>Flanagan, Charles.</i>	<i>O'Sullivan, Maureen.</i>	
<i>Grealish, Noel.</i>	<i>Ó Broin, Eoin.</i>	
<i>Griffin, Brendan.</i>	<i>Ó Caoláin, Caoimhghín.</i>	
<i>Halligan, John.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>Harris, Simon.</i>	<i>Penrose, Willie.</i>	
<i>Harty, Michael.</i>	<i>Pringle, Thomas.</i>	
<i>Haughey, Seán.</i>	<i>Quinlivan, Maurice.</i>	
<i>Heydon, Martin.</i>	<i>Ryan, Brendan.</i>	
<i>Humphreys, Heather.</i>	<i>Ryan, Eamon.</i>	
<i>Kehoe, Paul.</i>	<i>Sherlock, Sean.</i>	
<i>Kyne, Seán.</i>	<i>Shortall, Róisín.</i>	
<i>Lahart, John.</i>	<i>Smith, Bríd.</i>	
<i>Lawless, James.</i>	<i>Stanley, Brian.</i>	
<i>Lowry, Michael.</i>	<i>Tóibín, Peadar.</i>	
<i>MacSharry, Marc.</i>		
<i>Madigan, Josepha.</i>		
<i>Martin, Micheál.</i>		
<i>McConalogue, Charlie.</i>		
<i>McEntee, Helen.</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, Dara.</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'Brien, Darragh.</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'Rourke, Frank.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Phelan, John Paul.</i>		
<i>Rabbitte, Anne.</i>		
<i>Ring, Michael.</i>		
<i>Rock, Noel.</i>		
<i>Scanlon, Eamon.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Stanton, David.</i>		
<i>Troy, Robert.</i>		
<i>Zappone, Katherine.</i>		

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

Question declared carried.

### **Public Ownership of the National Broadband Network: Motion (Resumed) [Private Members]**

The following motion was moved by Deputy Sean Sherlock on Wednesday, 23 October 2019:

That Dáil Éireann:

— notes the Report of the Oireachtas Joint Committee on Communications, Climate Action and Environment entitled ‘Report on an investigation to examine the National Broadband Plan process thus far and how best to proceed and the best means to roll

24 October 2019

out rural broadband’, which was laid before both Houses of the Oireachtas on the 27th August, 2019;

— endorses the view of the Oireachtas Joint Committee that:

— high speed broadband is a vital piece of infrastructure for rural Ireland and should be provided as quickly as possible, to the same standard as is available commercially in other parts of the country, at the same cost to consumers as elsewhere and at best value to the taxpayer; and

— the broadband network infrastructure should be under the ownership of the State, as it is strategically important; and

— resolves that public moneys should not be expended on any proposed broadband telecommunications network unless such a network is, or is to be, owned by a Minister of the Government or a public body on behalf of the people.

Debate resumed on amendment No. 2:

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

agrees that:

— without high speed broadband, 1.1 million people, mostly living in rural Ireland, will not have access to high speed broadband, and will be left behind;

— without high speed broadband it will be significantly more difficult to attract new jobs to rural areas and develop new enterprise opportunities and it will be more difficult to retain the jobs that currently exist in these areas;

— you cannot sustain a healthy democracy if there are major groups of people who feel they are being left behind;

— without high speed broadband, it will be impossible for rural Ireland to take advantage of the opportunities that are presented by the digital economy, from health-care to farming, and from education to agriculture, rural development and tourism; and

— without high speed broadband, remote working, which would allow people to have more flexible working arrangements, and to reduce their carbon footprint and urban sprawl by reducing the numbers commuting to large cities, will not be possible;

notes that:

— the Minister for Communications, Climate Action and Environment is considering the recent report of the Joint Oireachtas Committee on Communications, Climate Action and the Environment in relation to the National Broadband Plan (NBP) and will revert to the Government shortly in relation to the recommendations in the Committee report;

— the advice of the Attorney General is that it is not legally possible to change the 2016 ownership decision within the current procurement process;

— cancelling the current procurement process, starting again and getting to the point at which contracts can be signed could take at a minimum three years and up to five years, with no guarantee of a successful outcome, in which case the roll-out of high speed broadband may not commence until 2026 and may not be completed until 2032, which would only serve to deepen the digital divide that exists in this country;

— in appointing a preferred bidder, the Government considered a number of alternative options to delivering the NBP, including changing the ownership model, and that from that work, it was clear that the analysis showed that all of the alternative options identified would take longer to reach 100 per cent of the Intervention Area premises compared to the current plan (or in some cases 100 per cent would never be achieved), and that:

— it may be more costly;

— in most cases would require a consultation on a new strategy as well as a new procurement process and State-aid application; and

— it may not provide the level of future proofing required under the European Commission's strategy, Connectivity for a European Gigabit Society;

— the then Minister for Communications, Energy and Natural Resources, commenced a public consultation in July 2015 on the Intervention Strategy for the NBP, which included consideration of five alternative ownership options, and that the then Minister in December 2015 recommended to the Government two possible ownership options, one of which was the gap-funded model, and then established an inter-departmental group to recommend the best way to proceed;

— an inter-departmental group reviewed the appropriate ownership model and based on this review the Department recommended the gap-funded model, and that it was then adopted by the Government in July 2016; and

— the State can receive 40 per cent of the value of the National Broadband Network at the end of the contract, without any of the risk associated with owning 146,000 kilometres of fibre wire that have been hanging on rented infrastructure for 25 or 35 years; and

calls on the Government to proceed to sign the National Broadband Plan Contract as soon as possible, as the 1.1 million people mostly living in rural Ireland have waited long enough to get connected to a service which is, or will be, freely available to virtually every person in towns and cities across Ireland.

- (Minister for Communications, Climate Action and Environment)

**An Ceann Comhairle:** I must now deal with a postponed division relating to the motion on Public Ownership of the National Broadband Network. On Wednesday, 23 October 2019, on the question that amendment No. 2 to the motion be agreed to, a division was claimed and in accordance with Standing Order 70(2), that division must be taken now.

Amendment put:

*The Dáil divided: Tá, 49; Níl, 87; Staon, 0.*

<i>Tá</i>	<i>Níl</i>	<i>Stáon</i>
<i>Bailey, Maria.</i>	<i>Adams, Gerry.</i>	
<i>Barrett, Seán.</i>	<i>Aylward, Bobby.</i>	
<i>Breen, Pat.</i>	<i>Barry, Mick.</i>	
<i>Brophy, Colm.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Bruton, Richard.</i>	<i>Brady, John.</i>	
<i>Burke, Peter.</i>	<i>Brassil, John.</i>	
<i>Canney, Seán.</i>	<i>Breathnach, Declan.</i>	
<i>Carey, Joe.</i>	<i>Broughan, Thomas P.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>Browne, James.</i>	
<i>Coveney, Simon.</i>	<i>Buckley, Pat.</i>	
<i>Creed, Michael.</i>	<i>Burton, Joan.</i>	
<i>D'Arcy, Michael.</i>	<i>Byrne, Thomas.</i>	
<i>Deering, Pat.</i>	<i>Cahill, Jackie.</i>	
<i>Donohoe, Paschal.</i>	<i>Calleary, Dara.</i>	
<i>Doyle, Andrew.</i>	<i>Casey, Pat.</i>	
<i>Durkan, Bernard J.</i>	<i>Cassells, Shane.</i>	
<i>English, Damien.</i>	<i>Chambers, Lisa.</i>	
<i>Farrell, Alan.</i>	<i>Collins, Joan.</i>	
<i>Flanagan, Charles.</i>	<i>Collins, Michael.</i>	
<i>Grealish, Noel.</i>	<i>Collins, Niall.</i>	
<i>Griffin, Brendan.</i>	<i>Connolly, Catherine.</i>	
<i>Halligan, John.</i>	<i>Coppinger, Ruth.</i>	
<i>Harris, Simon.</i>	<i>Cowen, Barry.</i>	
<i>Heydon, Martin.</i>	<i>Crowe, Seán.</i>	
<i>Humphreys, Heather.</i>	<i>Cullinane, David.</i>	
<i>Kehoe, Paul.</i>	<i>Curran, John.</i>	
<i>Kyne, Seán.</i>	<i>Doherty, Pearse.</i>	
<i>Lowry, Michael.</i>	<i>Donnelly, Stephen.</i>	
<i>Madigan, Josepha.</i>	<i>Dooley, Timmy.</i>	
<i>McEntee, Helen.</i>	<i>Ellis, Dessie.</i>	
<i>McGrath, Finian.</i>	<i>Ferris, Martin.</i>	
<i>McHugh, Joe.</i>	<i>Fitzmaurice, Michael.</i>	
<i>McLoughlin, Tony.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Mitchell O'Connor, Mary.</i>	<i>Fleming, Sean.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Harty, Michael.</i>	
<i>Murphy, Dara.</i>	<i>Haughey, Seán.</i>	
<i>Murphy, Eoghan.</i>	<i>Healy, Seamus.</i>	
<i>Naughten, Denis.</i>	<i>Howlin, Brendan.</i>	
<i>Naughton, Hildegarde.</i>	<i>Kelly, Alan.</i>	
<i>Neville, Tom.</i>	<i>Kenny, Gino.</i>	
<i>Noonan, Michael.</i>	<i>Kenny, Martin.</i>	

*Dáil Éireann*

<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>McConalogue, Charlie.</i>	
<i>Stanton, David.</i>	<i>McDonald, Mary Lou.</i>	
<i>Zappone, Katherine.</i>	<i>McGrath, Mattie.</i>	
	<i>McGrath, Michael.</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>Nolan, Carol.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Callaghan, Jim.</i>	
	<i>O'Dea, Willie.</i>	
	<i>O'Keeffe, Kevin.</i>	
	<i>O'Reilly, Louise.</i>	
	<i>O'Rourke, Frank.</i>	
	<i>O'Sullivan, Jan.</i>	
	<i>O'Sullivan, Maureen.</i>	
	<i>Ó Broin, Eoin.</i>	
	<i>Ó Caoláin, Caoimhghín.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Ó Snodaigh, Aengus.</i>	
	<i>Penrose, Willie.</i>	
	<i>Pringle, Thomas.</i>	
	<i>Quinlivan, Maurice.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Ryan, Brendan.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Scanlon, Eamon.</i>	
	<i>Sherlock, Sean.</i>	
	<i>Shortall, Róisín.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smith, Bríd.</i>	

24 October 2019

	<i>Smyth, Niamh.</i>	
	<i>Stanley, Brian.</i>	
	<i>Tóibín, Peadar.</i>	
	<i>Troy, Robert.</i>	

Tellers: Tá, Deputies Seán Kyne and Tony McLoughlin; Níl, Deputies Brendan Ryan and Jan O’Sullivan.

Amendment declared lost.

**Deputy David Cullinane:** I move amendment No. 1:

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

“accepts the Report of the Oireachtas Joint Committee on Communications, Climate Action and Environment entitled ‘Report on an investigation to examine the National Broadband Plan process thus far and how best to proceed and the best means to roll-out rural broadband’;

notes that:

— high speed broadband is a vital piece of public infrastructure for rural towns and communities;

— the National Broadband Plan (NBP) is fatally flawed;

— KPMG, in recommending that the private sector design, build, operate and own the infrastructure, stated that this would be the least expensive option and would rank highest on deliverability of objectives, however, this recommendation has utterly failed in that regard;

— a fundamental weakness in the process was the decision to continue with the private sector ‘design, build, operate and own’ model with one bidder;

— the private sector risk in the NBP project is practically non-existent, undermining the rationale for the design of the tender;

— every bidder that has direct experience of building networks and providing broadband services has walked away from the NBP;

— the previous Fine Gael - Labour coalition Government fully endorsed this fundamentally flawed process;

— a State-led approach is a realistic option for the roll-out of rural broadband, were the present process to be scrapped;

— the use of Electricity Supply Board (ESB) infrastructure remains a credible option for the delivery of the NBP;

— high speed broadband in our rural towns, villages and communities is absolutely necessary in order to halt the decline of rural Ireland; and

— there is no justification for the network developed under the NBP to be owned

by the minority private investor instead of the majority public investor; and

calls on the Government to:

— accept that the State must now intervene in the NBP and deliver for our rural towns, villages and communities;

— re-engage with the ESB as a matter of urgency to examine the best model for delivery of a new NBP through the ESB infrastructure; and

— accept that all infrastructure developed through the NBP must remain in public ownership.”

Amendment put:

<i>The Dáil divided: Tá, 27; Níl, 106; Staon, 4.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Adams, Gerry.</i>	<i>Aylward, Bobby.</i>	<i>Broughan, Thomas P.</i>
<i>Barry, Mick.</i>	<i>Bailey, Maria.</i>	<i>Connolly, Catherine.</i>
<i>Boyd Barrett, Richard.</i>	<i>Barrett, Seán.</i>	<i>O’Sullivan, Maureen.</i>
<i>Brady, John.</i>	<i>Brassil, John.</i>	<i>Pringle, Thomas.</i>
<i>Buckley, Pat.</i>	<i>Breathnach, Declan.</i>	
<i>Collins, Joan.</i>	<i>Breen, Pat.</i>	
<i>Coppinger, Ruth.</i>	<i>Brophy, Colm.</i>	
<i>Crowe, Seán.</i>	<i>Browne, James.</i>	
<i>Cullinane, David.</i>	<i>Bruton, Richard.</i>	
<i>Doherty, Pearse.</i>	<i>Burke, Peter.</i>	
<i>Ellis, Dessie.</i>	<i>Burton, Joan.</i>	
<i>Ferris, Martin.</i>	<i>Byrne, Thomas.</i>	
<i>Healy, Seamus.</i>	<i>Cahill, Jackie.</i>	
<i>Kenny, Gino.</i>	<i>Calleary, Dara.</i>	
<i>Kenny, Martin.</i>	<i>Canney, Seán.</i>	
<i>McDonald, Mary Lou.</i>	<i>Carey, Joe.</i>	
<i>Mitchell, Denise.</i>	<i>Casey, Pat.</i>	
<i>Munster, Imelda.</i>	<i>Cassells, Shane.</i>	
<i>Murphy, Paul.</i>	<i>Chambers, Lisa.</i>	
<i>O’Reilly, Louise.</i>	<i>Collins, Michael.</i>	
<i>Ó Broin, Eoin.</i>	<i>Collins, Niall.</i>	
<i>Ó Caoláin, Caoimhghín.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>Coveney, Simon.</i>	
<i>Quinlivan, Maurice.</i>	<i>Cowen, Barry.</i>	
<i>Smith, Bríd.</i>	<i>Creed, Michael.</i>	
<i>Stanley, Brian.</i>	<i>Curran, John.</i>	
<i>Tóibín, Peadar.</i>	<i>D’Arcy, Michael.</i>	
	<i>Deering, Pat.</i>	

24 October 2019

	<i>Donnelly, Stephen.</i>	
	<i>Donohoe, Paschal.</i>	
	<i>Dooley, Timmy.</i>	
	<i>Doyle, Andrew.</i>	
	<i>Durkan, Bernard J.</i>	
	<i>English, Damien.</i>	
	<i>Farrell, Alan.</i>	
	<i>Fitzmaurice, Michael.</i>	
	<i>Fitzpatrick, Peter.</i>	
	<i>Flanagan, Charles.</i>	
	<i>Fleming, Sean.</i>	
	<i>Grealish, Noel.</i>	
	<i>Griffin, Brendan.</i>	
	<i>Halligan, John.</i>	
	<i>Harris, Simon.</i>	
	<i>Harty, Michael.</i>	
	<i>Haughey, Seán.</i>	
	<i>Heydon, Martin.</i>	
	<i>Howlin, Brendan.</i>	
	<i>Humphreys, Heather.</i>	
	<i>Kehoe, Paul.</i>	
	<i>Kelly, Alan.</i>	
	<i>Kyne, Seán.</i>	
	<i>Lahart, John.</i>	
	<i>Lawless, James.</i>	
	<i>Lowry, Michael.</i>	
	<i>MacSharry, Marc.</i>	
	<i>Madigan, Josepha.</i>	
	<i>Martin, Catherine.</i>	
	<i>Martin, Micheál.</i>	
	<i>McConalogue, Charlie.</i>	
	<i>McEntee, Helen.</i>	
	<i>McGrath, Finian.</i>	
	<i>McGrath, Mattie.</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>	

*Dáil Éireann*

	<i>Murphy O'Mahony, Margaret.</i>	
	<i>Murphy, Catherine.</i>	
	<i>Murphy, Dara.</i>	
	<i>Murphy, Eoghan.</i>	
	<i>Murphy, Eugene.</i>	
	<i>Naughten, Denis.</i>	
	<i>Naughton, Hildegarde.</i>	
	<i>Neville, Tom.</i>	
	<i>Nolan, Carol.</i>	
	<i>Noonan, Michael.</i>	
	<i>O'Brien, Darragh.</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'Rourke, Frank.</i>	
	<i>O'Sullivan, Jan.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Penrose, Willie.</i>	
	<i>Phelan, John Paul.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Ring, Michael.</i>	
	<i>Rock, Noel.</i>	
	<i>Ryan, Brendan.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Scanlon, Eamon.</i>	
	<i>Sherlock, Sean.</i>	
	<i>Shortall, Róisín.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Stanton, David.</i>	
	<i>Troy, Robert.</i>	
	<i>Varadkar, Leo.</i>	
	<i>Zappone, Katherine.</i>	

Tellers: Tá, Deputies Aengus Ó Snodaigh and Denise Mitchell; Níl, Deputies Brendan Ryan and Jan O'Sullivan.

Amendment declared lost.

Question put: "That the motion be agreed to."

<i>The Dáil divided: Tá, 87; Níl, 50; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Adams, Gerry.</i>	<i>Bailey, Maria.</i>	
<i>Aylward, Bobby.</i>	<i>Barrett, Seán.</i>	
<i>Barry, Mick.</i>	<i>Breen, Pat.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Brophy, Colm.</i>	
<i>Brady, John.</i>	<i>Bruton, Richard.</i>	
<i>Brassil, John.</i>	<i>Burke, Peter.</i>	
<i>Breathnach, Declan.</i>	<i>Canney, Seán.</i>	
<i>Broughan, Thomas P.</i>	<i>Carey, Joe.</i>	
<i>Browne, James.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Buckley, Pat.</i>	<i>Coveney, Simon.</i>	
<i>Burton, Joan.</i>	<i>Creed, Michael.</i>	
<i>Byrne, Thomas.</i>	<i>D'Arcy, Michael.</i>	
<i>Cahill, Jackie.</i>	<i>Deering, Pat.</i>	
<i>Calleary, Dara.</i>	<i>Donohoe, Paschal.</i>	
<i>Casey, Pat.</i>	<i>Doyle, Andrew.</i>	
<i>Cassells, Shane.</i>	<i>Durkan, Bernard J.</i>	
<i>Chambers, Lisa.</i>	<i>English, Damien.</i>	
<i>Collins, Joan.</i>	<i>Farrell, Alan.</i>	
<i>Collins, Michael.</i>	<i>Flanagan, Charles.</i>	
<i>Collins, Niall.</i>	<i>Grealish, Noel.</i>	
<i>Connolly, Catherine.</i>	<i>Griffin, Brendan.</i>	
<i>Coppinger, Ruth.</i>	<i>Halligan, John.</i>	
<i>Cowen, Barry.</i>	<i>Harris, Simon.</i>	
<i>Crowe, Seán.</i>	<i>Heydon, Martin.</i>	
<i>Cullinane, David.</i>	<i>Humphreys, Heather.</i>	
<i>Curran, John.</i>	<i>Kehoe, Paul.</i>	
<i>Doherty, Pearse.</i>	<i>Kyne, Seán.</i>	
<i>Donnelly, Stephen.</i>	<i>Lowry, Michael.</i>	
<i>Dooley, Timmy.</i>	<i>Madigan, Josepha.</i>	
<i>Ellis, Dessie.</i>	<i>McEntee, Helen.</i>	
<i>Ferris, Martin.</i>	<i>McGrath, Finian.</i>	
<i>Fitzmaurice, Michael.</i>	<i>McHugh, Joe.</i>	
<i>Fitzpatrick, Peter.</i>	<i>McLoughlin, Tony.</i>	
<i>Fleming, Sean.</i>	<i>Mitchell O'Connor, Mary.</i>	
<i>Harty, Michael.</i>	<i>Moran, Kevin Boxer.</i>	
<i>Haughey, Seán.</i>	<i>Murphy, Dara.</i>	
<i>Healy, Seamus.</i>	<i>Murphy, Eoghan.</i>	
<i>Howlin, Brendan.</i>	<i>Naughten, Denis.</i>	
<i>Kelly, Alan.</i>	<i>Naughton, Hildegarde.</i>	
<i>Kenny, Gino.</i>	<i>Neville, Tom.</i>	

Dáil Éireann

<i>Kenny, Martin.</i>	<i>Noonan, Michael.</i>	
<i>Lahart, John.</i>	<i>O'Connell, Kate.</i>	
<i>Lawless, James.</i>	<i>O'Donovan, Patrick.</i>	
<i>MacSharry, Marc.</i>	<i>O'Dowd, Fergus.</i>	
<i>Martin, Catherine.</i>	<i>Phelan, John Paul.</i>	
<i>Martin, Micheál.</i>	<i>Ring, Michael.</i>	
<i>McConalogue, Charlie.</i>	<i>Rock, Noel.</i>	
<i>McDonald, Mary Lou.</i>	<i>Stanton, David.</i>	
<i>McGrath, Mattie.</i>	<i>Varadkar, Leo.</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>Nolan, Carol.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Dea, Willie.</i>		
<i>O'Keeffe, Kevin.</i>		
<i>O'Reilly, Louise.</i>		
<i>O'Rourke, Frank.</i>		
<i>O'Sullivan, Jan.</i>		
<i>O'Sullivan, Maureen.</i>		
<i>Ó Broin, Eoin.</i>		
<i>Ó Caoláin, Caoimhghín.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Penrose, Willie.</i>		
<i>Pringle, Thomas.</i>		
<i>Quinlivan, Maurice.</i>		
<i>Rabbitte, Anne.</i>		
<i>Ryan, Brendan.</i>		
<i>Ryan, Eamon.</i>		
<i>Scanlon, Eamon.</i>		
<i>Sherlock, Sean.</i>		
<i>Shortall, Róisín.</i>		
<i>Smith, Brendan.</i>		

<i>Smith, Bríd.</i>		
<i>Smyth, Niamh.</i>		
<i>Stanley, Brian.</i>		
<i>Tóibín, Peadar.</i>		
<i>Troy, Robert.</i>		

Tellers: Tá, Deputies Brendan Ryan and Sean Sherlock; Níl, Deputies Seán Kyne and Tony McLoughlin.

