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DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Death of Mr. Gay Byrne: Expressions of Sympathy . . . 665
Ceisteanna ó Cheannairí - Leaders' Questions . . . 669
An tOrd Gnó - Order of Business . . . 678
Finance Bill 2019: Financial Resolution . . . 692
Ceisteanna - Questions . . . 693
Cabinet Committee Meetings . . . 693
Cabinet Committees . . . 698
Departmental Reform . . . 703
Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters . . . 706
Ceisteanna (Atógáil) - Questions (Resumed) . . . 707
Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions . . . 707
Rent Pressure Zones . . . 707
Water Supply Contamination . . . 709
Compulsory Purchase Orders . . . 712
Rental Sector . . . 714
Local Authority Housing Provision . . . 717
Ceisteanna Eile - Other Questions . . . 720
Housing Estates . . . 720
Water Quality . . . 725
Traveller Accommodation . . . 727
Home Loan Scheme . . . 729
Social and Affordable Housing . . . 731
Saincheisteanna Tráthúla - Topical Issue Debate . . . 735
Human Trafficking . . . 735
Garda Divisional Headquarters . . . 739
Policing Issues . . . 743
Criminal Justice (Mutual Recognition of Decisions on Supervision Measures) Bill 2019 [Seanad]: Second Stage . . . 747
Criminal Justice (Mutual Recognition of Decisions on Supervision Measures) Bill 2019 [Seanad]: Referral to Select Committee . . . 756
Blasphemy (Abolition of Offences and Related Matters) Bill 2019 [Seanad]: Second Stage . . . 756
Illegal Drugs: Motion [Private Members] . . . 761

DÁIL ÉIREANN

Dé Máirt, 5 Samhain 2019

Tuesday, 5 November 2019

Chuaigh an Ceann Comhairle i gceannas ar 2 p.m.

Paidir.
Prayer.

Death of Mr. Gay Byrne: Expressions of Sympathy

An Ceann Comhairle: Following the death yesterday of the esteemed broadcaster, Gay Byrne, it is considered appropriate that the leaders today be given time to express sympathy to his family and friends and, in particular, his wife, Kathleen Watkins, and his daughters, Suzy and Crona. Over the past number of hours we have witnessed a national outpouring of respect and recognition - respect for the colossus that Gay Byrne was on the world stage of public service broadcasting and recognition for the role he played as a catalyst in the evolution of Irish society over the past 50 years. Growing up in Ireland in the 1960s, after those of my parents and siblings, his was the most constant and frequently heard voice in my family home, and I suspect the same is true for thousands of others. He gently touched the lives of generations. In truth, ní bheidh a leithéid ann arís.

For the convenience of Members, a book of condolences has been placed in the main lobby of Leinster House for Members, staff and visitors who may wish to sign it.

The Taoiseach: Ar son Rialtas na hÉireann, ba mhaith liom comhbhrón a dhéanamh faoi bhás Gay Byrne, an craoltóir ba mhó tionchar i stair an Stáit. Bhí ardmheas agus gnaoi ag an bpobal air mar chraoltóir a chuir feabhas ar an saol agus ar shochaí na hÉireann i slite éagsúla. Ar an raidió agus ar an teilifís, thug sé guth ard do na daoine a cuireadh ina dtost roimhe sin. Bhí sé ina údar iontach athruithe a chuir go mór lenár sochaí.

On behalf of the Government, I offer condolences to the family of Gay Byrne and express our deep sadness on learning of his death. Gay Byrne was the most influential broadcaster in the history of the State, and a much loved figure who changed Ireland for the better in many ways. Gay had a central place in Irish homes for many decades on both radio and television. The story of his remarkable contribution to Irish life is the story of how we changed and evolved for the better as a nation over the past 60 years. A consummate entertainer, he also provided an outlet for all of those who had been silenced or were afraid to speak up. He enabled us to confront things that needed to be challenged in our society. Many things did not exist or were not talked about in Ireland before "The Late Late Show", but it is good that they were talked about.