Question declared carried.

### Message from Business Committee

**An Ceann Comhairle:** The Business Committee has completed its consideration under Standing Order 27AC of the request by Deputy Mattie McGrath to waive the requirement for scrutiny of the Merchant Shipping (Investigation of Marine Casualties) (Amendment) Bill 2019 by the relevant committee under Standing Order 84A and has agreed thereto.

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

### Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

**An Ceann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy Thomas Byrne - to discuss the boil water notice affecting 600,000 Irish Water customers in three counties; (2) Deputy Aindrias Moynihan - to discuss the difficulties with general practitioner service availability in the Macroom area; (3) Deputy James Browne - to discuss appointing a neuro-nurse to the south-eastern region from a base in University Hospital Waterford; (4) Deputy John McGuinness - to discuss the terms of reference relative to the death of Shane O'Farrell; (5) Deputy Maureen O'Sullivan - to address concerns regarding the Minister for Culture, Heritage and the Gaeltacht allowing coursers to capture hares from a hare population already infected with the rabbit haemorrhagic disease virus 2, RHDV2; (6) Deputy Mary Butler - to discuss the Mental Health Commission report into conditions at the department of psychiatry, University Hospital Waterford; (7) Deputy Niamh Smyth - the urgent need for additional funding for drug support services in Cavan and Monaghan; (8) Deputy Mattie McGrath - the status of the beef task force; (9) Deputy Brian Stanley - to raise with the Minister for Health the urgently-needed resources for Acquired Brain Injury Ireland, including regional services; (10) Deputy Joan Collins - the proposed national transport training centre by the National Transport Authority, NTA, and the fact that disability groups were not consulted or discussed, as per letter from the NTA on 15 July 2019, with the result that disability groups, including the Irish Wheelchair Association, Headway and the Disability Thematic Group, are seriously concerned with this proposal; and (11) Deputy Aengus Ó Snodaigh - to ask the Minister for Justice and Equality what action he can take to support requests for additional Garda resources for the

Dublin South-Central area.

The matters raised by Deputies Thomas Byrne, Aengus Ó Snodaigh, Brian Stanley and Aindrias Moynihan have been selected for discussion.

### **Report of the Committee on Procedure on Dáil Divisions: Statements**

**Minister of State at the Department of the Taoiseach (Deputy Seán Kyne):** I intend to share time with Deputy Heydon, with five minutes each.

A little over a year ago, I was appointed Government Chief Whip. It is an honour and a privilege to hold this office with its varied responsibilities and duties that are central to the running of the Dáil, specifically with regard to Government business.

The irregularities in voting that occurred in this Chamber last Thursday have severely damaged the position of trust given to every Member. The quality of our decisions has been called into question, decisions which affect the lives of everyone in this country. These are decisions everyone may not agree with but which are taken by the majority of Members sent here as Deputies from their constituencies - their communities.

The facts are that some Deputies have voted more than once while others have voted for colleagues who were not even in the Chamber. This completely undermines the confidence that the public - the electorate - are entitled to have, and must have, in how our Parliament conducts one of its most important duties. The Constitution is clear. Members must be present and voting. This means present not simply in Leinster House but in the Dáil Chamber. It is a Chamber where the doors are locked in an act that is both symbolic and serious. It says nobody can enter and nobody can leave until our business, our duty, has been done.

Voting for colleagues who are in the Dáil Chamber is one thing, and I think we can agree that it has been commonplace. It happens for various reasons, including Deputies receiving important telephone calls or messages, raising important issues from their constituencies with relevant Ministers and discussing Dáil business, legislation or policy issues. As my colleague, Deputy Broughan, pointed out at the Committee on Procedure this week, the voting block on Thursday is one of the few occasions when all Members of the House are together. However, as the report notes, voting for a colleague with approval while he or she is in the Chamber is not best practice and it should not continue. Voting for colleagues who are absent from the Chamber is completely and utterly different. It is entirely wrong. It undermines the integrity of the votes. It abuses the privileged position that Deputies have in representing their constituents. It brings this House and the role of the public representative into disrepute. This is about trust in Deputies to do the right thing, trust in people to fulfil their mandate and do their jobs and trust in a voting system, which we introduced to allow us work more efficiently and quickly.

We all get used to the routine of the Chamber and are lulled into a sense of familiarity, but familiarity cannot breed contempt here. Here, we hold a deep century-old trust that we can never betray. These events have weakened that trust and we all must make every effort to regain and rebuild it.

Anyone can make a mistake. A Deputy can sit in the wrong seat, even though the voting

panels are numbered. A Deputy can press the wrong button and vote in an unintended way. Mistakes like these can be rectified easily as long as they are reported immediately and before the result is read into the Official Report, and they often are.

The Deputies concerned have done a great disservice to their mandate, to their constituents and to their colleagues. There is no way of explaining this away. It was wrong, thoughtless, cavalier and arrogant. Voting more than once is wrong and reckless. Voting for other Deputies who are not in the Chamber is wrong and reckless. This behaviour has damaged the Dáil. It has damaged the confidence that voters should, and must, have in how our Parliament plays its pivotal role in our democracy.

No country can afford the luxury of ignoring, abusing or disrespecting democracy. It is too valuable, sacred and fragile to do so. In a real way, what happened last week does all three. It diminishes all of us to an extent but it greatly diminishes those Members responsible. Confidence has to be restored. The damage has to be repaired.

The recommendations in the report from the Committee on Procedure must not be treated as mere suggestions but as requirements to be implemented immediately. Today's report from the committee is a first step in repairing the damage. I wish to thank Peter Finnegan and his team for their speed in producing the report. While not compelled to do so, the four Deputies concerned can take their first step in repairing the damage by addressing the House this afternoon, and I look forward to that.

**Deputy Martin Heydon:** I thank the Clerk of the Dáil and his officials for the speedy manner in which they have acted to address what is a serious matter for this House and its Members. The report produced today and laid before the House confirms many of the facts of last Thursday, 17 October, namely, that two members of the Fianna Fáil Front Bench, Deputy Niall Collins and Deputy Lisa Chambers, voted for their colleagues, Deputy Dooley and Deputy Callery, who were not present in the Chamber. The report also confirms that at no point did any of the four Deputies involved attempt to correct the record of these erroneous votes.

I have read the report and taken from it some of the key facts that are now confirmed. Over a period of 56 minutes, eight votes were taken in the Dáil. Deputy Dooley left the Chamber one minute after the first vote was called but nine minutes before the first vote took place. He never returned. In the block of eight votes that followed, Deputy Niall Collins sat in the voting chair of Deputy Cowen. Deputy Niall Collins voted for Deputy Dooley, who was not present in the Chamber, for the first six votes. He also voted for Deputy Cowen for the full eight votes. Deputy Cowen voted for Deputy Niall Collins for the full eight votes. Deputy Dooley approached Deputy Collins before he left the Chamber and they had a brief conversation in front of another colleague. During this conversation Deputy Dooley nodded to his voting seat. The party known for the nod-and-wink is now known better for the nod-and-point.

Deputy Dooley confirmed that he did not vote in any of the eight votes as he never returned to the Chamber. When asked why he did not return, he indicated that he had to return to his office to make a call. He stated that he should have gone back but that instead he left the complex. Asked whether he had left during the voting block, he said most likely it probably was. When asked whether he had contacted Deputy Niall Collins after leaving the complex, he stated that he had not. I am sure if Deputy Dooley and Deputy Niall Collins produced their telephone records to the Committee on Members' Interests, these comments could be confirmed. When questioned on why he did not continue to press Deputy Dooley's voting button for the last two

votes, Deputy Niall Collins stated, “I don’t know, I can’t explain that.” When questioned again he said:

I can’t give an explanation. It is an obvious question, but I can’t give an explanation.

The report also confirms facts surrounding the other voting irregularity. Deputy Lisa Chambers voted for herself and Deputy Calleary, who was not present in the Chamber for the first vote. She then subsequently voted for herself only in the next seven votes. Deputy Calleary was not present for the first five votes but then returned before vote six. Deputy Lisa Chambers stated that she told Deputy Calleary of her mistake when he entered the Chamber. At no stage did Deputy Lisa Chambers or Deputy Calleary make any attempt to amend the record for the first vote by notifying the tellers of the error.

As you said earlier today, a Cheann Comhairle, the events of last Thursday were stark and unpalatable. Errors, which we all make, should be admitted to and learned from. There are many people outside this House who would find it difficult to believe many of the accounts included in the report. I believe the facts, as now confirmed in this report, leave several unanswered questions.

Deputy Micheál Martin stated at the weekend that he did not think the explanations of Deputy Dooley and Deputy Niall Collins were acceptable. What does he think now? Why did Deputy Niall Collins tell journalists that he did not know anything about voting for Deputy Dooley when queried about it just one day after he had deliberately voted for Deputy Dooley six times? After voting for Deputy Dooley in six votes, for more than 35 minutes, why did Deputy Niall Collins not vote for Deputy Dooley in the last two votes? What changed? What made Deputy Niall Collins think Deputy Dooley was back in the Chamber when he knew the Deputy had left, he did not see the Deputy come back in and could not see him anywhere in the Chamber? In the report, Deputy Dooley claims he told Deputy Niall Collins, “I’ll see you at the vote but I have to take a call.” Why did he tell Deputy Niall Collins this? Is Deputy Niall Collins accustomed to Deputy Dooley being absent for votes? Is Deputy Dooley concerned that Deputy Niall Collins may have voted for him on other occasions when he was not in the Chamber? Has he ascertained whether he needs to correct the Dáil record of other votes? Is it credible that Deputy Willie O’Dea who was standing beside Deputies Collins and Dooley for that conversation did not hear any details of the words between the two men?

Deputy Lisa Chambers said that she mistakenly pressed the wrong button when she voted for Deputy Calleary and that it was very different from what Deputies Dooley and Collins did. Does she accept the version of events given by the two Deputies to the inquiry? When Deputy Lisa Chambers told Deputy Calleary that she had mistakenly voted for him, why did he not then try to correct the Dáil record himself? Does Deputy Micheál Martin think that Deputy Cowen has any questions to answer in relation to previous votes? Does he back the efforts of Fianna Fáil Deputies to make accusations against Fine Gael Ministers, which are utterly unproven? I hope the Deputies involved and their party leader will address this House and answer these questions here today to provide the clarity that is needed to restore the integrity of the voting process in a House that sets the law of the land.

**Deputy Micheál Martin:** I welcome the detailed and comprehensive report that has been given to the House by the Clerk of the Dáil. He has gone into considerable depth in exploring the cases referred to him and to setting the overall context of voting practices in this House. Taken together with the balanced and reflective article written by the former Clerk of the Dáil,

24 October 2019

Mr. Kieran Coughlan in today's edition of *The Irish Times*, there is now more than enough information available for us to address this issue, if that is, in fact, the intention of the House.

At the outset it is important to say that serious issues of public concern have been raised and must legitimately be addressed. I want to acknowledge the work of those who brought this matter to public attention. If we put aside for one moment the behaviour, motivation and record of many here who clearly have no interest in dealing with this matter with any balance, there are three broad issues involved. These involve general practices here during voting, a specific incident involving a division here last week and what changes we need to make. I will fully address each of these but before I proceed, I must say that in this debate so far, the bulk of time has been utilised by parties making very direct, partisan comments.

**Deputy Eoghan Murphy:** Address the issue.

**Deputy Micheál Martin:** Fine Gael's claim to be outraged has been more than a bit undermined by the sound of laughter and backslapping coming from its corridors, together with daily briefings about immediately holding an election that it claims not to want until next May.

*(Interruptions).*

**An Ceann Comhairle:** Deputies please. Listen now.

**Deputy Micheál Martin:** It is important to note that there was no evidence produced, in five days of trawling, that we are addressing any matter which has had any impact on deciding the outcome of a Dáil vote.

**Deputy Paul Murphy:** What if that happened in a general election?

**Deputy Micheál Martin:** I will deal with that later.

**Deputy Dessie Ellis:** For God's sake-----

**Deputy Louise O'Reilly:** Trivialisation.

**An Ceann Comhairle:** Please. We heard the Minister of State and Deputy Heydon without interruption.

**Deputy Micheál Martin:** Exactly.

**An Ceann Comhairle:** We will hear all of the other speakers without interruption.

**Deputy Micheál Martin:** The heckling reinforces my point. I want to deal with this seriously-----

**Deputy Pat Deering:** The Deputy is trying to muddy the waters.

**Deputy Micheál Martin:** I want to deal with this with balance and one of the very basic points is that people should be allowed to speak in here.

*(Interruptions).*

**An Ceann Comhairle:** I want to make it abundantly clear that we need to treat each other with respect and that involves having the good manners to sit and listen to the explanations that are offered. We can adjudicate on what we hear afterwards.

**Deputy Micheál Martin:** Just to repeat the point, it is important to note that no evidence was produced, in five days of trawling, that we are addressing any matter which has had any impact on deciding the outcome of a Dáil vote. The main case involves a series of divisions where the average margin was more than 45 votes. The lowest margin involved was 31. The idea that there is any question over the result of those votes, as has been asserted, is manifestly nonsense. Of course, this does not diminish in any way what has happened. What happened was wrong but it is an important point to note in the context of the debate.

As has been extensively reported, as the Clerk of the Dáil pointed out in his report and as the former Clerk of the Dáil stated in his article, practices have developed here over the years whereby it is common for Members not to be in their place during a vote and for others to press their voting buttons for them. I have, as has the Taoiseach, much of the Cabinet and a large portion of the Dáil, acknowledged doing this. Clearly it is bad practice and as the Clerk of the Dáil recommends, it should stop. A Minister or Deputy spending 20 minutes on a phone during a division is only present in theory. He or she is clearly not listening when the issue is called or statements made on the vote. Many videos have been produced which show no interaction between Deputies apparently at the back of the Chamber and those voting for them. Equally, the Minister for Justice and Equality, Deputy Flanagan, was not correct when he gravely informed the nation on Monday morning that he might have voted for a colleague, but only if he saw him or her running into the Chamber and in danger of missing the vote by a couple of seconds. At the core of what has happened here is the fact that we, unlike other parliaments, do not require Members to use a card or other device during voting and we have a common practice of Members speaking and voting from different seats. A significant number of cases have been pointed to in recent days where there is little or no visual or audible evidence of Deputies being in the Chamber when a vote was recorded from them. We have ended up with a highly partisan approach whereby we are being told that we should accept the word of some Deputies but not of others. It also appears that we have to bend all known laws of physics to accept that the Minister for Rural and Community Development, Deputy Ring, can be in a room for ten minutes without being noticed.

I have no difficulty accepting the explanations and good faith of Deputies but what I will not accept is an attempt to impose different standards on different people. In this context, I would like to acknowledge the fact that the Minister of State at the Department of Public Expenditure and Reform, Deputy Phelan, had the good grace to withdraw the allegation against Deputy Lisa Chambers, which he so lightly made on Virgin Media on Tuesday night. As the Clerk of the Dáil's report correctly proposes and as the Ceann Comhairle has insisted, we should immediately end the practice of being able to vote for a colleague and should aim to completely overhaul our mechanism for voting. Any fair review of the situation in relation to the vote that Deputy Lisa Chambers mistakenly cast will acknowledge the similarities with that of the Minister for Transport, Tourism and Sport, Deputy Ross, when he voted for the Minister for Children and Youth Affairs, Deputy Zappone, when she was not in the House. The core difference is that the Members present at that time informed Deputy Ross of his error and he was then in a position to correct it. I am fully satisfied with Deputy Lisa Chamber's good faith and the apology she has made.

A substantial amount of this report addresses a series of votes cast last week by Deputy Niall Collins in the place of Deputy Dooley. There is simply no question that those votes should not have been cast. While Deputy Dooley had been in the Chamber or was near the Chamber, he was not in it and those votes should not have been cast, irrespective of the fact that they did

not affect the outcome of any division. When I was informed of this matter last week, unlike the practice in other parties here, I immediately took interim action and requested that full information be provided to the review established by the Ceann Comhairle. I am satisfied that co-operation was provided and the details of the incident are outlined in full in the Clerk of the Dáil's report.

The question now is what further should be done in relation to this matter. It is the position of Fine Gael, in full co-ordination with Sinn Féin, that a significant sanction should be adopted, whether or not it is in the rules or reflects past practice. The Fine Gael-Sinn Féin coalition which saw the latter end its policy of abstentionism to vote for Fine Gael in a Seanad by-election, is alive and well. It is noteworthy that one Fine Gael source helpfully briefed a newspaper that it would be seeking an extreme sanction and an extra inquiry. To put this in perspective, what Fine Gael is seeking would mean that Dáil Éireann would introduce a greater sanction in this case than has ever been applied to a Minister who seriously misled the Dáil or to a Deputy who libelled the good name of people not in this House - innocent members of the public. That happened in this House and Deputy McDonald would know all about it. The Committee on Procedure and Privileges found that Deputy McDonald "by failing to indicate her intention to withdraw the utterances by the date specified" had, in effect, failed to address them and, in light of this, her utterances were "in the nature of being defamatory". That was the finding of a committee of this House. It found *prima facie* evidence of an abuse of parliamentary privilege, yet the Deputy can get up in this House and start lecturing everybody else about adhering to best practice, constitutional rights and so on. She did not care much about the constitutional rights of those people outside of this House that she defamed. She should be careful about lecturing others in that regard.

There are also issues regarding the Ministers for Health and Justice and Equality. I remember the many pleas for leniency for the Minister for Justice and Equality. He eventually came in and apologised to the House but there was no sanction even though the House was seriously misled. We know all that happened after that. Likewise, the Minister for Health had to come in and apologise. What I find particularly striking is the aggressive shouts we have heard for severe action and I contrast that with many of the episodes that happened in recent years where we received public and private pleas to be lenient *vis-à-vis* the behaviour of certain Ministers. I am surprised at the comments of the Taoiseach because his main bone of contention at the time was that an apology should suffice for the Ministers for Justice and Equality, and Health.

The fact that both of them have been so relentlessly personal, partisan and aggressive this week reflects more on them than on those on whom they have focused. It is also striking that the Minister for Health has directly used this issue to avoid answering legitimate questions about emergencies in the vital services over which he presides. The report in today's papers that he is a chief advocate for an early election might explain his behaviour and confirms that he is more focused on getting out of his job than actually doing it.

I took early action regarding Deputies Niall Collins and Dooley, and those sanctions will remain in place. The Deputies will also make personal statements under Standing Order 46. While what happened last Thursday was unacceptable, we must put things in perspective. This is a very serious issue but there is also a terrible homelessness crisis going on. Children are out in food queues on our streets, as revealed on the "Claire Byrne Live" programme last Monday night. Over 800 jobs have been lost at two manufacturing facilities in the past 48 hours, and the health service is in crisis across the country-----

**An Ceann Comhairle:** Thank you, Deputy-----

**Deputy Micheál Martin:** There has to be a sense of perspective here. We should agree to proceed with implementing the proposed reforms. Being present and voting should mean we are not on our phones or having a gossip down the back but that we are in our places and voting for ourselves.

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

**Deputy Micheál Martin:** I thank the Ceann Comhairle, the Clerk and his staff for the rigorous and even-handed approach they have taken in bringing this report to the House so quickly, without reference to the fevered political games which have been played.

**An Ceann Comhairle:** I call Deputy McDonald.

**Deputy Mary Lou McDonald:** I will be sharing time with Deputy Cullinane.

Deputy Micheál Martin is clinging desperately to the old adage that attack is the best form of defence. One can only imagine the outrage that would emanate from him if Deputies from any other party had falsified votes. The Deputy clearly wishes to engage in the politics of distraction and muddying the waters.

I thank the Ceann Comhairle and the Clerk of the Dáil for this report and the work, which was done in a very short timeframe. Page 44 of the report sums up the situation devoid of bias, sentiment or excuses. Contrary to Deputy Micheál Martin's contention, there is one net issue, which is that last Thursday, Fianna Fáil's Deputies Lisa Chambers and Niall Collins voted on behalf of their absent colleagues, Deputies Dooley and Calleary. They also cast votes on their own behalf, meaning both Fianna Fáil Deputies voted twice. That is a very serious matter. They also voted for absent colleagues, which is gravely serious as well. Deputy Lisa Chambers knowingly did so once, while Deputy Niall Collins did so six times, under the assumption - or so he claims - that his colleague Deputy Dooley was at the back of the Dáil Chamber on the phone for almost an hour. Whatever one makes of the accounts offered up by Deputies Lisa Chambers and Niall Collins, and I do not make much of them, the facts established in the report show that both Fianna Fáil Deputies acted in defiance of Article 15 of Bunreacht na hÉireann, which explicitly states that Members must be present in order to vote. They also breached every common norm and standard of democratic practice both in this Parliament and beyond by voting twice. Do we need to tell Fianna Fáil that it is not okay to vote twice?

Both Deputies claim they acted on their own initiative and that they were not requested or coerced to vote for other colleagues. This stretches political credibility, particularly in the case of Deputies Niall Collins and Dooley, as video footage strongly suggests an exchange relating to votes took place. These Deputies' actions have caused damage to the Dáil, not because people care which seats we sit in or are interested in political squabbles, but because they care deeply and passionately about the quality of their democracy. The actions of Fianna Fáil reflect the worst politics of low standards in high places and reflect themselves again to be cavalier, arrogant and entitled. They show an absolute disregard and disrespect for the Constitution, the Oireachtas and the institutions of governance but most importantly, for the electorate. We are all elected to represent people and we make very serious decisions in this House. This is not a game. We pass budgets and make decisions on public spending and make, amend, and change laws. Our people have every right to expect that they have elected grown-ups who can behave in a grown-up fashion. The core of this debacle is not about how we vote or where we sit. This

is not a procedural matter and it is not really about electronic voting *per se* either. At the core of this debacle is the behaviour of Fianna Fáil Deputies. Their behaviour smacks of contempt for both the institutions of government and the people. Some people who are following this debate might say “a plague on all their houses” or that we are all at it but Dáil Deputies are not all at it. Named and identified Fianna Fáil Deputies have been at it.