As chairman of the Road Safety Authority for almost a decade, Gay Byrne spoke with feeling and understanding about the tragedy of road deaths. When I was Minister for Transport, Tourism and Sport, I reappointed him to this role because I saw how his campaigning helped to save many lives. I found him to be a wonderful, truly public-spirited person who undertook his responsibilities at the Road Safety Authority with the utmost seriousness and concern. He also spoke up for the whistleblowers who exposed the abuse of the penalty points system, thereby helping to bring about change in that system.

For generations of Irish people, he was "Uncle Gaybo", a welcome presence in every home and someone who led change because he listened and he cared. We have lost a change-maker and a force for good. Today a national treasure is gone. I offer my condolences to his wife, Kathleen Watkins, to his daughters and grandchildren, family and friends, and to all who mourn his passing.

Deputy Micheál Martin: Ar dtús báire ba mhaith liom, ar mo shon féin agus ar son Pháirtí Fhianna Fáil, comhbhrón a dhéanamh le Kathleen, Suzy, Crona agus clann Gay Byrne ar ócáid a bháis. Thug sé spás agus deis do chosmhuintir na tíre a gcuid tuairimí a phlé. Bhí tionchar faoi leith aige ar dhul chun cinn na tíre. Bhí a fhios aige go raibh an tír ag athrú agus chabhraigh sé leis an athrú sin. Bhí sé freagrach as athruithe bunúsacha a tharla in Éirinn ó na 1960í amach. D'oibrigh sé go dian dícheallach Domhnach is dálach agus thuig sé tábhacht na seirbhíse craoltóireachta poiblí. Ba laoch agus ceannródaí na seirbhíse sin é. Go bunúsach, b'fhear mór teaghlaigh é. Fuair sé neart ón gcaidreamh sin.

Gay Byrne was an iconic Irish institution who left an indelible imprint not only on Irish broadcasting, but on Irish society itself. Through his radio programmes, television shows and his 37 years as host of "The Late Late Show", he influenced and had a profound impact on the evolution of modern Ireland. He was part and parcel of every Irish home for decades. His warmth resonated with so many people. His intellect and emotional intelligence were unparalleled and his ability to sensitively approach delicate and sometime controversial issues set him apart from other presenters. What really separated him was his capacity to listen while doing interviews; he was a great listener as well as contributor to interviews and debates.

Gay Byrne became internationally renowned because of his capacity and ability to debate highly sensitive issues in a way that allowed conversations to take place and for playing a huge role in persuading people to allow significant change to occur in what was then a conservative Ireland. On reflection, some of his programmes were, perhaps, our original citizens' assembly because they gave the people of Ireland an opportunity to discuss these issues. Contraception, divorce, abortion and LGBTQ issues all got their first real airings on "The Late Late Show". These shows were rarely missed and set the agenda for public discourse every week.

He was many things to many people. He loved the arts, theatre and entertainment. Above all, he spoke about the importance of educating young people so that they could progress. He also helped to jump-start the careers of many singers, comedians, broadcasters and musicians. He was a true public servant and, as the Taoiseach said, he accepted the chairmanship of the Road Safety Authority in 2006. I often thought that appointment was a brave move on the part of the then Minister for Transport, Noel Dempsey, because there was simply no place to hide from Gay Byrne when, as chairman of that authority, he wished to hold Government to account. He became the face and voice of many campaigns which I have no doubt saved the lives of pedestrians, cyclists and drivers across the country.

Gay Byrne was a rare national treasure who touched the lives not only of his own family and friends but those of the hundreds of thousands of people who welcomed him into their homes on radio and television. Ar dheis Dé go raibh a anam.

Deputy Mary Lou McDonald: Ar mo shon féin agus ar son Shinn Féin, déanaim comhbhrón le clann agus cairde Gay Byrne. Gay Byrne's contribution to the public discourse as both a journalist and broadcaster was immense and enduring. From the early days of RTÉ until the present, he occupied a very special place in the hearts and minds of many Irish people. Since news of his passing yesterday afternoon, Gay Byrne has rightfully received tributes as a broadcaster without equal. It is fair to say that he changed the nature of broadcasting in the State and reshaped how we discuss many important issues. Gay Byrne made a massive contribution to Irish life, a contribution that very often transcended broadcasting itself. In many respects, his voice narrated the story of the State for more than three decades. It is a testament to his talent and his ability that even at times when one did not agree with him one could still recognise the importance of the work he did.

If it is possible to describe Gay Byrne's legacy simply, I would say it is that he got people talking about issues that they very often did not want to talk about. He shifted a code of silence that ran through generations. He turned the key. He built a stage on which people could tell their stories and he will be very greatly missed.

I extend my condolences and those of Sinn Féin to his wife, Kathleen, his daughters, Suzy and Crona, to the wider family circle and to his many friends. Ar dheis Dé go raibh a anam dílis. Ní bheidh a leithéid ann arís.

Deputy Brendan Howlin: Like hundreds of thousands of Irish people at home and abroad, I stopped in my tracks when I heard the news of the passing of Gay Byrne while I was in my constituency office yesterday afternoon. I wondered why it affected all of us to hear that. It is almost like a bereavement in any family. I was trying to think of a precedent and I could not. I thought of the words of the then French President, Georges Pompidou, when General de Gaulle died. He said, very profoundly, "General De Gaulle is dead. France is a widow". While I cannot think of any current era Irish politician who had the same emotional impact on his or her passing, there is a notion that we are all affected. We are all affected because Gaybo was the soundtrack to all our lives for so long. He was the authentic voice of all the internal discussion and complexity of a maturing Ireland, and the certainty of voices coming to different conclusions. His loss is felt by all but clearly, none more than his beloved wife Kathleen, his daughters Crona and Suzy, and his many friends throughout Ireland and especially in his former workplace at RTÉ.

Like many people in this House, I had the privilege of meeting Gay on several occasions, with encounters, for example, at the Wexford Opera Festival when he was a visitor there, and while talking to him across the table with a microphone. I always found him to be polite, generous and professional. The last occasion I spoke to him was when we were both leaving the National Gallery of Ireland. Although he was battling at that stage with his illness he vowed to return to see an exhibition I had mentioned to him.

Forward looking as always, like few others Gay Byrne made an indelible mark for good on this nation and its people. On behalf of all my colleagues in the Labour Party, I offer sincere condolences to his family, his beloved wife and his friends.

An Ceann Comhairle: I call Deputy Pringle. It is well known how Gay loved Donegal.

Deputy Thomas Pringle: That is right. He had a house in Dungloe for many years. Unfortunately, I never met him and am not familiar with any of the stories that other Members have told. However, on behalf of the Independents 4 Change group, I offer condolences to his wife, Kathleen, and daughters, Crona and Suzy.

Gay Byrne was definitely the dominant broadcaster in the second half, or probably the whole of, the 20th century. He provided a platform to discuss all the difficult issues of the day on both "The Late Late Show" and his radio programme.

Deputy Mattie McGrath: On behalf of the Rural Independent Group, I extend our condolences to Gay Byrne's family and note the national outpouring of fondness and endearment since the announcement of his passing yesterday. We extend our deepest sympathies to his bean chéile, Kathleen, his daughters, Crona and Suzy, and his grandchildren and wider family as well as to his colleagues in RTÉ, many of whom have spoken fondly since yesterday of the help he gave them and his genuine capacity to give good advice. While he was a stickler for punctuality and other such things, he always had a good ear to listen to his younger colleagues who he supported along the way. It is a good trait in any person.

My first memory of Gay Byrne was listening as a buachaill óg to sponsored programmes on RTÉ Radio 1 and thereafter to his morning radio show. There was not the proliferation of radio stations then that there is now and it was like listening to the gospel in the morning in every house to listen to Gaybo. It went on to "The Late Late Show" where the toy show was a big event with my children when they were young. He started that. He had the ability to lead people in debate and ask the hard question but then to let the person or interviewee go on as far as he or she wanted, falling into the trap if necessary. He had a polite and cunning way of doing so and was respected everywhere. He is a great loss not only to his family first but to an tír go léir. Ar dheis Dé go raibh a anam dílis.