**Deputy John Brady:** Hear, hear.

**Deputy Mary Lou McDonald:** The bigger question is how long Fianna Fáil has been at this, and whether this is an established pattern of behaviour within the party. A Ceann Comhairle, your report offered up no sanctions to the Deputies in question, though we understand that was not your remit or your role. The worst outcome from all of this would be if there was even the perception of a whitewash. People might get a sense that there are different rules or standards for Dáil Deputies, or that Fianna Fáil Deputies can do what they want and get away with it. The Committee on Members’ Interests, which I understand will meet next Wednesday, therefore has a serious and important job to do. It is not a partisan, party political job but a job which must ensure that confidence and credibility attach to this institution. The report names Fianna Fáil Deputies Niall Collins, Lisa Chambers, Dooley and Calleary, and other names have also been mentioned. The report kills speculation and has established the facts. Two of those Deputies breached the imperative of Article 15 of Bunreacht na hÉireann and there must be a consequence for them for that.

**Deputy David Cullinane:** This is a very serious matter, which the Ceann Comhairle and the Oireachtas have taken very seriously. There is a report before us. Deputy Micheál Martin spoke of balance but this is not about balance; it is about right and wrong. Balance should be taken as a given. The Deputy knows, as do the Deputies involved, that it was wrong for members of their party to vote twice. For Deputy Micheál Martin to then come into this House and make a very partisan and defensive contribution was quite disgraceful. People listening in wanted to see Fianna Fáil put its hands up and say it was wrong.

**Deputy Robert Troy:** He said that.

**Deputy David Cullinane:** Instead, we got an attack on Fine Gael and Sinn Féin and a very partisan speech in an attempt to muddy the waters, because that is what Fianna Fáil does.

I will read some extracts from the report. Deputy Dooley stated that he told Deputy Niall Collins “I’ll see you at the vote but I have to make a call”. When asked about what he meant by pointing at the seats, Deputy Dooley stated that he was indicating to Deputy Niall Collins that he would see him when they were voting. That is simply not credible to most people. When asked whether he requested Deputy Niall Collins to vote for him, Deputy Dooley said “No, I’m clear on that fact”. We cannot say that is a fact and it is far from clear. The vast majority of people outside this House would accept that. Deputy Niall Collins stated that he pressed the button on the vacant seat, as he assumed Deputy Dooley was at the back of the Chamber on the phone. The Deputy cannot assume such things. Six votes were held over 48 minutes, during which he assumed Deputy Dooley was in the back. The reality of this says something else. We in Sinn Féin want to know whether there was a pattern or an arrangement between certain Fianna Fáil Deputies when it came to voting. Deputy Micheál Martin offered up the astonishing defence that these were not close votes. However, we do not know how many times this has happened. The Ceann Comhairle’s report refers to an audit of future votes. We need to look back at a lot more votes to see whether there was a pattern. We also need to know whether

there was understanding among a number of Fianna Fáil Deputies to vote for each other when they were not in the Chamber. Deputy Dooley is not here so I cannot put the question to him.

**Deputies:** He is.

**Deputy David Cullinane:** Deputy Dooley should come clean.

**An Ceann Comhairle:** Deputy, when you address your question through the Chair.

**Deputy David Cullinane:** Deputies Collins and Cowen should come clean and stop hiding behind nonsense. It is as plain as the nose on everybody's face what happened here, yet these Deputies are trying to take the Irish people for fools. This is very serious and people want the facts, but they have not got the facts from these Deputies. It is absolutely appalling that Deputies are voting for other Deputies when they are not in the Chamber. If a citizen voted in a local, European or general election twice, would Deputy Michael Martin offer as a defence that because the margin of victory was big it was not that important and that it somehow diminished the wrong that was done? Of course he would not. If this happened in any other party he would be, quite rightly, outraged and on his feet demanding that the Deputies concerned told the truth. He has a responsibility to make sure that his Deputies give us the facts. I do not believe they have given us the facts in this report and they should come clean to the people of the State. They have not done so yet.

**Deputy Brendan Howlin:** I welcome the Report of the Committee on Procedure on the Review by the Clerk of Dáil Éireann of Electronic Voting in Dáil Éireann on Thursday 17 October 2019 laid before the House today. I thank the Ceann Comhairle and all of those involved for their speedy conclusions and presentation of those facts. The report clearly and methodically sets out clear facts. It tells us what happened and is there for every Member of the House and citizen to read and come to their own conclusions. Complaints have, I understand, been made under the Ethics in Public Office Act and it is now a matter for the Committee on Members' Interests to examine those complaints in accordance with the laws determined by these Houses. Since those deliberations might result in recommendations coming back here for us to vote on, we will be the final jury. Therefore, it would be better if we did not prejudice ourselves until we hear the results of the recommendations from the committee we have set up to do that work.

I want to echo the words of the Ceann Comhairle from earlier today. What has emerged over the past week has eroded confidence in Dáil Éireann. The so-called war of the buttons and public jousting which has gone on since has fed into a very unwelcome and unhelpful narrative regarding public confidence here. I do not underestimate the degree of public anger on this matter. Like everybody else, I have received emails from my constituents outlining how annoyed they are that such carry on could happen. The matter has also distracted from real issues of public concern such as the disturbing picture of a five year old homeless child eating his dinner off cardboard on Grafton Street, an image which captures the failure of the State to address the most serious homeless crisis we have ever faced. It detracted from the centrality that the solemn apology of the State on Tuesday for the CervicalCheck scandal should have had. All of these things were battling with this matter for airspace and public space.

The controversy began when Fianna Fáil Deputy Niall Collins cast six votes in a row for his colleague, Deputy Timmy Dooley, who had left the Chamber. That was wrong and unacceptable. Nobody in the House would, could or has tried to justify that. It is a most serious matter that goes to the heart of representative democracy and undermines the solemn duty of

the mandate that each of us has when we come here. No explanation has been offered and it is up to those Deputies to explain fully their actions. I welcome Deputy Martin's statement that we will have such an explanation.

It has cast a cloud over our democratic prerogative. However, the controversy went on to expose a carelessness which has crept into our voting procedures, whereby votes were cast by proxy for Members who were present in the Chamber but not in their designated seats and did not press their assigned buttons, a practice that apparently has become accepted. It is not constitutional. This ought to be discussed as a serious matter. Instead, this week it was reduced to an intra-party slug fest. There is a danger that this debate will follow the same path.

Staff in Fianna Fáil and Fine Gael were apparently assigned to spend hours this week trawling through footage of the Dáil proceedings to see if they could find ammunition for a political attack. Charge was met with counter-charge. Fine Gael spotted the opportunity to wrong foot Fianna Fáil, just in case there might be an election around the corner. The Minister for Justice and Equality spoke earlier in the week of illegal acts. On "Morning Ireland" the Minister for Health quoted selectively from the Constitution, which I believe was a matter of political expediency.

**Deputy Simon Harris:** He was not here.

**Deputy Brendan Howlin:** The bottom line is that the Minister said, "Present". He did not say, "and voting". One does not only have to be present, one has to vote.

**Deputy Darragh O'Brien:** Grow up, Minister.

**Deputy Brendan Howlin:** That is the truth, Simon. From the highest level, both parties went on the offensive, selectively picking issues to throw at one another. Let me be crystal clear for the Minister for Health. The Constitution does not say that one can parse and analyse the present and voting elements.

**Deputy Simon Harris:** Can you vote when you are not here?

**An Ceann Comhairle:** Minister for Health, please-----

**Deputy Simon Harris:** He is provoking me.

**An Ceann Comhairle:** Do not allow yourself to be provoked. I am sure you are capable of avoiding that.

**Deputy Brendan Howlin:** The report presented to the House sets the record straight. The Minister may not have had a chance to read it. Paragraph 8 on page 26 states:

During the voting block, Members take the opportunity to speak to Ministers and other colleagues, and are therefore not always in their designated seats when the vote is taking place. As a result, the practice of Members voting on behalf of their colleagues who are present in the Dáil Chamber has developed significantly in recent years. There is a general acceptance among Members that this is not good practice and must be discontinued. Furthermore, it doesn't align with the Constitutional requirement imposed by Article 15.11.1°

That is, voting by proxy for other Members is unconstitutional. The report confirms what we all know, namely, that we cannot allow proxy voting. A Member cannot vote for another

Member, regardless of whether he or she is here. Article 15.11.1° states that the questions are decided by the votes of the Members present and voting. There are two requirements. A Deputy has to be present and actually vote in his or her designated seat.

Apart from anything else, the notion that it would be acceptable to vote by proxy would strike most people outside of the House as an absurd thought. We are sent here as a Teachta Dála, the people's representative, to vote in the name of the people we represent. The rules do not allow proxy voting, whether by persons inside or outside the Chamber. One practice is as irregular and unconstitutional as the other. There is no basis for getting hot under the collar over one and not the other. We need to put our house in order and not look at this from a partisan political perspective.

I support conclusion 4 of the report on the need for a wider review of the voting system. As I have said, my preference is for us to use the fobs or cards we all carry to access our offices and so on. Our terminals were designed for the cards and I hope it is technically possible to do that.

Before I conclude, I want to make a general point. I have been privileged to represent the people of Wexford in this House since 1987. In every Dáil of which I have been a Member, every Member has taken votes in this House most seriously and most solemnly. I have seen Governments fall over votes on Private Members' business. I was privileged to introduce one myself in 1989 when the then Taoiseach was coming back from Japan. He rushed into the House to see if the Private Members' Bill had been passed and he would have to call a general election. Deputies will remember that most Private Members' Bills caused the Visitors Gallery to be full because people regarded votes in this House as important. Governments regarded votes in this House as important. This unique Dáil regards votes in the House as votes taken by the local debating society. The Government is defeated three or four times a week but shrugs its shoulders as if an instruction of the House, the elected Parliament, is of no consequence and no meaning. Is it any wonder Members have less respect for the results of votes in the House when decisions solemnly made by the majority of Members are entirely and routinely ignored? We have a lot to put right in this Chamber. Certainly, we must get the basics right in making sure Members cast their votes properly, publicly and constitutionally. We also need to ensure votes in this House, the Chamber of elected Deputies of the people of Ireland, have meaning and are respected as such by all those concerned, particularly the Government.

**Deputy Paul Murphy:** What has been revealed in the past week or so is utterly scandalous. It demonstrates deeply-double standards in how ordinary people would be treated if they attempted to get someone else to vote for them and how Deputies feel they can act. It demonstrates contempt for democracy on the Fianna Fáil side of the House, but we also see it in other respects on the Government side of the House, for example, in the abuse of money messages. I thank the Ceann Comhairle and the Clerk of the Dáil for the comprehensive and speedy report.

I will focus on some of the details. Perhaps Deputies Collins and Dooley might answer some of the questions I will pose when they make their personal statements. Bluntly, I do not buy the stories given by Deputy Collins and Deputy Dooley. To summarise, their story is that Deputy Dooley did not realise Deputy Collins was voting for him at any time until he was contacted the following day, while Deputy Collins' story is that he thought Deputy Dooley was at the back of the Chamber making a phone call and that he, therefore, voted for him. There is a real problem with that story from the evidence given to the review, in particular from Deputy Collins. It is related to the fact that there were eight votes on the day and that Deputy Collins only voted for Deputy Dooley in six of the eight votes. Deputy Collins maintains that during the entire time

of the eight votes he thought that Deputy Dooley was at the back of the Chamber and felt they had an informal ongoing relationship, whereby because of the fact that Deputy Dooley was at the back of the Chamber meant that Deputy Collins would vote for him. However, he cannot explain why he voted in the first six votes but not in the last two. He was asked about this by Ms Mellissa English who says: "If you thought that Deputy Dooley was there and you didn't look around, why stop?" Deputy Collins said: "I can't give an explanation. It is an obvious question but I can't give an explanation." It seems something important happened between the sixth and seventh votes. Mr. Peter Finnegan asked: "At one stage you took a quick 10 second phone call in the chamber. Can you recall who it was?" Deputy Collins replied, "No". He did not offer to check his phone, as Deputy Dooley did when he was being interviewed about a separate matter. The fact that Deputy Collins voted six times, claimed that he thought that Deputy Dooley was still in Chamber, got a phone call and then stopped has significance. Deputy Collins needs to tell us if the phone call was from Deputy Dooley and if it was about him voting. He needs to provide an explanation as to why he did not vote in votes seven and eight.

Is it a coincidence that the five seats involved - A14, A15, A16, A17 and A18 - are on the front bench or it is related to the fact that the cameras only pick Members up on the first two benches? If someone on the third, fourth or fifth bench was to engage in this practice, it would not be picked up by the cameras, we would not have Votegate and none of us would be any the wiser. Are there Deputies in Fianna Fáil on these benches who have engaged in this practice and not been caught? Is it a widespread, off-camera practice and is it only those who happen to be on camera who are caught?

Many members of the public have asked what benefit was in it for Deputy Dooley. Why would you possibly get someone to vote for you? People often ask whether it is because the Deputy can get the 120-day travel and accommodation allowance. The answer is that would not be a rationale for doing it. The rationale would be to be seen to be voting on issues so one cannot be accused of having a low voting record and that if someone asks how a Deputy voted, he or she is able to say how he or she voted. The question about expenses and the 120 days begs another question. We all know that there is a system of fobbing in order to receive the full allowance that is not subject to any camera check and is even more open to abuse than the voting system. Is it the case that Deputies are getting others to fob in for them to get up to the figure of 120 days because if they are willing or able to get others to vote for them when they are not in the Chamber, why on earth would they not get somebody to fob in for them in order that they can clock in to receive their expenses?

**Deputy Bríd Smith:** I thank Deputy Paul Murphy for that forensic scrutiny of the report. There was news this morning that no sanctions were being imposed. There is a public perception that there is no come-back for any of the wrongdoing in this House. That is not the fault of the Ceann Comhairle, but he needs to make sure the record is clear that he does not have it within his power to impose sanctions and that it has moved to another level because people I have met and who have phoned me are shocked that there will be no sanctions. They are shocked that Deputies would vote for others not present in the Chamber and by the statements we have received so far from the Deputies involved, which stretch credulity. One of the reasons people are shocked by the lack of sanctions is ordinary people are constantly sanctioned for what is perceived or declared to be wrongdoing. Yesterday, during questions to the Minister for Employment Affairs and Social Protection, we found out that over 50,000 jobseekers had been sanctioned financially under the JobPath programme. Under the Electoral Acts, somebody who breaches the law in misusing his or her vote can receive a fine of up to €2,500 and/or a term

of imprisonment for two years. Therefore, people are shocked when they wake up to find that there will be no sanctions for this behaviour. We need accountability and sanctions for those Deputies who voted for others who were not in the Chamber. Otherwise we are holding this democracy in contempt and feeding the cynicism of so many about our democracy and what happens in this House.

I want to dwell for a few minutes on other aspects of what happens in this House that bring us into disrepute. The airwaves have been consumed by Votegate in a week when we have learned that the State's chief procurement officer has resigned from the development board of the national children's hospital, the overspend on which is about to escalate; the Government has reaffirmed its commitment to importing fracked gas against the stated wishes of the Oireachtas Committee on Climate Action; 10,000 people are homeless and that 100,000 people are in need of housing, many of whom are living in fear of eviction. Citizens are dying on the streets because of the housing crisis, while over 50 progressive Bills are being held up because of the lack of a money message. I draw attention to this because it concerns two parts of democracy. They concern how we use our vote and when we use it. We are blocked by the Government in progressing legislation that might address all of the disparate elements of our society. Some of the Bills are vitally important. One is the Green Party's Waste Reduction Bill. There is our own Bill to keep fossil fuels in the ground, the Solidarity-People Before Profit anti-eviction Bill, the Sinn Féin Bill dealing with micro-generation and the Social Democrats' Bill dealing with the prohibition of microplastics. I could go on and on. More than 50 progressive Bills are being held captive by the Government because of spurious money messages. On 6 November, we will be putting a motion before this House to change Standing Orders to allow those Bills to progress. I hope all Members will do the democratic thing and support the motion.

If we really want to instil confidence in this process and if we really want to win back the support of the people, we need to state that there has to be transparency in this Chamber. We have to learn lessons and be open. We also have to learn that it is one Deputy, one vote, and nothing else. There was a time in Northern Ireland when there was a demand for one man, one vote. That was fiercely resisted by the British Government. We got past that period and we now need to show that we care about democracy. Many countries around the world are on fire because of a lack of democracy, including Hong Kong, Lebanon, Chile, Peru and Catalonia, to mention just a few. It is at our peril that we do not adhere to the democratic principles fought for so hard by previous generations. We need to learn lessons from this, move on and be utterly and totally transparent to the people.

**An Ceann Comhairle:** I call Deputy Maureen O'Sullivan, who is sharing her time with Deputy Connolly.

**Deputy Maureen O'Sullivan:** The committee met this morning at 9 a.m. to consider the report, but by 10.02 a.m. the report was on Twitter and we had responses and tweets from journalists. It was 11.35 a.m., however, before Members of the Dáil received a hard copy of that report. There is an issue regarding the order in which people receive reports we are going to debate. We have all seen Deputies engaged in conversation with another Deputy or Minister while the seconds are counting down to a vote. The Deputy engaged in the conversation will call down to another Deputy sitting near his or her seat to press the voting button. While that is not best practice, I had not seen anything sinister in it until recently. Recent events have shown, though, how the system has been abused. I refer to voting for someone not in the Chamber and doing that several times and then not correcting a vote when a mistake has been made. I do not want to believe that there was anything sinister in that, because I want to believe in the integrity

of all of us who are elected to the Dáil.

There are too many examples of parliaments around the world that are corrupt, where physical violence has broken out, where there is blatant self-interest among the members and where there are connections with criminality. There is one parliament in Latin America where a significant number of members are up on charges in another jurisdiction for drugs trafficking. Our parliamentary democracy, however, has been effective because it is transparent and accountable. There is no doubt, though, that the events of the last few days have dealt a blow to that integrity. Once a few examples are discovered, it seems inevitable that there could be more. The question is whether the system has been seriously abused in the past, and we certainly hope not.

Another aspect I found disturbing was how, last Tuesday, the way the incident was almost allowed to develop into an Irish Watergate, such was the potential for sensationalism and opportunism before all of the facts were known. There were delays, business ran late and those in the Gallery waiting on the apology had to sit through all of that. Once that space is opened, it is easy for an issue to assume dimensions not warranted at the stage. That is not taking from this issue being serious because we know the penalties for those impersonating others at elections. There is a procedure to deal with this, however, and that finally happened. An immediate referral to the proper authorities could have saved us much time and trouble on Tuesday.

We have a fairly robust voting system. The Ceann Comhairle has a role, the tellers have a role and we are all conscious that tellers are looking around when it does come time to sign the papers. The bottom line is personal responsibility to be in one's own seat and to press one's own button. The report shows that has been done and acknowledges the procedure. The terms of reference in the report are to ensure public confidence in the integrity of the voting system in the Dáil is restored. I looked at the recommendations, the conclusions and the transcripts. There are many references to assumptions and I had to feel for the country Deputies, who seem to be getting the blame because they are in a rush on a Thursday. I do not see that happening here and I do not see that as being a reason or an excuse. The conclusion is for there to be more transparency and clarity on the protocols, but especially regarding the responsibilities and obligations of individual Members. That is what it comes down to and the rules that exist just state the obvious. It is up to us to abide by them.

One recommendation called for a wider review of the voting system. I do not see the need to change a system which was and is respected by the majority of the Members. There would be an extra expense involved in a card system, which could also be open to abuse, or a fingerprint system. That would be a terrible waste of finance, unless, perhaps, the Deputies involved in this issue would be picking up the bill. We know the length of time walk-through votes take. Even though they seem to be foolproof, that would take up a lot of time. The report sets out what the tellers have to do and the protocols involved. The tellers should not have to check that people are in the right seats. We are all adults and that aspect is covered in the Constitution in respect of questions being determined by a majority of Members "present and voting". That is that and we have to abide by it.

Reading through the transcripts, it is the stuff of drama. I was reminded of the playwright, Colin Murphy, who once took a transcript from a meeting of Dublin City Council and created a very entertaining drama. It made for great entertainment but it certainly did not do the councillors involved any good. I can see something similar happening here to this kind of musical chairs that had been going on.

I want to reiterate what was stated by Deputy Pringle when he represented Independents 4 Change at the meeting with the Clerk that the system is fine, we do not think there is a problem but Members involved in this situation should be dealt with. It is a reminder to us all that, as people have said, it is an honour and a privilege to be elected to this House. We just have to live up to that.

**Deputy Catherine Connolly:** There are 38 people on hospital trolleys in Galway today and I have more time to talk about this than I had to talk about them. I had three minutes to speak about the people on trolleys on Tuesday. That puts this into perspective. I would have thought that the leader of the Fianna Fáil Party would have come into the House, apologised and sat down. Wrong was done, votes were taken in the absence of someone from the Chamber and that is against Article 15 of the Constitution. It should not have happened, end of story.

I thank the Ceann Comhairle and the Clerk for doing a good and practical report. I have some reservations regarding some of the recommendations conferring an onerous role on the tellers. We also saw the extent of gender inequality today, which was brought home to us in a most acute way when all of the tellers went up for the vote. Besides that, however, it is just not practical that all of the tellers will go up and check after each vote. I looked at this report and thought that it was a good one and that we should get on with the real issues. Then I heard the content of the statements from both sides. The Ceann Comhairle appealed for respect, but I am afraid that I have difficulty giving respect to either Fianna Fáil or Fine Gael on this issue, having listened to the content of their speeches. Fine Gael has used this issue as a Star Chamber to score points and Fianna Fáil has been disgraceful. The speech from Deputy Micheál Martin was simply disgraceful. I refer to coming in and referring to general practices, the specific incident last week and the changes. I did nothing wrong, my colleagues did nothing wrong and most of the Deputies in the Dáil have done nothing wrong. Most of the Fianna Fáil Members, indeed, have done nothing wrong and I am sure they have mixed emotions about what has happened. A small number of Deputies did something wrong. They voted when they should not have voted. That should be the end of the matter in the sense of standing up, apologising and taking whatever consequences the committee will decide upon next week.