Deputy Eamon Ryan: I was a sucker for Gay Byrne's broadcasting skills. Every Christmas, his radio show would go to someone's kitchen. "Trick" would be the wrong word to use about it. Mrs Murphy would be asked where her son was and say, "He is in Australia, God bless him. I miss him." Before we knew it, Paddy the son would walk through the door and we would be crying having had our heart strings pulled so brilliantly. I still use Gay-Byrneisms and find my kids looking at me when I say "Ye wha', Gay?", which is an example of his use of language with which we grew up.

It is very appropriate to remember him here but we should remember that when he was appointed by RTÉ, the then controller of programmes, Gunnar Rugheimer, played a key part in determining the role of the public service broadcaster in a nation. Politicians at the time were not happy with this current affairs programme and the appointment of Gay Byrne, which they feared would upstage politicians somewhat. That was probably true for several decades. Our society and democracy benefited from that more open and public debate. As such, Gay Byrne played a significant role in the development of our democracy. He will be missed terribly. It is important to reflect at this time on whether we are valuing our public service broadcasting when we are selling the tapestries RTÉ commissioned at that earlier time. We will miss Gay Byrne. We must bring back that sense of the importance of public service broadcasting, which is an important aspect of our democracy. Ar dheis Dé go raibh a anam dílis.

An Ceann Comhairle: Ar dheis Dé go raibh a anam dílis.

Members rose.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Micheál Martin: We have all been appalled at the horrific violence and threats meted out to the staff and directors of Quinn Industrial Holdings in Cavan and at the barbaric, professional kidnapping and assault on Kevin Lunney. At the weekend, one of the directors of Quinn Industrial Holdings, John McCartin, gave a wide-ranging interview to John Lee in the *Irish Mail on Sunday.* What Mr. McCartin had to say was worrying and telling. He was asked to explain how the threats were tolerated for so long. Many people in the country are asking that question because this has been going on for years. Mr. McCartin responded that "the pig's head was annoying, the posters were annoying, the defamation was annoying but as regards the physical threats to our lives, I wasn't taking it seriously because the guards weren't taking it seriously." He remarked that he had met named individuals who had threatened him, his children and family and had shared those names with the Garda and the authorities. He asserted that the Garda, the PSNI and the Government had paid "scant attention" to their pleas since the intimidation, arson and assaults reached new levels four and a half years ago. The big question hanging out there is why action was not taken earlier. I watched the Garda Commissioner last week attempt to answer a question on why the intimidatory posters were not taken down and there was no answer to that question. They were left up for a long time and, apparently, they have been taken down this week.

There is also the issue of jobs. There are 850 direct jobs in Quinn Industrial Holdings and 2,500 indirect jobs. The American investor has made the point that it will close down the business rather than be intimidated into selling it off. The issue is a very serious one in terms of the challenge to the State in the Border area. There have also been other attacks, including the shocking attack on the car belonging to Deputy Martin Kenny in County Leitrim, which are unacceptable.

I ask that the Taoiseach take a point I made some weeks ago a bit more seriously this time. He had a go at me and engaged in typical partisan stuff to the effect that I was just into creating agencies. I have long asserted that the rule of law is gone in the Border area, on both sides of the Border. The State has not been in control for some time and criminality reigns supreme. We need to fundamentally alter what we have been doing in relation to that. That means establishing a multidisciplinary joint agency, similar to the Criminal Assets Bureau, between the PSNI, An Garda Síochána and others. A task force will not cut it because statutory underpinning is needed. That would send a message once and for all to these warlords that enough is enough, we are not taking any more and we will assert the supremacy of the democratic State and law and order above and beyond anything else. Operation Loft, conducted by the Criminal Assets Bureau, indicated what is going on in the Border area. I am not exaggerating this issue, which has been ongoing for a long time. The point made by John McCartin is that there has been a vacuum since the Good Friday Agreement. Will the Taoiseach give my proposal serious consideration? Perhaps he will also give me an answer on why it took so long for the authorities to move and respond to the threats and intimidation.