Instead, we have a report that brings all sorts of things into this situation, including me as a so-called country Deputy. Some of my colleagues, who were interviewed by the Ceann Comhairle or Peter Finnegan said that Deputies were giddy, used their phones and do all sorts of things. None of that is relevant to this debate. A small number of Deputies did something wrong. They should come in, stand up, give an example - we all do things wrong - learn from it and move on. Instead of that, we now have a report. I imagine Miriam Lord and the "Callan's Kicks" show can take a holiday. They do not have to work from imagination from now on, they simply have to quote from this report. We have a Deputy who voted six times and does not know why he stopped. The obvious answer is that his finger got very tired after voting six times for himself and six times, presumably, for the person absent.

I have had many phone calls from journalists and I am tired of them. I am tired of the level of questioning. There is one issue. We should deal with that issue and move on with what we are here for. I see no reason to change the voting system. There is openness and accountability on that issue. It is all up there for everybody to see. I do not see why we need to change that. We are all grown-up people and the best thing we can do now is acknowledge what has happened. It is not okay for people to state they did not think it was a massive issue. When the record is wrong, the record is wrong. That is why we can leave our seats and state that we made a mistake. It is important that we have a record that is accurate.

24 October 2019

That is all I have to say on the matter, except that I wish the leader of Fianna Fáil, and particularly the second Fine Gael speaker, would reflect on what they came in here to do today. It certainly was not to bring finality to this matter or to accept responsibility.

**An Ceann Comhairle:** I understand Deputy Tóibín is taking some of the Rural Independent Group's time.

**Deputy Peadar Tóibín:** Gabhaim buíochas leis an Teachta Mattie McGrath as ucht a chuid ama a roinnt liom.

I will not go over all the details of what happened. It is clear that two Fianna Fáil Deputies voted twice. It is clear that they voted for themselves and for other Deputies who were outside the Chamber. On what planet is that okay? A child in school would understand that it is wrong for anybody to vote twice. If there was a citizen in a polling station, this would be called plainly and simply voter fraud, and yet we are told that the Deputies whose professional job is to uphold the democratic structures of this State could not work out whether this was right or wrong. We heard the Fianna Fáil leader equivocate over the importance of this issue. It is also clear that when the Deputies were asked initially to come clean on this issue, their first instinct was to hide their wrongdoing and not to tell the truth.

Every year, we hear Deputies in this Chamber call laudably for Dáil reform. Everybody is always calling for Dáil reform but what Members do not realise is that most of the reforms that are necessary are in the gift of the political parties themselves. The standards and behaviour of the Dáil are in the gift of the leadership of the political parties, which are responsible for what their Deputies are involved in. Deputy Micheál Martin cannot, on the one hand, call for Dáil reform and then remain practically passive about what is happening in his own political party. He cannot call for accountability in other political parties and then simply give a gentle clip on the ear to his own Deputies for breaking constitutional law. It is incredible that we get into this fervour about investing tens of thousands, perhaps hundreds of thousands, of euro to change voting systems and introduce new technology in this Chamber when all we must do is the bleeding obvious and make sure that the Deputies are accountable for what they do in this Chamber.

Last night, I had a debate with Deputy Lawless of Fianna Fáil on "The Late Debate". I asked him whether it was right if a Deputy breaks constitutional law in multiple votes such as this that he or she should lose the whip, and he replied that was absolutely the right thing to do. He seems to have a different standard from the Fianna Fáil leader on this particular issue.

There is no doubt that this issue has evolved into farce. People are talking about what shoes or boots are visible on Ministers on the television.

There is no doubt as well that the people who are consumed with housing, health service waiting lists, hospital trolleys, transport crisis and the regional imbalance in the country will look at this farce here today and ask how is this helping their situation.

The new politics of the so-called confidence and supply agreement has radically devalued the House's voting system. On a regular basis, Deputies come in and vote for Private Members' Bills and majorities are attained, yet the Government completely ignores those democratic votes. The Government is basically challenging the democratic will of citizens. They are laughed at by the Government. Those Bills get to Third Stage and then disappear into a black hole where nothing happens.

Undoubtedly, votes in this Chamber have also been devalued by the fact that the Government loses them day in, day out. It would have been front page news at one time if a Government lost a vote and yet it loses them regularly, which is shocking. It is easy to diminish what is happening here but the individual votes we cast are the practical delivery of the democratic will of the people and we need to respect that.

**Deputy Catherine Murphy:** I thank the Ceann Comhairle for the timely production of this report. People have spent a considerable period over the past few days working on same.

It is disappointing that we are giving valuable Dáil time to something like this. However, it is essential because we cannot underestimate the importance of this issue as it shows disregard for the parliamentary process. Unfortunately, it gives the public the impression that a disregard such as this is not the only thing that is disregarded.

Each day when you come into this House it is important to remind yourself of what a privilege it is to be here to represent the people who elected you. Indeed, we are not here as individuals. We are here to represent citizens. Voting for someone else is, therefore, voting not only as an individual but often for people in a different constituency. We must remind ourselves of that.

It is an issue of public trust. Unfortunately, with the mud-slinging that has happened in the past week, primarily between Fianna Fáil and Fine Gael, the conclusion is they are all at it, but we are not all at it. The net point is that there is a number of subjects who are part of this report.

The anger that has been displayed between Fianna Fáil and Fine Gael, particularly this week, is the kind of more normal engagement that one would have between a Government and the main Opposition party but there is nothing normal about this Dáil and the confidence and supply arrangement. There is a feeling that the votes are not as relevant and there is a marking of time. I would prefer to be debating housing and homelessness, the health crisis, the national broadband plan and, for example, the boil water notice, than talking about this issue and I would like the same anger to be expressed about those issues.

I agree with what has been said by Deputy Connolly regarding Deputy Micheál Martin's response. I am very disappointed with his contribution. It is wide of the mark. Looking at the footage of Deputy Dooley talking to Deputies O'Dea and Niall Collins, we are being taken for fools with the story. It does not stand up. It is not a question of brazening it out. If there is to be integrity in this process, they should fess up. That is what is needed.

On the Dáil record, the idea that a Deputy would know - it is in a different league - that he or she made an error and did not bring that error to the attention of the tellers when they were signing off on the votes is wrong because the Dáil record is wrong then and we have to be able to rely on the Dáil record.

The key issue is that we should not be in this position. There are some reasonable recommendations in this report. There are other things that must happen. There must be consideration of sanctions and that is for a different committee. It is very important to say that is not for this report but the issue has not disappeared. It is important that the public understands that.

**Deputy Eamon Ryan:** The scariest votes I ever cast, and perhaps others had the same experience, were in local authorities because in those votes, I was often voting with a constituent sitting right behind me and I had to raise a hand - yes or no - on some issue of local importance. I was aware some of the people behind me who did not want me to cast my vote a certain way

but it taught me a real lesson that every vote is important.

As my colleagues, Deputy Catherine Martin reminded me yesterday, I am sure every Deputy has the same sense that I had the first day I walked through these gates of the absolute honour, of course, but also real trepidation. The first time one walks into this Chamber there is a sense of absolute fear - what does one do, where does one sit and what happens next. We must keep that in our minds and in our every act every moment of the day for fear that hubris would allow us forget that we are only here because of the votes of the people in our constituencies.

It is remarkable that these events have occurred at the end of our Dáil 100 celebrations. Perhaps we have all been getting a little beyond ourselves in recent times. We have been looking across at Members of the UK Parliament and laughing at them because they would not even be able to vote for Christmas if they had the opportunity to do so, while we are here working together in a sensible way. Hubris may have crept in and allowed us lose the run of ourselves in the way we vote.

Every Member of this Chamber goes out and meets people while canvassing. We do not mind if someone gives out or has an argument with us; that is fine. We all agree, however, that the hardest door to which to come is the one at which someone says he or she does not think he or she will vote. I always answer by referring to the key issue, namely, sovereignty. The people are sovereign when they vote. It is the centre point of our republic that every person is equal and has that power. We have the power, not some other entity. I then have to explain that people exercise that power by voting for me and that I will exercise it when I sit in this Chamber and press the button to vote. That is central to our constitutional democratic republic and it is not a small matter. I agree with other speakers that being partisan, whether it is offence or defence, does not help but distracts from the core issue. It may also cast doubt on whether people realise this issue is important. That should stop.

The Ceann Comhairle and the Clerk of the Dáil have the widespread confidence of this House in the way they have addressed this issue and I am sure they will continue to do so. Difficult issues arise because we will have to put to our members of the committee the very serious issue of how the immediate issue is to be addressed. Deputy Paul Murphy said there would be difficult issues in that regard also. Do we ask Deputies for permission to access their phone records to be able to get clarity on what exactly happened? I do not know how we should decide because this is not a judicial body but a legislative body. I trust the Ceann Comhairle, the Clerk of the Dáil, our legal advisers and others will help the committee to carry out its work in a fair and timely manner.

I agree with Deputy Maureen O'Sullivan. We have to be careful not to take from some of the good things that have occurred in this Dáil. In my interview with the Clerk of the Dáil I told him that the way we voted on a Thursday had been a progressive development. It gives every Member a week, sometimes longer, to think about the way he or she will vote and perhaps work with other parties to persuade them at the last minute and consider every amendment.

I agree with Deputy Howlin that, in some ways, the arrangements do not reflect what happened in the old days when there was real certainty and that the Government has abused and misused the constitutional powers of the Executive in refusing to allow very good legislation to be passed by the House. The way we vote on a Thursday is the proper way. I say to Deputy Howlin that while we are not winning votes in the way the Government used to win them in the past, I take every vote as a declaration of where Members, parties and individuals stand. I refer

to the votes we took on the motion on forestry that we debated in the House. In any future work with other parties, whether it be in local government or whatever form here, I will refer to that motion and remind them that they agreed with us when we said this was what we should do.

Votes and what each party does in every vote are not insignificant. They set out where we stand. The fundamental act of voting for someone else, voting twice or voting from the wrong place weakens the sense that when I vote, I am saying what I believe we should do. It is difficult when there are many amendments and so on, but it is not just about who pressed the right button and whatnot; it is also about what the vote means. In sitting in the wrong place and voting for someone else we undermine our own power. We undermine the faith the voter has put in us that if they vote for me, they are voting for me to take every single amendment to a Bill seriously, in the same way we do in a council when we have someone breathing down our neck because it concerns an issue of importance. Every issue is important, as is every vote. That is why what happened here in the past week was so sad.

**An Ceann Comhairle:** I thank Deputy Eamon Ryan and all other Deputies for their contributions. I want to respond to two of the points that have been raised. Deputy Maureen O'Sullivan, rightly, raised the question of the release of the report. It was released to every Member at the same time having been laid before the House. If the media had it earlier, they had it because it was leaked to them by a member of the Committee on Procedure. Last week we published a report on harassment in the workplace. It was sent to Members at 5.20 p.m. and made the 9 p.m. news before the committee had met to consider it. I put it to the Deputies who were responsible for the leaks that they might examine their conscience and wonder about taking the high moral ground.

On the question of sanctions, I will repeat what I said this morning. The question of sanctions, if there are to be sanctions, is for this House and it alone to decide. Because a complaint has been made under the ethics Act, the matter must be considered first by the Committee on Members' Interests and due process must be followed. I am afraid that those who want to see some sanction taking place today will be disappointed because due process must be followed.

I say to ordinary people who are asking about this issue that we are all ordinary people, but we are ordinary people charged with extraordinary responsibilities which Members should take seriously.

### **Personal Explanation by Members**

**An Ceann Comhairle:** Deputy Lisa Chambers is the first Member who wishes to address us.

**Deputy Lisa Chambers:** I thank the Ceann Comhairle for the opportunity to address the House and make a brief personal statement. On Thursday last I inadvertently sat in the wrong seat in the Dáil during voting time. This was a genuine mistake. I sat in Deputy Dara Calleary's seat which is the seat beside my own. I pressed the button once in error in the first vote. Nobody asked me to do this and when I realised, I immediately moved to my own seat and cast my own vote. The vote was lost by a large number, so I did not inform the teller at the time of the vote cast in error as I genuinely thought it was an insignificant error. I fully accept now that I

24 October 2019

should have done so at the time and I sincerely apologise to the House and to the public for not doing so. It is an honour and a privilege to serve as a Teachta Dála and I take my responsibilities seriously.

I met with the Clerk of the Dáil in the context of the Ceann Comhairle's report and I fully accept the contents of the report. I thank the Ceann Comhairle, the Clerk of the Dáil and his team for their work in this regard and for their objectivity, balance and professionalism in conducting this inquiry and producing an extensive report, from which I think we can all take something.

I reiterate that mine was a genuine mistake and not something I had intended to do. I apologise for the manner in which I handled that. I want to assure this House and the public that I have learned from my mistake and I am genuinely sorry. Thank you, a Cheann Comhairle.

**An Ceann Comhairle:** I thank the Deputy. I call Deputy Timmy Dooley.

**Deputy Timmy Dooley:** I take this opportunity to apologise to you, a Cheann Comhairle, and every Member of the House for what happened here last Thursday. Since 2002, I have been honoured to serve both as a Senator and a Deputy. It has been a privilege to serve in these Houses. With that privilege comes responsibility and I accept that last Thursday I fell short of the responsibility that rests on me as a Member of the House.

I apologise to the House for the fact that when I spoke to Deputy Collins last Thursday, I gave him the impression that I would be in this Chamber during the block voting. I did not ask Deputy Collins to vote for me and I did not inform him that I was leaving the Chamber. I accept and regret that my conduct has led to a controversy that is unwelcome to the House and all of its Members. I should have been here for the block voting because it is one of the most important parts of our function as Deputies. Members of this House will be aware that, in general, my attendance for votes is good. If I had been here, as I am at virtually every Thursday's voting block, none of this would have happened.

I also want to apologise to the House for giving Deputy Collins the impression that I would be in the Chamber during last Thursday's voting. For that, I am very sorry.

I apologise to the Clerk of the Dáil and the other staff who have had to spend a lot of extra time preparing this report, in addition to their regular work in the House.

I met with the Clerk of the Dáil on Tuesday evening as part of the review the Ceann Comhairle commenced on this issue and electronic voting generally. I would like to acknowledge his objectivity and professionalism and that of the team that prepared this report. I have co-operated fully with the investigation and will co-operate also with any statutory process by the Committee on Members' Interests. I thank the Ceann Comhairle for giving me the time to make this personal statement. Again, I apologise to the Ceann Comhairle and Members on all sides of the House.

**An Ceann Comhairle:** I call Deputy Niall Collins.

**Deputy Niall Collins:** I thank the Ceann Comhairle for the opportunity to make a personal statement on last Thursday's voting. I sincerely apologise for my role in what happened. I apologise to the Ceann Comhairle and all Members of Dáil Éireann. It would never have been my intention to bring such negative and undue attention to our work here. We all understand the

immense privilege it is to serve in this House. To the people of Limerick and the wider public I offer my sincere apologies.

Last Tuesday, the Ceann Comhairle informed the House that he had instructed the Clerk of the Dáil to carry out a review. This review and its associated recommendations were discussed here earlier. I wish to state that I fully and openly engaged with the Clerk of the Dáil and his staff in their work in preparing this report. In doing so I confirmed, as the record shows, that I voted for Deputy Dooley a number of times in the electronic voting session on Thursday in the mistaken belief he was still in the Chamber. It was wrong. I fully accept that I should not have done so. The Ceann Comhairle stated last Tuesday and again today that a complaint has been lodged in relation to my actions under the Ethics in Public Office Acts 1995 and 2001 and that this is a statutory process to be undertaken by the Committee on Members' Interests. I assure him and all Members that I will fully engage and comply fully with this process.

In conclusion, I reiterate my deep regret and sincere apologies to the Ceann Comhairle and all Members of the House.

**An Ceann Comhairle:** I call Deputy Barry Cowen.

**Deputy Barry Cowen:** As per the details in the Ceann Comhairle's report, last Thursday I was seated in Deputy Collins's seat and he in mine. When the votes were called, I voted for him and he voted for me. I apologise for this informality and carelessness on my part. That carelessness allowed the integrity of the voting system to be questioned. I should have sat in my own seat and cast my own vote. I want to assure the House and the people of Offaly who elected me that I will play my part, with my colleagues, in ensuring the recommendations made in the report are implemented and that we will abide by them, as we should and will be expected to do.

### **Industrial Development (Amendment) Bill 2019 [Seanad]: Committee Stage (Resumed) and Remaining Stages**

#### SECTION 3

**Deputy Imelda Munster:** I move amendment No. 2:

In page 5, between lines 35 and 36, to insert the following:

“(c) preference may be given to industrial undertakings or body corporates that are located in the border counties of Louth, Cavan, Donegal, Leitrim, Monaghan and Sligo.”.

Amendment agreed to.

Section 3, as amended, agreed to.

Sections 4 and 5 agreed to.

#### SECTION 6

Question proposed: “That section 6 stand part of the Bill.”

**Minister of State at the Department of Business, Enterprise and Innovation (Deputy Pat Breen):** With reference to the amendments tabled by Deputy Munster which have been passed by the House - I am not opposing them - I am advised that further legal consideration is necessary of the operational implications for Enterprise Ireland and that other potential unforeseen consequences of their inclusion will be fully considered prior to the Bill, with the amendments, passing to Seanad Éireann for consideration. For these reasons and because the proposed new powers granted to Enterprise Ireland are not related to competitive funding, as such, preferential treatment will not be deemed to be necessary. There will be consistent criteria applied equally by Enterprise Ireland to the provision of these supports for the firm's business plan, the value added and employment provided, the firm's need for funding and commercial viability.

Question put and agreed to.

Title agreed to.

Bill reported with amendment, received for final consideration and passed.

**An Ceann Comhairle:** This is a Seanad Bill. As at least one amendment has been accepted, the Bill which is considered to be a Bill initiated in Dáil Éireann under Article 20.2.2° of the Constitution will be sent to the Seanad.

### **National Children's Hospital: Statements**

**Minister for Health (Deputy Simon Harris):** I welcome the opportunity to share with the House the progress being made on the new children's hospital project. As Deputies will be aware, this project is the largest capital investment project ever undertaken in healthcare in Ireland. It includes a state-of-the-art hospital being developed on the campus shared with St. James's and the two associated outpatient and urgent care centres on the campuses shared with Connolly and Tallaght hospitals. This project is now in the major construction phase.

This year saw: the opening of the outpatient and urgent care centre at Connolly Hospital, Blanchardstown, on 31 July; the commencement of work on the centre in Tallaght, scheduled to open next year; and continued work on the new children's hospital, which is scheduled for completion in 2022. The provision of the additional services at Connolly has already shown the impact that the overall project will deliver, with more than 1,122 children presenting to the urgent care centre and 744 consultant-led outpatient attendances since it was opened. Once fully operational, this new facility will provide for 17,000 outpatient appointment attendances annually. This will contribute to significant reductions in general paediatric outpatient department waiting times for our children.

Much discussion has taken place on the cost of delivering this project. Last December, I advised Government of an escalated cost for the new children's hospital capital project, with a final figure of €1.433 billion, €450 million more than had been advised to Government in April 2017. I reiterate that this figure remains unchanged, despite accusations to the contrary. The capital build cost of the project is €1.433 billion. This includes all of the capital cost for the main hospital at the St. James's Hospital campus, which will house the school and third level

educational spaces, the two outpatient departments and urgent care centres at Connolly and Talaght, equipment for the three sites and the construction of the car park and retail spaces. No further increases to this figure have been put to, or agreed to by, the Government.

References have also been made to a figure of €1.7 billion, a figure I would like to clarify. This figure includes additional investment from other sources associated with the broader programme required, which is outside of the €1.433 billion capital costs. This includes investment in information and communications technology, ICT, with the new hospital planned as Ireland's first digital hospital. It also includes the comprehensive children's hospital integration project, the €40 million wasted on the former Mater site project and the planned construction of the children's research and innovation centre, which is to be funded through philanthropic funding.

Notwithstanding this investment from additional sources, the reported €450 million increase in December was very significant and warranted a comprehensive and independent review. PwC carried out this review earlier this year and I thank it for the thorough job it did. The review set out to examine the contributory factors and associated responsibilities so that any potential weaknesses could be identified and comprehensively and speedily resolved in the interests of the successful completion of the project and the effective management of public funds. Based on the recommendations in the report, my Department and the Department of Public Expenditure and Reform have been developing an implementation plan, which my colleague, the Minister for Public Expenditure and Reform, and I will submit to Government shortly.

Deputies will be aware from the PwC report that there are residual risks in respect of costs. This is not new information; it is included in the PwC report. These costs are not included in the guaranteed maximum price. As the chairman of the National Paediatric Hospital Development Board pointed out to the Oireachtas Joint Committee on Health last June, it is likely that some of those risks will materialise. The most significant of them relates to general construction industry inflation, which is running at higher levels than included in the contract and which is outside the control of the board. Another area that may add to costs is that of claims being submitted to the board by the main contractor. The contractor is entitled to submit claims that it feels are appropriate, and it is likely that such claims will continue to be put forward for the remainder of the project, as they would in respect of any construction project. These are commercially sensitive interactions between the contractor and the board and may be the subject of a dispute resolution process. As such, I am not in a position to comment any further on them. However, I assure the House that a robust process to assess these claims is set out in the construction contract, with all claims independently assessed and determined by the employer's representative, and that there is an additional dispute management process in place. I remind colleagues that when, in the past, people talked about figures that had been put forward for claims, the board had great success in significantly reducing costs through the engagement process.

There has been coverage and commentary in recent days about the resignation of one member of the board in July this year. Under the legislation establishing the board, a board member may resign at any time they choose by letter addressed to me. As Minister for Health, the only role I play in respect of such casual vacancies is to appoint a replacement. Given the range of boards for which I am responsible and the number of members on these boards, which is approximately 800, I do not, as a matter of course, issue statements when board members resign. Currently there are a number of vacancies on the National Paediatric Hospital Development Board and there is an active campaign being undertaken through the Public Appointments Service to fill them. This is very clear to see as these vacancies are advertised through the Public Appointments Service. My Department agreed, with the chairman of the board, the specific

qualifications and expertise being sought in respect of any new board members. When I receive nominations from this process, I will make the appropriate appointments.

With regard to the particular individual to whom reference has been made, I would point out that this person indicated in his letter of resignation that it had been an honour and a privilege to work on such a critical project and wished us every success in its delivery. I thanked that person for his contribution.

The work the board has done over the past few years has been critically important in advancing the new children's hospital project. The Government is grateful for the time, expertise and priority that individual members have given to help advance this hugely important development. I will conclude by reiterating the importance of this project for Government. The new children's hospital project, which has been much talked about, is now finally being delivered. It is a landmark project for Ireland and is a priority capital project for the Government. It will transform how care is delivered to 25% of our country's population and will reform the Irish health service.

**Deputy Stephen Donnelly:** We have heard in recent days that the cost of the national children's hospital is likely to be even higher. We have also learnt that the State's chief procurement officer has resigned from the hospital's development board. On Tuesday, the Taoiseach said the following in that regard: "it happened in July 2019 and is not news and certainly not new news", "His decision on this is a matter for himself", and "I do not know the reasons for it". The position of the Taoiseach and the Minister for Health is that the State's chief procurement officer was on the board in a personal capacity and that his resignation from the board is a personal matter. Fianna Fáil and I find this an extraordinary position for the Government to take.

Fine Gael told the Irish people that the children's hospital would cost €650 million. Then it was €1.4 billion. It then turned out another €300 million had not been added in, so it was €1.7 billion. Many people have asked how any Government could be so reckless with the taxes people work so hard to pay. The Government's response was extraordinary. It blamed inflation, contractors, and managers and then claimed that there was no overspend but rather that some other people had underestimated the cost at the start. It then claimed that finding the additional money needed for the building would not impact on other healthcare services and claimed that it was still getting the hospital built at a reasonable price. The response from the Government this week has been equally extraordinary and, I must say, equally insulting to many people. As before, it is case of hands off, nothing to see here. Not only is Government not on top of the detail of this resignation, it has not even bothered to find out why it happened. This is how one loses financial control of big capital projects and of public healthcare.

The Irish Fiscal Advisory Council recently published analysis of healthcare overspending going back many years. It found that from 2005 to 2010, the six years of the HSE for which Fianna Fáil was in government, the overspend each year was €0. Over a six-year period, the cumulative overspend for the HSE on healthcare was €0. It was €500 million in 2016, €200 million in 2017, €650 million in 2018, and it is set to be approximately €350 million this year. This comes to a total of approximately €1.7 billion in just four years. In parallel, over the same period, the cost of the children's hospital has increased by €1 billion so far, although it will probably cost several hundred million euro, more based on the bits and pieces we are finding out.

The human cost of these overruns cannot be overstated. I will now read out testimony I

received today from one of our doctors, a consultant ophthalmologist.

From the way she was led into the room, to the searching look as she moved her head to see me in a small residual island of sight, I knew from the outset that whatever I could have done for her in the past, it was already too late. This is endstage glaucoma. Let's call her Brigid. Referred from another regional centre, Brigid told me about the heartbreaking wait for a review appointment for over 2 years for a disease that she knew she had, a disease she knew was progressing. She told me about her many calls to request appointments, being told repeatedly that the hospital would contact her. But the hospital never did. She described how she felt abandoned, waiting daily for a letter in the post, forgotten. She told me about the lonely hours at night, living alone in darkness unable any more to watch TV, read the headlines or get around her house, concerned that if a letter came now that she might miss it. She told about how she can no longer leave the house alone to shop; about how the light is fading and how she has an ominous sense that it will soon go out. She is correct. I could have saved her from that. So could others had she been reviewed in time. Now all I can do is delay it a little.

The doctor went on to explain that she meets another Brigid every month and stated that the "reason we are now seeing blind in one or both eyes is that the between visit interval is now 4 to 6 times higher than recommended". Why is this happening? It is because there is not the money to hire the ophthalmologists to treat women such as Brigid and men. It is also happening because, despite massive increases in healthcare spending and Ireland having one of the biggest healthcare budgets on Earth, somehow the money is not available. Why is that? It is because of the overruns and overspends.

When the State's chief procurement officer resigns from the development board of the national children's hospital it is relevant and it is news. Understanding why he resigned is relevant. Getting his insight into how to stop the costs escalating further is also relevant.

**Deputy David Cullinane:** Last week, the State's chief procurement officer resigned from the development board of the national children's hospital. It is being reported that he resigned over the spiralling costs of the project. That is what is being reported but it does not necessarily mean that it is the case. We do, however, need to get to the bottom of why he resigned. It is a big deal and it does matter. We deserve to know exactly the reasons or motivation behind that resignation.

The cost of construction for the project has increased from an initial budget of €650 million to almost €2 billion today. The figures keep going up and up and taxpayers are the ones who will have to foot the bill. This is a staggering increase of costs in such a short period. It shows that the entire design of this process was fatally flawed from the start. Last January, an Taoiseach had the gall to blame the cost overrun at the national children's hospital on sprinklers. It would be laughable were it not so serious.

The PwC report into the cost overrun at the national children's hospital is lengthy, detailed and comprehensive. It clearly shows that this process was flawed and hamstrung from the beginning. It shows mistakes and failures at every turn. It illustrates how the Government pursued a risky and untested two-stage procurement strategy. This strategy was known to have grave risks of cost escalation. The purpose of the strategy it seems was to get the project finished quickly to provide a photo opportunity for the Government. The report highlights significant issues with governance and oversight and it points to the serious matter of non-compliance

with the public spending code. That alone required immediate Government investigation, but of course nothing has been, or will be, done - not by this Government in any event.

The Government has proven time and time again to be unable to navigate this project and is responsible for what may turn out to be a €1.35 billion cost overrun. Can one imagine how that money might be spent in providing home care packages to people or for the many capital projects in acute hospitals up and down the State that are in a queue and need to be funded? Yet, there is a €1.35 billion overrun in respect of this single project.

It is incredible that PwC was able to conclude that 65% of the overrun was a result of “underestimation” and issues that it stated “should have been identified”. It did not have to be this way. This is purely down to bad project design, a desire for speed, and an horrendous lack of proper oversight. The Committee of Public Accounts has examined this a number of times and had accounting officers and officials before the committee, including the individual we mentioned earlier who has resigned since. The committee shines a light on public procurement because we believe that it is important to make sure we look at where lessons can be learned and savings made.

Health plans across the State were put under review because of the rising cost of the national children’s hospital. The Minister would reject that any project was cancelled or faced with delays, but the facts say something else. I commended him on the approach he took with Oireachtas Members from the south east and Waterford regarding a number of health projects, one of which relates to the second catheter lab. We had a meeting more than a year ago when this project was signed off. It took four months for the HSE estates department to issue the approval letter for the regional HSE estates department to progress the project. When I challenged the head of the HSE estates department at the committee, he stated that it was because the organisation was looking at all of the projects in the context of the overspend on the national children’s hospital. There is an example of one project that faced some delay of a couple of months.

Overruns on this scale are not victimless. Huge amounts of money are involved. I appeal to the Minister to learn the lessons. We all want this project to proceed and for the hospital to be built. That is a given. It needs to be done for children across the State. The days of looking at what the alternatives could have been and should have been are well past. We need this project delivered as quickly as possible. We need to learn very serious lessons about how we do public procurement when it comes to projects of this scale. The State cannot afford to see a project like this happen again with such significant cost overruns and the consequences this has for citizens.

**Deputy Jan O’Sullivan:** There is no doubt that the spiralling cost of the national children’s hospital is an example of the Government’s *laissez-faire* attitude to large-scale capital projects and by far the most disastrous. It has obviously had an effect on other capital projects. The project I care about most is the 96-bed hospital in my constituency, University Hospital Limerick, UHL, which continues to be the most consistently overcrowded facility in the country.

The cost of building the new children’s hospital on the site of St. James’s Hospital in Dublin has increased from €987 million in 2017 to more than €1.4 billion. While the Minister has indicated that he does not believe it, the total bill will certainly be more than €1.7 billion. There are many people who believe it will not stop at €2 billion when it is completed, including IT commissioning and fitting out. The Minister stated: “No further increases to this figure have been put to, or agreed to by, Government.” I accept that no further increases to the figure may be agreed by the Government now, but the question is whether there will be further increases in

the future. That is really what we need to know.

I do not know if Ministers for Health and Finance were completely asleep at the wheel as these costs escalated. The Minister for Finance's chief procurement officer was sitting on the National Paediatric Hospital Development Board. Did he just ignore all the alarm bells? Amazingly, despite weekly meetings with his Minister, did he never hint at an overrun on the project? Now we know that Paul Quinn, the State's chief procurement officer, which is a role tasked with securing value-for-money reforms in the use of private contractors by public bodies, who sat on the children's hospital board because of his expertise and was the chair of its finance subcommittee, has resigned in recent weeks. The board minutes from a meeting on 7 August noted the senior civil servant's resignation from the hospital board. Mr. Quinn is the latest senior figure to step aside from the board. Other previous resignations included the chairman of the board, Tom Costello, and the project director, John Pollock. According to the Comptroller and Auditor General, as a senior civil servant, Mr. Quinn is obliged to pass on concerns about the rising costs of the project to the relevant Government Minister, if he felt the hospital board was not addressing them. The Comptroller and Auditor General stated that Mr. Quinn was bound by a circular stating that information should be presented to the Minister where there are serious weaknesses in controls that have not been addressed, or where there is a risk of reputational damage to the body. This appears to have never gotten through to the Minister.

As others have indicated, the real issue now is that this project is affecting so many projects across the country. HSE managers are openly telling Deputies that their local projects such as nursing homes and primary care centres cannot proceed because there is no money in the kitty. In many cases, the HSE is just profiling the spend and pushing it out by years in order to hide the fact that it is not happening. At a national level the progress being made on a range of projects shows there is no funding available. Despite the situation with overcrowding at UHL, there does not appear to be any real provision for the proposed new 96-bed block in the hospital, which we absolutely need. I hope the Minister can reassure me in respect of that matter when he replies. The other hospitals in the mid-west are trying to pick up the slack, but there is simply not enough capacity to do so. We need to know also when the scanner will be rented or delivered. I hope the Minister has some news on that. There is no provision for proper capital spending on the national maternity strategy and that affects the hospital in Limerick and the three hospitals in Dublin. It is, again, a very sad state of affairs in Limerick when the HSE cannot find €1 million for the design of the new maternity hospital.

What is of great concern is the design of the new children's hospital. Are there new issues with the design and with health and safety in the hospital? I quoted the Minister's comments to the effect that no further increases had been agreed by Government. Can he confirm that these issues in respect of design and health and safety do not arise? We need to have full confidence that additional costs are not coming, yet again, on the children's hospital because of mismanagement. If there are, I hope the Minister will tell us.

**Deputy Richard Boyd Barrett:** I pressed for this debate at the Business Committee because the massive overruns relating to the national children's hospital, involving hundreds of millions of euro of public money, and the resignation of the chief procurement officer from the National Paediatric Hospital Development Board are examples of the substantial and important issues which have been overshadowed by the Dáil voting scandal. The latter involves many aspects, of course, and has, critically, called into question for many the integrity and credibility of the voting system and the House. While that needs to be investigated in and of itself, an unfortunate consequence is the overshadowing of the issues regarding the national children's

hospital, which would otherwise have been at the top of the news agenda. They are issues of enormous national importance. The country has been scandalised by the level of the overruns which have seen the initial cost estimate of €500 million increase to €766 million, then to €983 million and on to €1.4 billion. There is now of a figure of €1.7 billion and suggestions that the cost will rise above €2 billion. This involves hundreds of millions of euro that could have been allocated to other things and overruns which may affect other vital health capital projects. Deputy Bríd Smith tells me that there are serious questions over primary care centres in her area in Drimmagh. While she is not certain about the centre's fate, it seems to no longer be on the capital programme on which it formerly appeared. She has asked questions but I do not know about it for certain. The point remains, however, that this is a great deal of money and people have been scandalised by it. Against that background, I find the response of the Taoiseach and the Minister on the resignation of the chief procurement officer incredible.

The chief procurement officer, Mr. Quinn, was appointed by the Minister in 2013. It was a Government appointment and he was presumably given the position because of expertise in the area of public procurement. He was put in charge of the largest capital project in the history of the State and that project then spiralled out of control as a result of underestimates. We have had a damning report from PwC on how badly the project has been mishandled, how gross were the underestimates and how there was a failure to anticipate higher demands from contractors and so on. Against that background and rumours that the Taoiseach is briefing the Leader of the Opposition about possible further overruns because of further demands from contractors that could push it well above the already shocking current figure, the Minister says the resignation of the chief procurement officer is not a matter for comment. I find it unbelievable he does not think that this is news or that the Taoiseach could say it is a private matter and that it is nothing to do with him, so why on earth would he make a statement. That stretches credibility. Does the Minister accept that most people looking on and seeking transparency, clarity, answers and accountability with regard to the scandal involving this project will consider it odd that there has been yet another resignation of a key civil servant? He was not only responsible for public procurement on this project but was in charge of public procurement more generally, including €9 billion worth of procurement projects in the year he was appointed. Yet, there are no questions and no comment from the Minister and we are told this is not a subject of interest. It is, in fact, a subject of huge interest for the public and the Minister's answer is, frankly, unacceptable. The Taoiseach's approach is not acceptable. There must be a full explanation as to whether the resignation was linked to the continuing and likely increase in the cost overruns relating to the national children's hospital, which is already a major national scandal.

**Deputy Joan Collins:** I was scathing earlier this year when it emerged that the cost of the building of the children's hospital had escalated from €987 million in 2017 to €1.4 billion. I called for building to stop and for an investigation into the overrun. We know now that the total bill is expected to be more than €1.7 billion when other costs are included for the total cost has yet to be finalised. The cost will then go to arbitration to be haggled over, as happens in all building projects. Any differences will go to arbitration to haggled over and we will probably never know the actual final cost of the hospital.

Paul Quinn was the State's chief procurement officer, in which role he was tasked with securing value for money and reforms in the use of private contractors by public bodies. He sat on the board of the children's hospital and was chair of its finance sub-committee. The board met on 7 August and noted Mr. Quinn's resignation from the hospital board. Mr. Quinn is the latest senior figure to step down from the board. Previous resignations to hit the hospital proj-

ect include that of the chairman of the board, Mr. Tom Costello, and of project director, Mr. John Pollock. The officials in charge of the project came under sustained political criticism over the failure to flag the serious cost increases. According to the Comptroller and Auditor General, Mr. Quinn was obliged as a senior civil servant to pass on to the relevant Minister any concerns he might have had about the rising cost of the project if he felt the hospital board was not addressing them. The question is whether Mr. Quinn passed on any reports to the Minister or his Department on cost overruns or questions regarding the running of the hospital project. The Comptroller and Auditor General, Mr. Seamus McCarthy, told the Committee of Public Accounts that Mr. Quinn was bound by a circular which states that information should be presented to a Minister where there are serious weaknesses in controls or a risk of reputational damage to the body concerned.

In the context of the cost of the project, it was interesting that the Taoiseach and the Minister chose not to launch the HSE's €2.1 billion three-year capital plan at the site of the new national children's hospital. The cost of building the children's hospital at St. James's has jumped from €900 million to €1.7 billion and continues to hang as a millstone around the Government's neck. It took the Minister nine months into the capital plan period to agree a capital plan that we are told is proofed against cost overruns at the children's hospital site. The Taoiseach proclaimed proudly at the launch of the capital plan that none of the hundreds of other capital projects, large or small, will be cancelled because of the problems of the children's hospital. He said that if delays occur, it will not be because of the children's hospital and that anyone who said otherwise by claiming projects would be cut was scandalmongering and telling fake and made-up stories. That is strange because it was the HSE which earlier warned that it would be impossible to deliver investments in healthcare because of the budget overrun in the children's hospital project. The Minister told colleagues last December that spending on a number of major projects could be halted or significantly curtailed for four to five years on foot of the same issue.

**Deputy Simon Harris:** I do not remember that.

**Deputy Joan Collins:** The Minister did that. It is public.

The Government line is that the Minister for Public Expenditure and Reform, Deputy Donohoe, found an additional €200 million this summer which will be used to fund the children's hospital and broadband projects. However, the children's hospital needs more than an additional €100 million a year for four years, and it is far from clear from where the deficit is to be made up. The capital plan, which lacks detail and uses woolly language with the word "progress" appearing about 25 times in relation to the project, does not provide the answer.

Another matter causes me great concern and I have raised it before. It is disgraceful that eight private outpatient consultant rooms will be part of the overall cost. The Government has stated that it is in the consultants' contracts that they must be put in place but this is against the backdrop of Sláintecare, which is supposed to provide public healthcare for everybody.

The children's health group which will run the hospital announced that the proposal is for consultants to pay a fee for the use of the rooms and other operational costs. Is this the case? Will they pay for the labs and to access diagnostic facilities? Will that be transparent and out in the open so that people can see exactly how much it costs and how much consultants are paid?

**Deputy Mattie McGrath:** The resignation of the chief state procurement officer, Mr. Paul Quinn, from the board of the national children's hospital is just one more in a long line of

incidents that have raised questions about the integrity and credibility of the entire oversight process related to this project. It is well known that myself and my colleagues in the Rural Independent Group put two motions before the House to have this project halted and immediately reassessed. Unfortunately, both efforts were rejected by the House as a result of the confidence and supply agreement.

**Deputy Margaret Murphy O'Mahony:** Where are they?

**Deputy Mattie McGrath:** I am not sure what the Deputy means. We are here. Gabh mo leithscéal. That is why it is galling to listen now to the concern that has suddenly developed around this process. We had two chances to stop the madness at the national children's hospital and we chose not to. The Taoiseach said on Tuesday that the Board of the NCH and the entire process is subject to sufficient levels of oversight. That comment is almost comical. What planet is he on? Who believes him? Nobody. We saw the farce around the PwC report in April. That review of the escalation in costs associated with the national children's hospital project demonstrated a glaring political unwillingness to pursue any kind of meaningful accountability. In fact, that report, like the site of the national children's hospital itself, will prove to be nothing more than a black hole into which we have poured significant amounts of public money for no good purpose.

The PwC report was clear the nine organisations interviewed during the process did not include Connolly for Kids or any of the senior clinicians who have campaigned and forensically deconstructed the arguments for St. James's for years. There was not a single interview with any of the tens of thousands of families affected. It is shameful.

What is most revealing is that in its recommendations, PwC states: "We have considered and agree with recommendations made by Mazars in their reports relating to cost escalation and governance" and that the recommendations in the PwC report do not replace them. Effectively we paid out €600,000 plus to find out what we already knew. This is scandalous. It will go down as one of the worst parts of the Minister's legacy. I have said before that he is the worst Minister for Health ever in this country. He should hang his head in shame. I believe from media reports the Minister is chomping at the bit to have an election because he wants to get out of his position so quickly: he wants to run away and leave the mess.

Dr. Jimmy Sheehan and Dr. Finn Breathnach, Dr. Róisín Healy, and John Irwin and the Jack and Jill Foundation, ambulance drivers, nurses and families have all warned the Minister about this site.

I have a new grandchild, Cathal, born last week, thanks be to God. The greatest shame for rural politicians, and it is why we tabled this motion, is that none of our grandchildren will ever get into that hospital because they cannot access it. They will not be able to get near it. There is no helipad. It is a crying shame. Dr. Finn Breathnach and Dr. Jimmy Sheehan said they would build the hospital for €1 billion, and had a greenfield site of 100 acres. It would have had three helipads, a lake and an ambience in which children could recover. This is a kip inside the centre of a city which has no room for it. It will never come out of the black hole and will probably never finish. The Minister thinks he can run, but he cannot hide because the people of Wicklow know all about him and they will be waiting for him. This election is imminent. They will give the Minister his answer. He is not accountable to anyone. He can laugh all he wants, but this is a travesty for the sickest of children and the families who are so desperate for care for their little loved ones. He treats them like this with a vanity project which has gone through three Minis-

ters for Health, Senator James Reilly, the Taoiseach, Deputy Varadkar, and the Minister himself. They all say it is a wonderful project but there have been comparisons made with hospitals all over the world. It is five times as dear as anything that has been built and is in the wrong place and it will never be right. It cannot be accessed by car, by bus or ambulance, getting stuck in narrow streets. The houses around the site are all damaged and undermined. Local people are horrified with the project and the disruption. The real crime is that there is no helipad. Imagine that in this day and age, yet they say it is the most modern hospital of all time. It is a vanity project and a disgrace. The people who I represent in Tipperary will never use it because they cannot get into it. They need it badly but they will not be able to access it because of the lack of a helipad. It has a small helipad for a small helicopter on the side of a third floor building where, when there is a windy day, one cannot get near it. Imagine the noise and the disruption to sick patients from the sound of a helicopter landing outside the window. It is a disgrace and a travesty. This is a rotten legacy which the Minister will have to his name. How he will be proud of it, I do not know, but the people of Wicklow will give him his answer when they get to him very soon.