The Taoiseach: I say again that the threats made to the directors of Quinn Industrial Holdings are totally unacceptable, as is the violence perpetrated against Kevin Lunney. It is a question of the rule of law. Law and order must prevail in all parts of the country. I met the Garda Commissioner, with the Minister for Justice and Equality, on this matter only last week. I spoke to John McCartin twice on the phone and I will speak to him again. He has been complimentary about the interest which the Minister for Justice and Equality, Deputy Flanagan, the Minister for Business, Enterprise and Innovation, Deputy Humphreys, and I have taken in this issue over a period. The Garda Commissioner is meeting the directors of Quinn Industrial Holdings today to discuss a number of ongoing investigations relating to these threats. The posters, as far as I am aware, have been removed. They had been removed previously, were put up again and have now been removed again. We have put additional resources into the Border area, including more than 100 additional gardaí in the past two years, extra Garda staff and a fully armed service unit for the Cavan area. The Garda Commissioner informs me that the level of resourcing will continue. On foot of our discussion, he will discuss with the PSNI how the Garda and PSNI can best work together on a joint investigation. I am not sure if a statutory agency is the best way for them to do so, as something like that takes a long time to establish, but I would not rule it out. The best thing they can do is work together in a practical way if they have not been doing that adequately up to now. We discussed some other actions that could also be taken but perhaps it is best if they are not discussed in this open forum. This is, of course, primarily a Garda matter and something for the Garda to investigate south of the Border. It involves the PSNI as well.

Deputy Micheál Martin: I equally assert and put it to the Taoiseach that we must take the multi-agency approach. I remember when the late Ms Veronica Guerin was murdered, it was the catalyst for the establishment of the Criminal Assets Bureau and it had a very significant impact on the criminals at the time. It worked as it was a no holds barred approach to taking the criminals out of circulation and not being in a position where they could usurp the State, as they have been doing in this area for far too long. In the process they have undermined the capacity of law-abiding citizens to go about their business free of intimidation and the capacity of businesses to continue doing what they do best in creating products and jobs.

Mr. John McCartin said the Taoiseach called him and expressed outrage about what is happening, frustration about how long it is has been happening and surprise that in modern Ireland, this has gotten so far. He suggests the Taoiseach and Minister for Justice and Equality were blind-sided. Before the question about a multi-agency approach, I asked why it took so long to deal even with the public manifestations of these threats, such as the signage, as well as the threats to individual directors that have been ongoing for quite some time. Will the Taoiseach explain why it took so long for the authorities to respond to those?

The Taoiseach: I am not in a position to answer questions on behalf of the Garda Commissioner or the Garda. The Deputy would have to put that question directly to them and I am sure they would be happy to answer it.

Deputy Robert Troy: The Taoiseach met the Garda Commissioner last week.

Deputy Sean Fleming: Has he forgotten already?

The Taoiseach: As the Deputy knows, a statutory agency would require legislation both north and south of the Border. That may be impossible currently for the various reasons that the Deputy knows.

Deputy Micheál Martin: We proposed it two years ago.

The Taoiseach: It could take much time. We need practical co-operation between the PSNI and the Garda. Perhaps there could be a joint investigation; I discussed this with the Garda Commissioner and he said he would examine the practicalities of doing this. That can be done quite quickly. We need more resources in the Border region for the Garda, and that is being done. An extra 100 gardaí have been added to the force there in the past two years, there are extra Garda staff and there is a new armed support unit. We will build on that. We can see the action being taken now with the posters being removed. Action is being taken on all these fronts and this is something we take very seriously. It is about restoring law and order in the area and giving people confidence that the peace will be kept. Progress is being made in these investigations. There has been an arrest relating to the attack on Deputy Martin Kenny's property. There has been an arrest relating to the attack on the Garda station at Emyvale. Work is being done by gardaí and we need to support them. I also ask anyone with information to give it to the Garda or PSNI so they can take further action.