**Deputy Róisín Shortall:** The ongoing debacle around the national children's hospital would make one despair. It is not only the children's hospital. One must despair at the State's ability to deliver a major infrastructure project some way on budget and on time. Successive Governments have failed to do that and to have basic respect for public money down through the years. When the Office of Government Procurement was established and a head was appointed, people thought this would make a difference but it has not. Over recent years, people on this side of the House tried to get the Minister and his colleagues to focus on the shambles that the children's hospital was becoming in relation to the cost overruns and the delays. On an ongoing basis the Minister and the Taoiseach put forward the rationale for a modern new children's hospital. No one is disputing that. Everyone agrees that we desperately need a modern children's hospital that can meet the needs of children living in Ireland. There was a lack of honesty around the failure to address the issue and to contain costs. The Irish Fiscal Advisory Council, IFAC, has been very vocal on this. It has drawn attention to the standout issue, the national broadband plan. Second only to that is the national children's hospital where the overrun was estimated at €983 million last year. That represented a 94% cost overrun. IFAC has been very clear on the reasons for these overruns. It said that they displayed: "weak leadership by planners who lack experience in large projects, which can lead to major changes throughout the project cycle". We saw how this happened with the children's hospital. I agree that Dr. Jimmy Sheehan was very clear about the right kind of approach that must be taken where the full specification needs to be agreed and nailed down at the beginning. Unfortunately that was not the approach taken. There was a rush to deliver the project by this Government and therefore, adequate attention or care was not paid to ensure that the initial specification was got right.

IFAC also referred to "conflicts of interest in decision making by different stakeholders in the public and private domains". I also agree with that. It said there was a failure by Government to recognise that it is not playing around with some sort of slush fund: it is public money that the Government is spending on the public's behalf. The Minister has a duty to ensure the money is spent properly. There seems to be a cavalier approach to public money and there was nonsense spoken to the effect that this would not have an impact on other projects. Of course, it is having and will in future have a major impact on public projects. There is currently a cost overrun of €500 million and the likelihood is that this will double. We are now looking at a position where essential funding that was supposed to be provided for other capital projects will simply not be available.

24 October 2019

The other point I will make relates to Mr. Paul Quinn, the head of the Office of Government Procurement. I raised this in February and at the time the Taoiseach misled the House. I made that very clear at the time. He said Mr. Quinn could not divulge the issues associated with the ballooning cost of the children's hospital because he was bound by-----

**Acting Chairman (Deputy Bernard J. Durkan):** Deputy-----

**Deputy Róisín Shortall:** -----the legal responsibilities-----

**Acting Chairman (Deputy Bernard J. Durkan):** I beg your pardon, Deputy.

**Deputy Róisín Shortall:** I said it at the time and I am saying it again.

**Acting Chairman (Deputy Bernard J. Durkan):** I am sorry-----

**Deputy Róisín Shortall:** The Taoiseach misled the House about the role of the-----

**Acting Chairman (Deputy Bernard J. Durkan):** -----but if you said it at the time you were out of order, and you are still out of order. Please do not repeat it.

**Deputy Róisín Shortall:** Excuse me. The Taoiseach stated here that the head of the Office of Government Procurement-----

**Acting Chairman (Deputy Bernard J. Durkan):** I am sorry, Deputy, but if you want to use the rest of your time repeating your mistake-----

**Deputy Róisín Shortall:** Allow me to say what the Taoiseach said. He said he had a fiduciary-----

**Acting Chairman (Deputy Bernard J. Durkan):** You said now in your speech-----

**Deputy Róisín Shortall:** Could the clock be stopped, please?

**Acting Chairman (Deputy Bernard J. Durkan):** -----that the Taoiseach misled the House. It is a serious allegation and you will have to come back to it again.

**Deputy Róisín Shortall:** Yes.

**Acting Chairman (Deputy Bernard J. Durkan):** I am just warning the Deputy.

**Deputy Róisín Shortall:** It is the second time I have made it. He said Mr. Quinn had a fiduciary responsibility and his responsibility was to the board. That is not true. It would be true in respect of a commercial board but this is not a company; it is a development board. In that respect the Taoiseach was not right.

**Acting Chairman (Deputy Bernard J. Durkan):** Thank you, Deputy.

**Deputy Róisín Shortall:** We know that under the terms of the operation of the head of the Office of Government Procurement-----

**Acting Chairman (Deputy Bernard J. Durkan):** Thank you, Deputy.

**Deputy Róisín Shortall:** -----Mr. Quinn had a responsibility to tell the Minister present as the Minister in the parent Department. The Minister for Finance confirmed that he did tell the

Minister but he chose not to share that information with anybody else-----

**Deputy Simon Harris:** No, he did not.

**Acting Chairman (Deputy Bernard J. Durkan):** Thank you, Deputy. I am sorry but the Deputy's time has expired.

**Deputy Simon Harris:** That is not true.

**Deputy Róisín Shortall:** -----just as the Taoiseach chose not to disclose-----

**Acting Chairman (Deputy Bernard J. Durkan):** You obviously do not have any respect for the Chair or the House.

**Deputy Róisín Shortall:** In a secret arrangement with the leader of Fianna Fáil-----

**Acting Chairman (Deputy Bernard J. Durkan):** Resume your seat, Deputy.

**Deputy Róisín Shortall:** -----to inform him of-----

**Acting Chairman (Deputy Bernard J. Durkan):** The Deputy is out of order.

**Deputy Róisín Shortall:** The Taoiseach is answerable to this House-----

**Deputy Anne Rabbitte:** The Deputy is out of order.

**Acting Chairman (Deputy Bernard J. Durkan):** You are out of order and not for the first time. Please resume your seat as you are out of order.

**Deputy Róisín Shortall:** It is a disgrace.

**Acting Chairman (Deputy Bernard J. Durkan):** Please resume your seat.

**Deputy Róisín Shortall:** He has completely disregarded the responsibility-----

**Acting Chairman (Deputy Bernard J. Durkan):** You are out of order.

**Deputy Róisín Shortall:** -----of the Taoiseach to ensure this House-----

**Acting Chairman (Deputy Bernard J. Durkan):** I will suspend the House if the Deputy continues in that vein.

**Deputy Róisín Shortall:** -----can be made aware-----

**Acting Chairman (Deputy Bernard J. Durkan):** You clearly have no respect for anybody else or their time.

**Deputy Róisín Shortall:** -----of what his civil servants-----

**Deputy Aindrias Moynihan:** Do not suspend the House.

**Acting Chairman (Deputy Bernard J. Durkan):** Deputy, that will be recorded in your next intervention.

**Deputy Róisín Shortall:** If you-----

24 October 2019

**Acting Chairman (Deputy Bernard J. Durkan):** We have had enough of it now.

**Deputy Róisín Shortall:** -----want to shut me up-----

**Acting Chairman (Deputy Bernard J. Durkan):** If you want to talk about this all night, I am quite happy to entertain you but your behaviour is appalling.

**Deputy Róisín Shortall:** -----about the reality of the Taoiseach misleading the House-----

**Acting Chairman (Deputy Bernard J. Durkan):** Your behaviour and lack of respect for the other Members in the House is appalling.

**Deputy Róisín Shortall:** -----you are not doing your job as Acting Chairman.

**Acting Chairman (Deputy Bernard J. Durkan):** We will now go to questions and answers before the Minister gets five minutes to wrap up. Each group has five minutes for questions and answers.

**Deputy Stephen Donnelly:** I will share time with Deputy Curran.

**Deputy David Cullinane:** Is it five minutes for questions and answers?

**Acting Chairman (Deputy Bernard J. Durkan):** Yes.

**Deputy Stephen Donnelly:** I have three related questions. Does the Minister agree with the Taoiseach's statement here on Tuesday that the resignation of the State's chief procurement officer from the development board of the national children's hospital is a private matter, not news and not relevant to the Government or the Minister? Has the Minister made any attempt to speak with the State's chief procurement officer about his resignation? Has he gained any insight that would be relevant to controlling costs from that?

The letter from the Taoiseach to Micheál Deputy Martin, which, for the information of Deputy Shortall, was not part of a secret arrangement but rather in response to an oral question in the House-----

**Deputy Róisín Shortall:** It went to the Deputy's leader.

**Deputy Stephen Donnelly:** It states that the guaranteed maximum price does not provide a contractual ceiling and significant residual risks remain of further cost. Nobody knows what the final cost escalation will be but does the Minister have a total amount that he believes this could rise to?

**Deputy Simon Harris:** I will be as brief as I can. I thank Deputy Donnelly. We have spoken much about votes this week and people are forgetting what they voted for in this House. We passed the Children's Health Act 2018, which gave new powers in how this board is appointed. It set new criteria for how the board should be appointed and we have appointed a new chairman of the board, Mr. Fred Barry. Mr. Quinn is spoken about in this House and there are statements made about him that are not very fair. He served for six years. The chairman went into a new board and looked at how to augment the skill set, considering how the project was transitioning from a build project to commissioning and opening facilities. A number of members of the board decided that now was the time for them to step down. There was no secrecy around this and it was advertised on the Public Appointments Service website, in line with the legislation for which Members voted that dealt with how those appointments would be made.

Deputy Boyd Barrett seemed to suggest Mr. Quinn was the chief procurement officer for the project but that is not the case.

**Deputy Stephen Donnelly:** I am reluctant to cut across the Minister but we are going to run out of time. The specific question was whether the Minister agrees with the Taoiseach's comment in the Dáil on the resignation.

**Deputy Simon Harris:** Of course I agree with the Taoiseach and he is entirely correct that a number of members of the board decided they had done a significant stint. I believe they have done the State some service but most of the Members here wanted to sack the entire board. The PwC report found it would not have been the right course of action.

**Deputy Róisín Shortall:** The Minister reappointed them last year.

**Deputy Simon Harris:** I did. We will get to Deputy Shortall's questions in a moment.

**Acting Chairman (Deputy Bernard J. Durkan):** I want to bring in Deputy Curran.

**Deputy Stephen Donnelly:** Again, I appreciate time is tight.

**Deputy Simon Harris:** I will stay here.

**Acting Chairman (Deputy Bernard J. Durkan):** We are not going anywhere. I want to bring in Deputy Curran.

**Deputy Simon Harris:** I can stay here all night.

**Deputy Stephen Donnelly:** I appreciate it is tight.

**Acting Chairman (Deputy Bernard J. Durkan):** No.

**Deputy Stephen Donnelly:** This is Fianna Fáil's time.

**Acting Chairman (Deputy Bernard J. Durkan):** I know it is very important but Deputy Curran is important as well and he is entitled to his time.

**Deputy Stephen Donnelly:** Yes.

**Acting Chairman (Deputy Bernard J. Durkan):** The Deputies can get the answers to the two questions after he uses his time.

**Deputy Simon Harris:** I am more than happy to stay longer.

**Deputy Stephen Donnelly:** With the greatest respect, how we use our time is not a decision for the Chair. It is a decision for us.

**Acting Chairman (Deputy Bernard J. Durkan):** If the Deputy wishes to take the entirety of the time allocation, that is fine. I do not mind.

**Deputy John Curran:** There is clearly quite a degree of concern about the cost overruns and there is not agreement on what the figure might be now or in future. In previous replies, the Taoiseach and the Minister have indicated that this would be a relatively small amount in any given year and it can be factored into calculations. They have spoken about re-profiling other projects. Sometimes it sounds as if that would be without consequence.

24 October 2019

I will put it as follows. At Rowlagh in north Clondalkin, a primary care centre was announced by a former Minister, Senator Reilly, in 2012. It was supposed to open in 2016 and it eventually received planning permission in 2018 but it has not gone to tender or construction as we speak. Is it one of the projects that will be delayed and re-profiled as a result of the cost overruns at the new national children's hospital? Will the Minister outline all the other projects directly affected and delayed?

**Acting Chairman (Deputy Bernard J. Durkan):** There are 46 seconds left before we roll into somebody else's time.

**Deputy Simon Harris:** That is okay and I do not wish to be disorderly but we need to give each other a little bit of an opportunity to ask and answer the questions for the people watching these proceedings. I will be guided by the Chair.

**Acting Chairman (Deputy Bernard J. Durkan):** It remains to be seen.

**Deputy Simon Harris:** I would like to answer the Deputy's serious and important questions. I will revert directly to the Deputy about Rowlagh primary care centre as I do not have information to hand.

On the Deputy's substantive point, no projects will be delayed as a result of this because of the decision we took in the summer economic statement to allocate a reserve for the funding for both the national broadband plan and the additional costs required for the children's hospital.

The letter to Deputy Micheál Martin simply restated the comments made by Mr. Fred Barry before the Oireachtas health committee on 12 June. I have long quotes that I could read from him but he listed those residual risks. It might suit people to suggest this is new information but it is not. The residual risks were always there and they were outlined transparently to the Oireachtas health committee on 12 June.

**Acting Chairman (Deputy Bernard J. Durkan):** The Sinn Féin group has five minutes as well.

**Deputy David Cullinane:** The Acting Chairman should mellow or relax. He should take a deep breath. I have no problem putting my questions and I will use my five minutes as best I can. I thank the Acting Chairman for his guidance.

**Acting Chairman (Deputy Bernard J. Durkan):** No problem.

**Deputy David Cullinane:** Will the Minister inform the House as to whether there have been any additional costs aside from those of which we have already been informed by the Minister? Will he give the updated figure on the estimated overall cost? A number of Deputies mentioned there may be new design issues, which have been put in the public domain. Will the Minister inform the House if there are new design issues of which Members have not been made aware that may complicate the progression of the project?

One of our jobs in opposition is to scrutinise Government. The Minister must accept that this is reasonable. I am not calling into question the bona fides of the individual, Mr. Quinn, who is obviously a highly competent person - we all accept that. However, the head of the public procurement agency sat on a board and there was a major scandal around the project that the board was there to supervise. Then that person resigned and stepped away from the position. It is reasonable for us to ask why, especially when others in the media and elsewhere are saying

that, potentially, he resigned because of continuing cost overruns. Can the Minister inform the House why he resigned? Can the Minister give us an assurance that he did not resign because of any cost overrun issues, any issues relating to the operation of the board, governance or any other issues? It is a serious matter.

Earlier, I mentioned one project in my constituency that I believe was delayed by several months because of indecision as a consequence of the overspend on the national children's hospital. The Government has never conceded this was the case for a range of projects. It would be helpful if the Minister was in a position to outline to the House specifically what projects and services have suffered as a consequence of the overrun and what was undoubtedly a pause by HSE estates in respect of a range of capital projects. This happened because the HSE was trying to figure out which ones to progress and which ones not to progress. By the way, that actually led in turn to the capital plan being published in September or October - nine months into the year. Was the cost overrun the reason the capital plan was delayed?

*5 o'clock*

**Deputy Simon Harris:** I thank Deputy Cullinane for his questions and the succinct manner in which he has put them.

Deputy Cullinane asked about the south east. I thank the Deputy for his acknowledgement earlier of how we work well on these issues. We will meet again to progress issues like the catheterization laboratory shortly.

It is fair to say there was a period of uncertainty for the HSE as it waited to see how Government and the Oireachtas responded to the additional costs. We rectified that by providing certainty in the summer economic statement. The statement provided a reserve, as I said to colleagues, for broadband and the children's hospital. That allowed me to publish a plan not only for 2019 but for 2020 and 2021 as well. It has provided certainty of funding that, frankly, the HSE has been lacking for many a year. We should remember there was no HSE capital plan published the previous year. We would need to go back many years to find a three-year horizon published.

I agree it is entirely reasonable to ask the question. I like being asked questions and trying to answer them as well. The point I need to make is that several members of the board have stepped down. I do not think it is unreasonable for someone who has served for five or six years on a board to decide he has done his bit and brought the project to the stage it is at. The Oireachtas has changed the law. With the Children's Health Act 2018, it voted to allow the Minister new powers to appoint people through the Public Appointments Service. We have a new chairman, Fred Barry. The PwC report said we should augment the skills of the board, so let us get on with doing that.

I do not mean this about Deputy Cullinane, but there is great irony in the fact that many Members jumped up and down and shouted for me to sack the entire board. Then, when a member of the board actually steps down, they bemoan the fact. The reality is that I have thanked the board. The PwC report said it would not have been the right thing to clear out the entire board - that is my paraphrasing. I believe it makes sense at this crucial juncture for the chairman to analyse the skill set, as he has done, advertise in the Public Appointment Service and appoint people. That is what we will now do.

There have been no new design issues since the conclusion of the guaranteed maximum

price process or, to be entirely accurate, since the conclusion of the GMP process there has been no change to the design intent for the new children's hospital. There have been some minor adjustments, as would be normal practice in a project of this size. The suggestion that since the GMP process there have been significant changes is not helpful when it is raised on behalf of the taxpayer.

Reference was made to additional costs. The cost remains as outlined to this House. As Fred Barry said on 12 June at the Joint Committee on Health, in a project of this size or in any construction project claims come in all the time. They are commercially sensitive and they have to be robustly defended, if appropriate, by the board. They come in on an ongoing basis. As of now, there are no new additional costs.

**Deputy Jan O'Sullivan:** I wish to follow up on some of the issues raised already. All three Deputies who have asked the Minister questions so far have asked why the chief procurement officer of the Department of Public Expenditure and Reform resigned from the board. The Minister has given us something of an explanation by saying it is perfectly natural for people to resign from boards from time to time. Did the Minister for Health or the Minister for Public Expenditure and Reform ask him why he was resigning? Did he give the Minister for Health a reason? Will there be the appropriate level of expertise? This is important because his expertise was in procurement. Surely, procurement is still part of the necessary skill set on the board.

My next question follows from what Deputy Cullinane said about the design. The Minister said the design has not changed in recent months. Is there any indication that the design may change in the near future? Can the Minister give us an update on the timelines of the project?

Maybe I am better off not asking too many questions. I might get full answers if I do not, so I will leave it at that for now.

**Deputy Simon Harris:** I will give Deputy O'Sullivan full answers, as I know them to be the case.

I have not had a conversation with Mr. Quinn. I cannot speak for the Minister for Public Expenditure and Reform. Obviously, he meets his officials regularly. I have no knowledge of any conversations.

**Deputy Jan O'Sullivan:** It might be helpful.

**Deputy Simon Harris:** Deputy O'Sullivan might be able to ask by way of a parliamentary question. I have no knowledge of a conversation. I have not had a conversation.

I will make this point again. It is a straightforward point. Several members of the board have stepped down. This will allow for a regeneration of the board in line with the skill set that the Children's Health Act 2018 envisaged. We only passed the Act at the end of last year. The posts will be advertised through the Public Appointments Service.

I thanked the outgoing members of the board - there were six in total - for the work they did. They gave five or six years to a vast project and that is admirable. I have no doubt all these people, who have a variety of skill sets, did that for good reason. Deputy O'Sullivan was in government - I say this as a good thing - when many of these people were appointed to the board. They are good decent people who did a good job.

I am not aware of any planned design changes. I suppose it is important to add a caveat as

I did in my last answer: there can always be minor alterations with a project of this scale. Anyway, there are no design intent changes. Indeed, the National Paediatric Hospital Development Board went to An Bord Pleanála on 23 May 2019 in respect of some minor alterations. The board said on 6 August 2019 that the proposed alterations do not result in material alteration.

Deputy O'Sullivan asked about the timeline. It is still my understanding that the hospital will be finished in 2022 and open in 2023. I understand the Tallaght part will open next year in 2020. Obviously, the Connolly part opened in 2019.

I have some time left unless Deputy O'Sullivan has another question. She may wish to note that I am eager for the Limerick MRI project to happen. Deputy O'Sullivan has raised this with me on several occasions. I have met officials from the National Treatment Purchase Fund, the HSE and my Department to identify how best to do this. I have asked them all to report back to me quickly. I have also asked that they meet Oireachtas Members from the mid-west. I am guessing from Deputy O'Sullivan's question that this has not yet happened. It needs to happen. There is now significant funding, between the €26 million that the HSE has for the winter and the €100 million that the NTPF has now for 2020, to get on and provide a second MRI facility. The view of the hospital management is that this will make a significant difference.

The 96-bed ward block for Limerick is mentioned in our capital plan. I am not saying it will be completed during the duration of the capital plan - it will not. The sequencing is to go ahead with the 60-bed ward block, which we have delivered. I know Deputy O'Sullivan agitated for that. That is well under way and will open next year. The 96 beds are committed to and funded as part of our ten-year capital plan.

**Deputy Richard Boyd Barrett:** I am fairly stunned by the Minister's response.

**Deputy Simon Harris:** I am sorry about that.

**Deputy Richard Boyd Barrett:** Maybe I am missing something here. Does the Minister recognise that the public are appalled at the level of overruns with the children's hospital, the amount of money involved, the scale of the project and the damning criticism by PwC of the entire process?

Against that background, does the Minister not understand why the public would be even a little concerned that someone who was appointed by the Government, who was the Government chief procurement officer and who was appointed to the board has resigned? The Government's attitude to him seems to be that he was simply appointed and sat on the board for several years when all these overruns arose and now there are suggestions there could be further overruns. The Minister is telling the Leader of the Opposition there might be further overruns but that his resignation is something we should not be concerned about. I find that a highly strange attitude. Does the Minister not understand why not only I but the public might think that is a particularly odd attitude to take given everything that is happening? The Minister is casually saying that this individual was on the board for several years but the Minister did not really know what he was doing and has not really talked to him since he resigned. It seems the Minister is not really that concerned about why he resigned. He seems to be suggesting it is normal for someone to step down. Is this not a little odd given the scale of the project, the importance of his role and the fear that there could be further overruns on this project? Does the Minister not think there should be a little more interest from the Government in Mr. Quinn's reasons for resigning? Should there not be a little bit more explanation, transparency and accountability? Does the

Minister not think that is a reasonable thing to ask?

**Deputy Simon Harris:** It is entirely reasonable but just because the Deputy does not like the answer I give does not mean that it is not transparent; it just means that it does not align with his conspiracy theory.

**Deputy Richard Boyd Barrett:** It is not a conspiracy theory.

**Deputy Simon Harris:** On the question of the rationale, I will repeat it one more time. The Children's Health Act 2018 sets out a new way for the board of the National Paediatric Hospital Development Board to appoint members. It identifies a skill set that should be used and it says that no longer will appointments be made in the old way. They will now be made through the Public Appointments Service. Deputy Boyd Barrett voted for it and the Bill was passed in this House. We brought in a new chairman, Mr. Fred Barry, who is doing an excellent job. His appointment was widely welcomed and he is widely respected across this House. The PwC report says that we should not throw out the whole board but look at its composition, augment the skill sets and see what skills are needed going forward. The new chairman will obviously also look at the board, talk to board members to determine who wants to stay on and whether anyone feels that he or she has done enough time and provide opportunities to regenerate the board. Approximately six members of the board decided, having done six years on a very intensive project, that they had done their bit, despite Members of the Oireachtas throwing bricks at them and telling them that they should have to resign as members of the board, as many in this House did. They decided that they had done their bit and were going to step down to provide an opportunity, in a new phase of the project, for others to take it to the next level. That is the truth. That is what has actually happened.

**Deputy John Curran:** The Minister has not answered the question as to why-----

**Deputy Simon Harris:** Mr. Quinn made it very clear why he stepped down-----

**Deputy Richard Boyd Barrett:** The Minister said that he had not talked to him.

**Deputy Simon Harris:** He stepped down because he had done six years. He and a number of other members decided it was time to allow an opportunity for new people to serve on the board. He sent me a note thanking me, wishing the project success and saying that he was delighted to have been involved in progressing such an important project. He has done the State some service, as have all of the other people involved.

I must point out that there are 53 agencies for which I am responsible and which have 612 board members and 19 other aegis bodies, which have 262 board members. There are almost 900 board members that feed into me but I do not issue a press statement every time there is a change to a board.

On the Deputy Micheál Martin letter, in fairness to the Deputy and to the Taoiseach, this latest conspiracy theory was articulated by Deputy Shortall, who is no longer in the Chamber for the questions, let alone to hear the answers. Deputy Micheál Martin raised an important matter relating to the children's hospital on the floor of this House, as he is entitled to do. The Taoiseach responded, as he is obligated to, outlining what the Chairman, Mr. Barry, said on 12 June regarding residual risk. People accuse me of being asleep at the wheel but unless people were asleep at the committee on 12 June, they would have heard Mr. Barry outline all of the residual risks. There are no new residual risks. Members were all told this but it suits some to

keep on returning to the matter and presenting information that has been in the public domain for months as new information. People will see through that.

**Deputy Joan Collins:** A person is entitled to resign if he or she wants to and that is fair enough. That is what the Minister is saying but in the period prior to Mr. Quinn's resignation on 7 August, from January of this year, did he raise issues of concern relating to cost controls or governance in the context of procurement? Did such concerns pass the desk of the Minister for Health or the Minister for Finance? If anything did pass the desk of the Minister for Finance, was he obliged to let the Minister of Health know about it?

I find it hard to believe the Taoiseach's assertion that this will not affect any other projects given that the HSE has said that it would be impossible to deliver investments in healthcare because of the budget overruns in the children's hospital. The Minister said the same in a memo last December. Who is telling the truth? Is it the Taoiseach or the Minister and the HSE?

My final question relates to the suggestion that consultants will have to pay a fee for the use of rooms and will have to meet other operational costs relating to laboratories and diagnostic facilities. Will that be the case? If so, will it be transparent? Will consultants have to show what they paid and to whom the fees were paid?

**Deputy Simon Harris:** The reporting mechanism for any Minister and a board appointed by a Minister is through the chairman. I had no direct engagement with Mr. Quinn or any conversations with him. Obviously, I know Mr. Quinn having been a Minister of State in the Department of Public Expenditure and Reform in a past life. In terms of this project, any engagement I would have would be through the chairman to me or through the Secretary General to me. I cannot speak for the Minister for Finance, as I said to Deputy Jan O'Sullivan earlier. I do not have any knowledge of that but the Deputy could ask the Minister for Finance that question directly.

In terms of the impact on projects, the Deputy makes a very fair point. Of course if a project costs more money, that money has to be found somewhere but the answer is to be found in the summer economic statement. We took a decision to set aside additional resources so that no project would be delayed or cancelled. That was the rationale behind that decision to reserve €200 million for the broadband plan and the additional costs of the children's hospital. That provided certainty to the health service that allowed us to publish a plan with 250 health projects, of which the children's hospital is only one, albeit a large one. There are 249 other projects in the plan.

The Deputy asked why we did not launch the capital plan at the children's hospital which is in her constituency. She may be familiar with it but I found the question somewhat ironic given that the board of the hospital is fed up inviting Members of the Oireachtas to come and visit the site. I know that the Chairman of the Joint Committee on Health visited. Every member of that committee has been invited but most have decided not to go. I do not think any party leader has visited the site. If Members did visit, they would not be making ridiculous comments like those of Deputy Mattie McGrath, who referred to a black hole. If one visits, one can see the progress that is being made.

On private consultant rooms, I do not wish to scare Deputy Joan Collins but I agree with her on the matter of private practice in public hospitals. The contracts allow that at the moment. These are only rooms though and we must remember that. If we change the contracts

and implement the de Buitléir report, which I hope we can do with cross-party support, then these rooms will simply convert to public rooms. They are just rooms. There is no mystery to the rooms. Consultants have a legal entitlement to their contracts but I would like to see those contracts changed and private practice taken out of all medicine. In fact, I cannot think of a worse area in which to see private practice than children's healthcare, where services are provided if a child's parents have the ability to pay for them. I will ask Children's Health Ireland to provide a factual and detailed answer to the Deputy on how this will be tracked so that the costs of laboratories and diagnostics are met. I do not have that information to hand but the intention is that the full costs of the private practice would be met through the consultant, the insurance company or both. I will get a detailed note on that for the Deputy.

**Deputy Joan Collins:** I will ask one more question as I have one minute left. In terms of private patients having access to the hospital's laboratory and diagnostic facilities, will that be transparent too?

**Deputy Simon Harris:** In my note, I will have to include the answer to that as well. The Deputy wants to know about the use of the rooms as well as the use of the laboratory and diagnostic facilities. I will get her a detailed note on that.

**Deputy Michael Harty:** I visited the site and, having done so, my anxiety regarding the premium for building the hospital in that location as opposed to on a greenfield site was heightened. That premium is adding substantially to the cost. The State is locked into a contract and a process which is very difficult to control. The difficulties started with the two-stage procurement process, which was a mistake. The resignations that have taken place this year could not give anybody confidence that there is financial control over this project.

The Minister made reference to residual risk and I would like him to answer my questions on same. If building inflation goes above 4%, there will be an increase in the guaranteed maximum price. It is my understanding that building inflation is now at 10%. If the project goes over time, there will be a considerable addition to the guaranteed price. If there are additional design or planning requirements, these too will increase the price. If there are any unexpected contingencies or claims, they will add to the price, as will any change to any regulation, such as VAT rates. I would like the Minister to respond to those five points. If he does not have the time to do so now, I would like a response in writing. There are five residual risks which will add substantially to the final cost.

Regarding the letter of resignation, I ask the Minister to confirm to whom it was sent. Was it sent to him? Can he tell us what was in the letter of resignation? Finally, what is the estimated total cost overrun above the guaranteed maximum price? Obviously, there is going to be an overrun.

**Deputy Simon Harris:** I thank Deputy Harty for his questions. In the House the other day, Deputies were asking about an oversight mechanism for this project which allows Members to keep a close eye on it and to hold people accountable. That mechanism is the Joint Committee on Health, chaired by Deputy Harty. It does a very good job and provides an opportunity to be more expansive. The committee can also invite people before it who are directly involved in the project, as I know it does. In these back-and-forth sessions, it is difficult to get down into the nitty-gritty of many of the questions posed.

The Deputy has his views on the site, which I appreciate. The Deputy has acknowledged

that the PwC report was very clear about proceeding at this stage. I also take comfort in the views of many practising paediatricians about the site.

I will address some of the residual risks and will write to Deputy Harty about the rest. Those risks are exactly the same as those set out by Mr. Barry at the health committee meeting on 12 June - no more and no less. On that occasion Mr. Barry said:

The committee will be very aware that the construction costs of these works, as finally agreed with the main contractor BAM, are considerably higher than the previously estimated costs. [That refers to the GMP] Notwithstanding the difficulties in reaching agreement with BAM, the view of the development board was that it would be better to proceed with BAM rather than stop the project and retender ... We could have retendered the contract, but it would have added years of delay.

He then noted that chapter 6 of the PwC report stated that there are significant residual risks. That claim did not first appear in a letter to Deputy Micheál Martin. Mr. Barry said at that meeting that these residual risks are not included in the guaranteed maximum price, and that it is likely some of those risks will materialise. He specifically referenced general construction industry inflation. He also pointed out that if there is an additional amount due to inflation, it will be determined by a formula based on various construction cost indices as they emerge over the next few years.

The other significant issue regarding residual risk is claims. Concerns about very significant claims are evident in conversations and memoranda to me from around the time of the original cost escalation. The actual amount was significantly reduced as the robust process of interrogating those claims went on. Mr. Barry also said at the health committee that the process of claims coming in is an ongoing one, which I echo today. There is obviously a commercial sensitivity aspect to it as well, but we need to be satisfied that the board is robust and can challenge claims where it is appropriate to do so. I am satisfied that is the case.

Does the Deputy want me to-----

**Deputy Michael Harty:** I will ask one more question with the time I have left, as the Minister has not answered the questions I have asked.

**Deputy Simon Harris:** My apologies.

**Deputy Michael Harty:** What is the estimated increase in the guaranteed maximum price on the five items I mentioned? The Minister has recited what I asked him, but he has not answered the question.

**Deputy Simon Harris:** I will endeavour to expand on each of the items about which the Deputy asked. There are no identified costs there, as the agreed cost for this project is still the €1.7 billion the Government approved. No newer additional costs have been presented to either me or the Government. Mr. Barry must continue to monitor these matters, robustly defend claims where it is appropriate to do so, and try to deliver this project in line with the budget.

The Deputy asked about Mr. Quinn's letter. He wrote to me. One cannot resign from the board without writing a letter to the Minister. He said:

Dear Minister Harris, I wish to tender my resignation from the National Paediatric Hospital Development Board with immediate effect. It has been an honour and a privilege to

24 October 2019

work on this critical project for the children of Ireland since 2013. I wish you and the Department every success in the delivery of the project in the coming years.

This must be seen in the context of a number of members of the board, who were appointed in an individual capacity, deciding they have done their bit as the project is moving on to a new phase. The Public Appointments Service then fills those vacancies. My understanding is that the competition for the vacancies will conclude on 1 November, and I expect to be in a position to fill them shortly thereafter.

**Acting Chairman (Deputy Bernard Durkan):** The Minister has five minutes to conclude the debate.

**Minister for Health (Deputy Simon Harris):** I have endeavoured to interact with Deputies' questions. The Oireachtas health committee can continue engaging with the National Paediatric Hospital Development Board, my Department officials and the HSE in order to monitor this project and get the latest up-to-date information. I encourage it to do so. I also encourage people to visit the hospital site. A number of Deputies in the Dublin West constituency, including Deputy Burton, have visited the Connolly site, which is now making a real difference to children's outpatient waiting lists.

We will never regret building this project. I have no doubt about that. However, until it is built and open, it is only right and appropriate that it continues to be scrutinised intensively. After years of people talking, debating and thinking about it, and arguing about the sites, the project is now under way. It makes my blood boil when people refer to black holes, or make comments and then leave the Chamber without actually engaging with the issues. This is far from a black hole. The development of the main hospital is well under way. Lessons should be learned on this project. Neither I nor the Government is suggesting otherwise. The PwC report makes significant recommendations which apply to both this project and all other major capital projects going forward. The Minister for Public Expenditure and Reform and I are finalising our implementation plan for how we respond to this project and others, which we hope to present to the Government shortly.

I thank the board as well as the many hundreds of construction workers working on this project. There are economic benefits involved in the project due to the number being employed. I look forward to the Tallaght part of the hospital opening next year, the project being completed in 2022 and the hospital opening in 2023. I do not know who will be Minister for Health at that time. Whether it is myself, Deputy Donnelly, Deputy Jan O'Sullivan, Deputy Harty or even Deputy Boyd Barrett, he or she will be very proud to be opening this hospital on that occasion.

**Deputy Thomas Byrne:** We will have to keep a few high-vis jackets.

**Deputy Simon Harris:** Deputy Shortall said that everyone accepts the rationale for this hospital, but that is not true. Many people in this House argued that we should have paused the project or moved the site. Some people still argue that to this day. The PwC report does not support that argument; it just says to get on with it. Everywhere I go across the country, parents tell me to get on with it and build the bloody thing. They say we have been talking about it for years and that we should get it done, while also keeping a tight eye on the finances. We intend to do both.

**Saincheisteanna Tráthúla - Topical Issue Debate**

**Water Supply Contamination**

**Deputy Thomas Byrne:** Tá mé buíoch den Cheann Comhairle as ucht an deis a thabhairt dom an t-ábhar tábhachtach seo a ardú anseo sa Dáil. Is ábhar an-tábhachtach é do 600,000 duine sa tír seo. I believe this week's boil water notice is the largest in the history of the State. We are obviously glad that we were told to boil our water if we lived in a particular area for safety reasons, but this raises a number of questions.

First, I ask the Minister to update the House and the people on the situation and when this boil water notice is expected to end. I also ask him to answer some of the other questions that have been raised regarding previous problems in the Leixlip treatment plant this year, including EPA investigations and HSE involvement. Last year, there was a very serious incident of over-chlorination in a particular stretch of the water supply in Kilcloon in my constituency.

The Minister met Irish Water on Monday. I believe this problem was discovered on Monday but it took a full 24 hours for the boil water notice to go into effect. Can the Minister clarify that? What did Irish Water tell him on Monday? Was the 24-hour delay in the boil water notice necessary? I ask him to clarify what he and the Taoiseach said.

The Irish Water website is clearly a matter for Irish Water, but I hope it will learn lessons from this. If 600,000 people are on a boil water notice, its website needs to be able to handle significant traffic. In addition, there was much confusion about which areas were and were not included in the notice, particularly in outlying areas such as my constituency. The local authority information indicated that Dunboyne and Kilcloon were affected. We now know that the issue is the old Dublin Corporation water supply in Leixlip, which is now under Fingal County Council. That is its water supply. Rural parts of Ashbourne were also included in this water supply, which was not clear to residents or the local authority. Conversely, Stamullen in County Meath was highlighted as being affected in various news reports when it was not, although it is better to be careful.

Those are not the most important issues - public safety is the most important one. I accept that if there is a question of public safety, we have to get to the bottom of it. However, citizens are entitled to an update on what is happening. They are also entitled to reassurances that systems are in place to ensure that a safe and drinkable water supply is provided to a huge proportion of this country.

**Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy):** Unfortunately, the ongoing boil water notice continues to cause serious disruption, worry and major inconvenience for more than 600,000 people and for many businesses in the areas affected in Dublin, Meath and Kildare. It is important to note, however, that the problem at the water treatment plant was identified and the fault is now resolved. The water treatment plant is now, I am informed, producing water in compliance with all quality requirements.

However, for a period of time on Monday partially treated water entered the system and this needs to work its way through the network. Given the incident that occurred a precautionary boil water notice was put in place. The results of water testing are now available to the regulators and are being examined by Irish Water, the HSE and the EPA.

24 October 2019

I was informed when the scale of the event and the issue were known and it was clear there was a public health risk. My Department and I have been in constant contact with Irish Water since then and I have been in direct contact with the managing director of Irish Water. My priority is to ensure that people's health is protected. We want to see this notice lifted without undue delay, but only when our water supply has been confirmed safe by the HSE and EPA.

In the meantime, Irish Water's guidance to all users, including those in the healthcare, school and tourism sectors, is to follow the advice in the boil water notice. Once water is boiled in line with this guidance, it will be safe to use and to drink. Lifting the boil water notice will be a matter for the HSE, as the public health authority, along with the EPA, as the drinking water quality regulator. This will involve confirmation of water analysis results currently being examined; the result from today's EPA audit; and verification that any partially treated water has been entirely flushed through the water network.

Irish Water, the HSE and the EPA are all working to ensure this happens as quickly as possible and are keeping me and my Department informed. I will, in turn, keep the Government and this House informed. More generally, the EPA reports that the quality of drinking water in Ireland's public supplies remains high but there are risks associated with our current water system.

Our water and wastewater systems require substantial and sustained investment to bring the systems up to the quality and resilience standards required of a modern service, to provide for population growth and to build resilience in the face of climate change. The Government has approved the Irish Water strategic funding plan 2019-2024, comprising a €6.1 billion investment in infrastructure and assets and a €4.9 billion investment in operating costs.

To answer the Deputy's specific question, I know he is well aware of how Irish Water works with local authorities because we have worked on issues particular to his constituency. He is aware there was a previous fault in the Leixlip plant. Remedial action was meant to have been taken following that fault and an audit was being done. Part of the investigation now under way involves seeing what happened when Irish Water got the report on the work done and then reported to the EPA on what systems had been put in place to ensure the fault could not happen again. I cannot say whether it is the same fault because I do not know that yet. That is exactly what is being investigated.

For the first time, given that this is an exceptional event due to the number of people on the precautionary boil water notice, the EPA will report directly to me on this so I can be clear about what is happening. I was already in engagement with Irish Water for a period of time on Monday as part of the regular engagements we have. There is a new managing director in place. We met in what I call the crisis room - I am not sure what it is called - because it is where we did a lot of work on the drought the summer before last. It was only after that engagement that this event happened. The point I made in the Chamber was that I have a sustained engagement with Irish Water and have spoken to the managing director directly since then. My officials have also been in touch.

What happened will be in the report and I do not want to get ahead of it. At approximately 10.15 p.m. on Monday, the shutdown was ordered at the plant by the plant manager. The plant came into service slowly at around 11.30 p.m. on the same evening and then reached normal service levels at about 5 o'clock. From then on, we had engagement with the EPA and HSE to examine what happened and the potential risk and things escalated from there. The plant was

fixed very quickly, but what is known as a slug of water made its way into the system.

The Deputy's point on the map is a fair one. The difficulty we have when we have reduced pressure in the water system after an incident is that it is not an exact science. It is not like turning off electricity after which everything stops. The water has to work its way out of the system and sometimes we cannot be absolutely sure where it is in the system. I can tell the Deputy that further testing was done today which is quite encouraging. I hope to be able to make a further statement early tomorrow. I will do so based on the recommendation of the HSE, because as the health authority it will make a decision in conjunction with the EPA. I said yesterday that the boil water notice, as a precautionary measure, might be maintained for a much smaller part of the sector, but I will be able to clarify that in due course.

**Deputy Thomas Byrne:** What householders in the area affected, including Dunboyne, Killoon and rural Ashbourne in my constituency, want to know is why when dirty water entered the system on Monday the boil water notice was issued on Tuesday evening? That is the issue. People will accept a boil water notice if it is necessary for the protection of their health.

The Minister said that the problem identified last March was meant to be fixed. That is not reassuring. I presume he has been advised by Irish Water about this. We are talking about the health, safety and lives of the citizens. A problem with dirty water affects them. The Minister said the problem was meant to be fixed but he need to go back to Irish Water as soon as possible to clarify the position. It is extremely worrying if that is the way repairs are dealt with in our water system. It is not like me meaning to fix a leak in my car which might not do any damage to anybody except cause an inconvenience to me or mean I use more fuel.

If the water system needs to be fixed to ensure people have safe drinking water, that has to happen, and a system and people need to be in place to make sure that happens. I want to know why it took 24 hours for the boil water note to be issued and I would like more information on the events that happened earlier this year.

**Deputy Eoghan Murphy:** The Deputy is correct that more information is needed, and that is why we are carrying out an investigation. When it has been completed we will be able to talk in detail about exactly what happened. I want to stress that this is a precautionary boil water notice. The water that went into the system was not dirty; it had been treated. The cleaning and purification process had commenced, but had not been completed. As a precaution and due to the potential for certain types of bacteria that may survive a chlorination process and possibly remain in the water, a precautionary boil water notice issued. That was the safe and smart thing to do. I know it is a major inconvenience and I am very sorry for it, but we want to be 100% sure that the water is safe and clean to drink.

The alarm event in March was fixed at the time. From that point on, there is no question about clean water. Were the necessary steps put in place? I would have had confidence that had been dealt with until this happened. Maybe they were not put in place in the right way, but I do not want to prejudge the report. We need to see what comes from that.

**Deputy Thomas Byrne:** This is urgent.

**Deputy Eoghan Murphy:** It is. Minor incidents happen in operating plants, be they water or production plants, all the time and are corrected very quickly. Once what happened was noticed and the plant was shut down, the EPA and HSE had to be brought in in order to carry out the testing needed to determine whether there was an issue, the scale of the likely public health

24 October 2019

concern and whether things needed to be escalated. That decision cannot be made quickly because it is not a small thing to put 600,000 people on a boil water notice.

At the same time, to not put them on a boil water notice is not a small thing either. They had to take some time to get things right and make that call. I trust their judgment on making that call. Now it has been made, we are doing testing which is looking positive. I do not want to be too precise. I do not want people to take unnecessary risks and I hope to be able to give greater information to the public on this issue tomorrow. It is an important issue to raise and we will talk about what happened when I have the EPA report.

### **Message from Select Committee**

**Acting Chairman (Deputy Bernard J. Durkan):** The Select Committee on Business, Enterprise and Innovation has completed its consideration of the Consumer Protection (Gift Vouchers) Bill 2018 and has made amendments thereto.

### **Saincheisteanna Tráthúla (Atógáil) - Topical Issue Debate (Resumed)**

#### **Garda Resources**

**Deputy Aengus Ó Snodaigh:** I had a similar Topical Issue matter last week, where I concentrated on the Dublin South-Central area of the south-west inner city. My appeal today concerns the Ballyfermot and Drimnagh areas of Dublin South-Central, of which the south-west inner city is a part. Much work has been done by local communities, voluntary groups, Dublin City Council and others over the years to ensure that the disorder in Ballyfermot which had been associated with the Hallowe'en period in the distant past was never repeated. Hallowe'en has been a joyous time for young people and the elderly in Ballyfermot and Cherry Orchard in recent times, but we cannot be complacent as we try to ensure that continues. Hallowe'en is not just one day. I am also dealing with the run-up to it. We need adequate Garda resources - feet on the ground to back up Dublin City Council crews who are removing bonfire material in advance, Dublin City Council clean-up crews and Dublin Fire Brigade and other emergency services that end up tackling dangerous bonfires that often destroy public parks. Ambulances responding to injuries or illnesses have come under attack or have been prevented from going to where they need to be. We have stated repeatedly that we need adequate numbers of gardaí to be on duty to respond if a situation develops, as it did in the distant past in Ballyfermot and the recent past in Drimnagh.