Deputy Mary Lou McDonald: I raise again with the Taoiseach the dangerous overcrowding in our hospitals. I raise it again today because of figures released by the Irish Nurses and Midwives Organisation, INMO, indicating that 679 patients are waiting today without beds in Ireland's hospitals. This is the highest daily figure of 2019 and the second highest ever recorded. The INMO has rightly described this as "obscene" and it has told us its members are faced with inhumane working conditions, with patients being put at increased risk. This is a very familiar story and I and others have consistently raised these matters with the Taoiseach. Yet here we are again today with 679 patients without beds. Not all are on trolleys as in some cases there is not even a trolley.

The Taoiseach should imagine he needs to go to hospital today because he is sick or experiencing an emergency. He would already be worried and his family would be worried. He should imagine how he would feel, knowing our hospitals are creaking under the strain and pressure they face. It would be an upsetting or terrifying experience. This is not just a matter of numbers. This is about people who deserve far better than the perpetual crisis that the Government visits on our health service. What we have witnessed on the Government's watch is a complete and utter failure in health policy. For eight years now, Governments have failed to make any inroads into tackling the trolley crisis. We have had three Fine Gael Ministers for Health, including the Taoiseach, and things have not got any better. In fact, the situation gets worse by the month and year. Record numbers of people have been left on trolleys for the first ten months of this year. As we progress deeper into the winter, this problem will become more acute. Last week, the Irish Nurses and Midwives Organisation published figures showing that 11,452 patients in Irish hospitals were left without beds in October. These numbers should cause alarm bells to ring. They reflect the fact that the Government has failed to tackle this real and immediate pressure.

As I have said previously, to address the crisis, the Government can and should do a number of things around recruitment and retention of staff, the reopening of closed beds, step-down facilities, more home help hours and investment in primary and community care. Given that the Taoiseach has consistently ignored those pleas, what does he have to say today to the staff and patients in University Hospital Limerick, which again has the highest number of people on trolleys, and Cork University Hospital, which has the second highest number and has been under extraordinary pressure for some time? What does he have to say to the staff working in dangerous conditions and the patients, in particular the 674 patients who are left today without a bed?

The Taoiseach: I thank the Deputy for raising this issue. I do not need to imagine the scenario that Deputy McDonald speaks about. I am a doctor by profession. I worked in the public health service for seven years. I worked in three emergency departments and visited all of the other emergency departments during my time as Minister for Health so I fully understand what the experience of an overcrowded emergency department is for staff, patients and their families. I assure Deputy McDonald that we are making every effort to improve the situation.

There were a lot of patients on trolleys this morning. The figure is down to approximately 317 at the moment. We anticipate most of the remainder will be in beds by tonight. That still leaves us with a severe overcrowding problem in many of our hospitals. There are now approximately 11,000 beds in our acute hospitals. That figure has been increasing year on year since 2014. We are back to the number of beds we had in our hospitals approximately ten years ago, having reversed the cuts that began under a previous Administration. We have more doctors working in our public health service than ever before. We have 600 more nurses and midwives than we had this time last year. We have in recent years put in place more beds, nurses and doctors and we will continue to do so. This is happening against the backdrop of ever-increasing demand, which puts our health service under extraordinary pressure.

The Minister for Health met the chief executive of the HSE this afternoon and has been in contact with all of the chief executives of the hospital groups to see what more can be done, whether more beds can be opened and whether more funding for the fair deal scheme and home care - which has already been put in place - can help to get more patients out of hospital quickly. Deputy McDonald will know that an additional 1 million home help hours have been provided for in the budget and fair deal applications are now ticking over in about four weeks. We are also addressing the issue of care in the community to avoid people having to go into hospital in the first place. This ranges from encouraging more people to have the flu vaccine to better chronic care in the community so that people with diabetes, chronic obstructive pulmonary disease, COPD, and other illnesses do not end up in hospital in the first place. We have signed a contract in recent months with general practitioners to enable exactly that.

Deputy McDonald specifically mentioned Limerick. I would say to the staff there that there is a new 60-bed block under construction. Once it has been completed, we will try to get the facility open as quickly as possible and hopefully that will relieve the overcrowding in that particular hospital.