We know from recent court cases that criminal elements can easily use Hallowe'en as a cover for something more sinister. I urge An Garda Síochána to be particularly mindful of that in Ballyfermot this year. My understanding is that a policing plan for Ballyfermot has been submitted to Garda management. This plan is obviously dependent on Garda overtime, which, up to last week, had not been authorised for these policing plans around Hallowe'en. I ask the

Minister of State, Deputy Doyle, to ask the Minister for Justice and Equality to get the Minister for Finance to release adequate funding to ensure that the city but particularly the areas I identified this week and last week have sufficient gardaí on the beat to deal with Hallowe'en. I also want the message to go out to the Commissioner that he must authorise these policing plans to ensure that work is done. I want to ensure that this time, the concerns of residents in Ballyfermot and Cherry Orchard are listened to and responded to properly unlike in the past, where sometimes genuine concerns around criminality and antisocial behaviour were ignored in this House and within An Garda Síochána. We need to hear the Minister say loud and clear that our gardaí have adequate budgetary resources to keep communities safe this Hallowe'en.

**Minister of State at the Department of Agriculture, Food and the Marine (Deputy Andrew Doyle):** I am making this statement on behalf of the Minister for Justice and Equality, who would like to thank the Deputy for raising this matter. In accordance with the Garda Síochána Act 2005, as amended, the Commissioner is responsible for managing and controlling the administration and business of An Garda Síochána. The allocation of Garda resources is also a matter for the Commissioner. The Minister has no role in these matters. The Minister is assured, however, that Garda management keeps the distribution of resources under continual review in the context of crime trends and policing priorities to ensure their optimum use.

The Minister would also point out that it is entirely appropriate for the Commissioner to be in a position to make the detailed judgments necessary about where he puts his resources. That is a policing matter and the judgment of the Commissioner and his management team is key to the delivery of the best possible service to communities nationwide, including the Dublin South-Central area.

Although resourcing questions are, accordingly, not for the Minister, he would like to point out that An Garda Síochána is a growing organisation. There are now more than 14,200 gardaí nationwide, which is the highest level in over a decade. Since the Garda Training College reopened in 2014, 2,800 new Garda members have attested and have been assigned to front-line policing duties. A further 200 probationers are due to attest next month bringing that total recruitment to around 3,000. Approximately 800 new gardaí were recruited in 2017 and 2018. This year, 600 new gardaí were recruited. For 2020, recruitment of up to 700 gardaí will be possible depending on the Commissioner's decision on how best to balance the number of gardaí and Garda staff.

It must also be borne in mind that this unprecedented volume of recruitment of Garda members has also been accompanied by increasing numbers of Garda civilian staff. Garda members are now supported by more than 2,800 Garda staff. In fact, Garda staff numbers have increased by 26% since the end of 2017. This very significant increase is allowing many more highly trained gardaí to return to the front line from administrative duties. The process of civilianisation has already delivered a total of 750 Garda members back to the front line and visible policing duties and this number is also increasing. To take Dublin South-Central as an example, there are currently 758 Garda members, which is an increase of 110 from 648 at the end of 2018, while Garda staff total 117, which is a 60% increase on 2018.

This increased recruitment is one of the benefits being brought about through the Government's unprecedented investment in An Garda Síochána. We increased the Garda budget to €1.76 billion for 2019 plus capital investment of €92 million this year, which was a 50% increase on 2018 capital funding. The allocation for 2020 is increasing by a further €122 million to an unprecedented total of €1.88 billion. The capital allocation to An Garda Síochána is also

24 October 2019

increasing by 26% to a total of €116.5 million. This ongoing investment is with a view to the provision of the best possible policing service to all our communities, rural and urban, including Dublin South Central. We are seeing positive results from these efforts. The Garda Public Attitudes Survey results for quarter two of 2019 published earlier this month showed a welcome continuing reduction in the fear of crime, an increased public awareness of proactive policing and a visible Garda presence in local areas. There is also a lot to welcome in the crime statistics published by the CSO for quarter two of this year. There has been a decrease of over 40% in the number of recorded homicide incidents in the second quarter of 2019 when compared to the same period in 2018 and a decrease of 9.8% in burglary and related offences at the end of quarter two of 2019 when compared to the same period last year.

**Deputy Aengus Ó Snodaigh:** As I said earlier, my call is for the overtime ban to be lifted. I reiterate my call for gardaí to be on the beat and for a full deployment of gardaí, including the increased number of gardaí who are now available locally. I also want specialist units to be available in Dublin South-Central to respond if an incident arises. Hopefully, they will not be required to respond. I am not reassured thus far that the overtime ban has been lifted with regard to the policing plans that have been submitted by the local superintendents to deal with Hallowe'en in Ballyfermot or Drimnagh in particular but also in the south inner city because that has not been communicated to Dublin City Council officials who are trying to put their plan together to remove the material used in bonfires, be it tyres, chemicals or pallets. A total of 175 tonnes of material were removed by Dublin City Council staff in Dublin South-Central alone. Hopefully, if the overtime ban is removed and the policing plans get the go-ahead, we will see Dublin City Council officials carrying out that work again so they can try to safeguard communities as much as possible so that children, teenagers, adults and senior citizens can all enjoy Hallowe'en properly as it should be and there is no space in any shape or form for criminal elements to use the cover of Hallowe'en to engage in criminal acts against the community.

**Deputy Andrew Doyle:** I will take home the message about the Garda overtime ban. As I said, it is a matter for the Commissioner and his team in the first instance but the Deputy has touched on a valid point about the co-ordination that is needed between the various different services, the local authority, the emergency crews and everyone else to prevent and militate against any possible negative outcomes. On Garda visibility, at certain times the Garda can predict that without gardaí on the street something will happen. For this reason, they need to be in preventative mode rather than dealing with issues after the event. This approach works and speaks to the necessity of having more community-type policing rolled out. I have seen its effectiveness in youth diversion programmes around drug prevention and other temptations.

On the emergency response units, ERUs, while I am unable to clarify the position today, I assume these units are on alert during these periods, especially during the Hallowe'en season and similar times when they may be called into action. Hopefully, that will not be the case or their use will be kept to a bare minimum. I will convey the Deputy's request to the Minister and his officials.

### **Health Services Provision**

**Deputy Brian Stanley:** I welcome the opportunity to raise this issue and that the Minister of State, Deputy Finian McGrath, is in the Chamber to take this debate.

**Deputy Finian McGrath:** I am always here for my Topical Issue matters.

**Deputy Brian Stanley:** We met representatives of Acquired Brain Injury Ireland, ABI Ireland, last week when they gave a presentation to Oireachtas Members and staff. The excellent presentation outlined the scale of what we are dealing with in Ireland and what is needed to provide a proper response. ABI Ireland estimates that 19,000 people acquire a brain injury each year. These injuries can be caused by strokes, accidents, tumours, assaults and illnesses. Approximately 100,000 people have brain injuries. I understand ABI Ireland is a section 39 organisation providing vital services to those living with a brain injury, a type of injury that has a major impact on people's lives and can leave some people completely disabled.

The National Rehabilitation Hospital, NRH, in Dún Laoghaire is doing excellent work. Many people who have gone through the unit have made excellent progress. We all know such people in our communities. Some of them have made almost a full recovery and returned to normal life. More capacity is needed in the system, however. ABI Ireland provides neuro-rehabilitation community services that complement and sometimes replace full-time residential care and rehabilitation. It ensures that people can make a seamless move home from a hospital or permanent setting, such as the NRH. This avoids lengthy stays in hospital and, importantly, maximises the chances of a good recovery.

ABI Ireland needs funding. Its current model is not secure or sufficient to meet the scale of its operations. It has to seek funding from the HSE every month to keep going. The organisation is pleading for money to stay afloat. That is not good enough. ABI Ireland requires further core funding of €1.5 million per annum to maintain its services and meet growing demand. The population is expanding, which places increased demand on ABI Ireland because the number of strokes and accidents is also increasing.

There are no specialist beds for acquired brain injuries outside Dublin and rehabilitation services in general are under-resourced. ABI Ireland wants to establish a regional neurological rehabilitation centre to provide inpatient and outpatient rehabilitation. This could be based in the midlands, for example, where it would be within easy reach of all parts of the country. ABI Ireland plans to build a 25-bed unit for which once-off development funding of €5 million would be needed to kick-start the project. People could then avail of this regional service instead of being moved from hospitals to nursing homes. ABI Ireland faces two key funding pressures. One is core funding to keep going and the other is securing the €5 million in seed capital it needs to kick-start the development of a regional centre providing important inpatient and outpatient rehabilitation services.

**Minister of State at the Department of Health (Deputy Finian McGrath):** I thank Deputy Stanley for raising this important issue and offering me the opportunity to respond to the House today. The Government is committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide greater independence in accessing the services they choose and enhance their ability to tailor the supports required to meet their needs and plan their lives. This commitment is outlined in A Programme for Partnership Government, which is guided by two principles, namely, equality of opportunity and improving the quality of life for people with disabilities. Acquired Brain Injury Ireland is, as Deputy Stanley stated, a section 39 voluntary organisation which was set up in June 2000 in response to the need for services for people with an acquired brain injury. ABI Ireland aims to enable people with an acquired brain injury to live an independent life in the community by providing and maintaining a supportive living environment. I strongly support its work and I work closely with it.

The HSE funds a range of services across the country for people with acquired brain injury. These services include acute hospital services, the National Rehabilitation Hospital and a range of multidisciplinary services at local level providing rehabilitation in the community to people with acquired brain injury. The HSE also funds a range of long-term assisted living supports, usually contracted by the health service from the non-statutory sector, and rehabilitative training services, which are also usually contracted by the health service from the non-statutory sector. ABI Ireland works in partnership with the HSE to provide a range of flexible and tailor-made services for people with acquired brain injury in direct response to local identified needs. Services provided by ABI Ireland nationwide include 14 assisted living services, home and community rehabilitation and outreach services, day resource services, family support services, home liaison, social work and psychological services and acquired brain injury awareness information training and education programmes.

Turning to the development of neuro-rehabilitation facilities, the national neuro-rehabilitation policy and strategy implementation framework 2019-21 was published by the HSE in February this year. This policy will guide the roll-out and implementation of the national neuro-rehabilitation strategy in the years to come. Discussions are ongoing on the identification of the funding required to implement the framework. That is what is happening at the moment.

While the implementation framework will support the delivery of services to persons with acquired brain injury, it does not concentrate on any one specific diagnosis and aims to reach all people with neuro-rehabilitation requirements. ABI Ireland is funded under section 39 of the Health Act, as Deputy Stanley mentioned, and is subject to service arrangements. The organisation is scheduled to receive funding from the HSE of €12.6 million in 2019. The HSE and I recognise the value of ABI Ireland's services to people with acquired brain injury. However, further increases in funding can only be considered within the parameters and scope of funding available to the HSE. In the weeks since the budget, we negotiated a HSE service plan with funding of approximately €2 billion. Negotiations are ongoing and in that regard I will take on board the Deputy's proposals because I value the work of ABI Ireland.

**Deputy Brian Stanley:** I thank the Minister of State for his reply. I note his point in respect of co-operation and partnership between the HSE and ABI Ireland. I do not dispute that. The case being made by ABI Ireland is that its funding is stretched. Its budget is approximately €13 million and HSE funding for ongoing operational costs this year will amount to €12 million.

*6 o'clock* ABI Ireland is a significant organisation. This country's record on rehabilitative care has been weak, regardless of the injury or illness involved. The Minister of State takes a special interest in these matters and he knows that when people get timely interventions after an accident or a serious medical issue, such as a stroke, the long-term benefits for the individual and his or her family and community are immense. In many cases, it enables the person to return to work. I know several people who had brain injuries and have returned to work.

In fact, both of those who gave the presentation here that day, Niamh from my constituency and Ian from Dublin, are working in jobs every day now and they had gone through significant trauma. That tells me the need for us to concentrate on this. It is money well spent.

Notwithstanding that funding is being provided and there is a partnership, I ask the Minister of State to ask the Minister for Health to look again at the organisation's core funding to see if anything can be done to help it out, and to give consideration to the concept of establishing a regional neurological rehabilitation centre and service that would provide both inpatient and

outpatient services to those suffering from an acquired brain injury. I ask the Minister of State to take back those two messages and to liaise with Acquired Brain Injury Ireland on that.

**Deputy Finian McGrath:** As I set out earlier, the HSE recognises the value of the Acquired Brain Injury Ireland service to those with acquired brain injury, ABI. That is the first point. Further increases in funding can only be considered within the parameters and scope of funding available to the HSE. That debate is now going on. As the Deputy correctly said, ABII received €12.6 million in funding from the HSE. The Deputy put forward a number of proposals. I take his point and accept his argument on the stability of funding because I am aware, from working with ABII, that that is an issue.

I agree 100% with the Deputy's point on timely interventions. The quicker people can come through the fantastic service the organisation has and back into the workforce, the better. It is making a contribution to society. Those are the points that I will be making on the HSE service plan.

ABII is also represented on the neuro-rehabilitation national steering group through the executive director of the Neurological Alliance of Ireland. It also has a seat on the working group tasked with developing the implementation framework and on the managed clinical rehabilitation network demonstrator working group. It is in those key positions.

I am informed by the HSE that work is continuing on progressing a number of key areas that will underpin the success and evaluation of a managed clinical rehabilitation network. The executive's national service plan, which will set out the detail of the level of service and supports that will be provided in 2020, is currently being agreed.

I absolutely take on board the issue. If we come at it from both sides, the Deputy's side where they have representatives on the steering groups and my side, we can see if we can push out, so to speak, the valid request for an increase in neuro-rehabilitation. As far as I am concerned, ABI Ireland makes a significant contribution to the country. As Minister of State with responsibility for disabilities, I am convinced when I see many people who had a disability all of a sudden back in their work, using their ability, making a contribution and paying taxes such as PAYE. That is positive. It is also a good long-term health policy.

### **General Practitioner Services Provision**

**Deputy Aindrias Moynihan:** I am raising this issue because so many people, especially newer people in the Macroom area, are finding it increasingly difficult to get a local GP service. They are being refused because GPs are already overloaded. They will often have to stay with their existing GP, who could be many miles away in Killarney, Mallow, Ballincollig or anywhere up the country, if they have moved to Macroom. While that is a concern, it is when they need access to the GP that it hits home, for example, if they are working in Cork and there is a sick child in school who has to come out to Macroom and turn around and possibly go back into Cork or all the way up to Mallow to their GP, or even if they are sick themselves.

I have raised this issue before and at the time the expectation was that the new GP contract would address the situation, but it has not. New people are still struggling to get cover. Many of them are travelling longer distances. People are having to pay for blood tests. Outreach clinics are not available such that, for example, a person in Ballingeary whose GP is in Macroom

has a 60 km return journey to get to that GP. Out-of-hours services are being provided out of Bandon, 30 km away, causing further distress to locals.

I recognise that there are GP issues throughout the country for different reasons, but there are local issues that are having an impact in this situation. Unique local issues are making it more difficult for residents and for the GPs themselves. There is a very onerous out-of-hours cover rota, at one in seven. This very much contrasts with the rota of one in 30 in the adjacent cell in Cork. It means that a Macroom GP is expected to be on call at nighttime and weekends four times more often. He or she will provide cover once every seven days. That discourages new GPs from taking up a position there. There is no rural practice allowance allowed in Macroom despite the fact that the Macroom service covers a very large rural area, from the Lost Valley to Mullaghanish and around to Barrahaaurin. This is happening at a time when the population of the town has grown but there is no increase in the number of GPs.

This came to a head again recently when there was a retirement, posts were advertised and only one person came forward for the first round. Following more recent advertising, no interest was expressed in it. It is quite possible that it could go on being advertised for some time before a GP will come forward. As the Minister of State can imagine, this is all putting pressure on locals. It is also putting considerable pressure on the GPs. I acknowledge the significant work that GPs are doing locally. In fairness, they are still capable of providing a same-day service. That is important to acknowledge. However, that can only last for so long. There is phenomenal pressure where people are having to travel further for a GP. People coming into the area are not getting access to a local GP.

A total of €40 million is being set aside in the current budget for enhancement of GP services. There are also commitments on supporting various GP services and supporting South-Doc and the various organisations around it. In the interests of supporting communities such as Macroom, which are finding it ever more difficult to get GP cover, will the Minister of State raise the issue with the senior Minister and can we in some way or other advance the situation so that people can expect to get access to a doctor in their own locality?

**Deputy Finian McGrath:** I thank Deputy Moynihan for raising this important issue relating to Macroom. I assure the House that the Government is committed to the continued development of GP capacity to ensure that patients throughout the country continue to have access to GP services and that general practice is sustainable in all areas in the future. The Minister for Health is working to ensure that existing GP services are retained and that general practice remains an attractive career option for newly qualified GPs.

The number of GPs on the Medical Council's specialist register continues to increase, from 2,270 in 2010 to 3,857 as of mid-October. The number of GPs holding General Medical Service, GMS, contracts has also risen from 2,098 in 2008 to almost 2,500 in 2019.

The Government is aware of workforce issues facing general practice, including the influence of demographic factors, and in recent years has implemented a number of measures to improve recruitment and retention in general practice. These include changes to the entry provisions to the GMS scheme to accommodate more flexible shared GMS GP contracts, and to the retirement provisions for GPs under the GMS scheme, allowing GPs to hold GMS contracts until their 72nd birthday, as well as the introduction of enhanced supports for rural GP practices. GP training places have also increased from 120 in 2009 to 192 places filled in 2019, an increase of 60% over this ten-year period. In addition, the recent agreement on GP contractual

reform will benefit patients and GPs.

In return for co-operation with a range of service developments and reforms, the Government will increase investment in general practice by approximately 40% or €210 million over the next four years. There will be increased support for GPs working in rural practices and for those in disadvantaged urban areas. Improvements in the maternity and paternity leave arrangements have also been agreed, in recognition of the need to ensure that general practice is compatible with doctors' family-friendly commitments. I am confident that these measures will help make general practice a more sustainable and attractive career option for doctors.

In respect of Macroom, and I understand the valid point the Deputy is making, I understand that the GPs and the out-of-hours co-operative are reporting a significant increase in demand for their services. In addition, the retirement of a single-handed GP in the town has added to the difficulties. I accept the Deputy's point in that regard. The panel has been advertised on two occasions but has not been filled. It is currently being advertised again, both in Ireland and internationally. A locum GP is in place since 16 September and is providing services to general medical services, GMS, scheme and private patients. All other practice staff - the nurse and the secretary - remain in place, funded by the HSE. A locum doctor will continue to be funded until the post is filled.

The GPs in Macroom also provide out-of-hours services. That is managed by SouthDoc, with which HSE Cork Kerry Community Healthcare has a funded service level agreement in place. Supports have been put in place to reduce the GP out-of-hours commitment by funding locum cover for Sunday shifts. Work is ongoing to reduce further the out-of-hours commitment of the Macroom GPs.

To follow up on the points made by the Deputy, it is essential that we all work closely together on this issue. I will raise the Deputy's concerns with the Minister, Deputy Harris, particularly in respect of Macroom because the case he made is genuine. We have a problem filling the vacancies. The HSE has advertised them nationally, and it may have to do so internationally, to get the GP in the town but the people of Macroom deserve the right to have a proper GP service.

**Deputy Aindrias Moynihan:** I thank the Minister of State. There is quite a lot in the answer but I stress that people need to be able to expect to have a GP service locally and not have to crisscross all over the country.

**Deputy Finian McGrath:** The Deputy is right.

**Deputy Aindrias Moynihan:** There are difficulties across the country but I need to be sure that the Minister of State recognises that local issues are making it more difficult for people to access GP services in Macroom than anywhere in else in the country. What we are looking for is to be able to compete on a level footing to fill that vacancy. The out-of-hours rota in the area, at one in seven, is over and above what would be expected anywhere in the country. It means that a Macroom doctor is expected to be on call four times more often at night and at weekends than a colleague in Cork, which is just down the road, who is on a rota of one in 31.

I refer to the absence of the rural practice allowance. The Minister of State referred to increased support for GPs working in rural practices and those in disadvantaged urban areas but that does not apply to Macroom. Macroom does not have that status despite the fact that it has a very large rural hinterland. There are unique local issues in Macroom that are relevant. The

24 October 2019

recent retirement merely illustrates the difficulty that has existed in recent years, which I have highlighted here on previous occasions.

What we are looking for in Macroom is a level playing field to ensure the obstacles that are unique to Macroom - the out-of-hours service and the absence of a rural practice - will be addressed. In that way, people advertising for a Macroom job would have an equal standing with every other area in the country. It would mean also that locals would have a real expectation that there would be a GP available to them and that they will not have to crisscross the country for such a service.

I will give the Minister of State an example of a lady who travels to and from Kildare every month where she had her GP service until now. That does not make sense. There are people from Cork, Tralee and across the country because they cannot get a service locally. It needs to be tackled.

**Deputy Finian McGrath:** Absolutely. I reiterate the Government's commitment to ensure that this happens. I take the Deputy's point about having to crisscross the country and also the unique local issues in Macroom. He mentioned the urban disadvantaged areas and rural areas. The issue of an out-of-hours cover rota of one in seven has to be dealt with also. I accept the Deputy's argument on the unique local issues in Macroom.

On the GP service in Macroom, I assure the Deputy that the Minister, the HSE and I are committed to working with the local GPs in the area to resolve the current difficulties to ensure that services can continue to be provided to the local community. I strongly believe in having local services in communities. The example given by the Deputy of one of his constituents having to travel to and from Kildare for a service is unacceptable. I am aware the Acting Chairman, Deputy Durkan, is a prominent TD in Kildare. I accept the Deputy's point that it is unacceptable that situation has arisen. The HSE is trying very hard to fill the positions. We have to make this a priority. I will raise the Deputy's concerns with the Minister, Deputy Harris, and the HSE.

The Dáil adjourned at 6.15 p.m. until 2 p.m. on Tuesday, 5 November 2019.