Deputy Mary Lou McDonald: The Taoiseach regularly recounts his professional curriculum vitae for the House. From my point of view, the very fact that he is a medical professional, a doctor, and that he has worked in the public health system makes this all the more shocking and intolerable. The Taoiseach has recounted the actions his Government has taken but the figures do not lie. In October, unless the Taoiseach contests the figure, 11,452 patients were left with no beds. Despite the list of actions he has set out, this is what we are left with. I am glad the Minister for Health met the CEO of the HSE but I would not hold out any great hope that much will come of that meeting. I have a suggestion for the Taoiseach. He mentioned 1 million additional home help hours but I suggest that this be increased to 2.5 million because that is what is needed to clear the waiting list. The 1 million additional hours will simply relieve the pressure regarding 40% of the waiting list. Let us do something radical and imaginative. Let us actually try something with a prospect of working and allocate the 2.5 million home help hours that are required.

The Taoiseach: I suggest that the Deputy's own lack of practical knowledge of the health

service, health policy and how it works is what gives her reason to believe that there are easy solutions to complex problems such as this, which Governments of all parties have struggled to deal with for many decades. If she wants to talk to somebody about it, she should talk to her party's deputy leader, Michelle O'Neill, a former Minister for Health north of the Border. Ms O'Neill would know a lot about overcrowding in hospitals because it is a feature of the health service in Northern Ireland as well, which Sinn Féin was responsible for until it collapsed the Executive two years ago.

Deputy Mary Lou McDonald: I suppose Sinn Féin is responsible for the trolley count too.

The Taoiseach: The Government will do everything it can to improve access to our hospitals and reduce overcrowding. That involves providing more beds, which is being done. We are up to 11,000 beds now, which is back to where we were ten years ago in terms of acute capacity in our hospitals. We have more doctors in our health service than ever before and 600 more nurses than this time last year. Additional resources are available for the fair deal scheme and for home care, and we will roll these out. We will push all of those solutions and hopefully they will make a difference.

Deputy Thomas Pringle: I wish to talk about the same issue as Deputy McDonald but from a different angle. I hope that I will get a different answer, although that would be a miracle.

In April, the HSE implemented what was, to all intents and purposes, a recruitment embargo, supposedly to run for three months and end in mid-July. This was an attempt by the Government to manage the mismanagement of the national children's hospital project and other HSE overruns over the past year. The irony is that the longer the recruitment freeze goes on, the more costly it will be because people waiting for appointments get sicker and need more expensive and intensive intervention when they are eventually seen. Meanwhile, the HSE is spending millions on agency staff to cover the recruitment freeze, guaranteeing a spending crisis for the Government in the near future. Seven months later and we still have a recruitment freeze, although the Government continues to deny that there is an embargo, referring to it instead as "controls". In a letter to me, the head of HR in the HSE said that the north-west CHO 1 area has not implemented a recruitment embargo or freeze but has introduced "interim controls". This is a freeze by another name and that is what we have. Let us call a spade a spade and call it a recruitment embargo. Furthermore, it is hardly interim if it has been going on for seven months. These measures look set to be a permanent fixture for the foreseeable future.

The consequence of this embargo is that over 100 posts in Donegal for which approval had been given by the national recruitment service are vacant. I am awaiting statistics from the Saolta University Health Care Group, of which the hospitals in Donegal are part, that will likely paint a similar picture. It took the HSE over a month to reply to my query. In its reply, the executive stated that it does not have the figures yet. If it does not respond, that might solve the crisis altogether. At Letterkenny University Hospital, over 19,000 people were awaiting inpatient or outpatient treatment at the end of June, an increase of almost 1,900, or 11%, on the figure for June 2018. Almost 2,000 more are awaiting outpatient appointments. A total of 1,783 women are waiting to see gynaecologists at Letterkenny University Hospital. The waiting list has been growing for the past five years. The recruitment embargo has prevented management at the hospital from recruiting the nurses, doctors and support staff required to fully reopen its short-stay ward. Elective surgeries and procedures at the hospital are being impacted which, in turn, is adding to the lengthy waiting lists. Figures released today show that 47 people, the third highest number in the country, are waiting on trolleys at the hospital.

CHO 1, which includes Donegal, has fewer mental health posts than was the case ten years ago. The direct consequences of this are manyfold and include longer waiting lists, a worsening trolley crisis and, most concerning of all, worsening conditions for people seeking treatment, which they would not need if the health services had the staff in place to provide those services as required. When will the Government end the recruitment ban and fill the over 100 vacant posts in Donegal in respect of which approval has already been received?

The Taoiseach: The Deputy asked some very specific questions about CHO 1 and Letterkenny University Hospital. I am afraid I do not have the necessary details in order to give him answers on that, but I will ask the Minister for Health to do so via correspondence. I can, however, comment on the wider picture.

There is no recruitment embargo or ban in the HSE. There are between 10,000 and 15,000 more people working in the HSE now than there were two or three years ago. There has been a constant increase in the number of staff in the HSE in the last couple of years. HSE managers are no longer allowed to take on staff without the money to pay them, which is a practice that occurred in the health service. This does not happen in the education sector or the Garda, but it was common practice in the health service for a number of years for managers to take on staff without the budget to pay them. That became the overrun we often talk about at the end of the year. The new CEO has brought in more controls in that regard. Those controls, which stipulate that managers can only take on staff if they have the budget to pay them, would be considered normal practice in any other part of the public service.

As I mentioned earlier, we now have more staff in the health services than previously. There are 600 more nurses working in our public health service than this time last year, and there more doctors than ever before. We now have 11,000 beds in our public health service. During the Celtic tiger period, a policy decision was taken by the Government of the day to take thousands of beds out of our hospital system. That was a mistake. In 2014, we reversed that policy as soon as we had the money to do so. We have been adding hospital beds ever since, but clearly we need to do more.

Deputy Thomas Pringle: I contend that the Taoiseach is misleading the House about this issue. There is an embargo in place right across the board. However, it is not referred to as an embargo. According to a letter from St. Joseph's hospital in Stranorlar, "interim control measures" were introduced in April 2019. That is coming from the HSE. Those measures apply nationally. The Taoiseach may not have figures specific to Donegal, but he has the national figures because he has a Minister for Health, as he so eloquently said in response to the previous question. I have two letters here from the HSE which list hundreds of posts, over pages and pages, that are on hold and cannot be filled because of the recruitment embargo, or the "interim control measures" that are in place. When will the Government lift the interim control measures and ensure that people can actually receive treatment in our health services?

The Taoiseach: An embargo would mean nobody was being recruited or replaced, which is definitely not the case.

Deputy Thomas P. Broughan: They are not being allowed to start work.

The Taoiseach: People are being-----

Deputy Lisa Chambers: They are not getting a start.

An Ceann Comhairle: Allow the Taoiseach to respond.

The Taoiseach: People are being-----

Deputy Thomas P. Broughan: The Taoiseach is clearly misleading the House.

An Ceann Comhairle: This is not Deputy Broughan's question. He should resume his seat.

Deputy Thomas P. Broughan: People who were hired eight or nine months ago are not allowed to start work in our health services. The Taoiseach is clearly misleading the House.

Deputy Brendan Howlin: People are-----

An Ceann Comhairle: In this Chamber, every Member is entitled to a bit of respect and courtesy. The Deputy had the floor to put his question, and the Taoiseach has a right to respond to it.

Deputy Thomas P. Broughan: He should give the facts.

The Taoiseach: I will give the facts if I am permitted to do so. There has been an increase in staffing levels by grade since September 2018, or this time last year.

Deputy Thomas P. Broughan: This year. Since April.

The Taoiseach: Since this time last year, we have recruited 125 more consultants, 189 more registrars and 301 more clinical nurse managers, who would have been called ward sisters or senior nurses in the past. There are 143 more nurse and midwife specialists and 111 more staff nurses and midwives. Since this time last year, a considerable number of front-line healthcare professionals-----

Deputy Micheál Martin: Since April there has been a moratorium.

Deputy Thomas P. Broughan: This year. Since April.

The Taoiseach: -----have been recruited. Not only have those who have left been replaced, extra staff have been hired on top of that. What is no longer permitted is HSE managers taking on staff if they do not have the budget to pay them. That is the norm across the public service.

Deputy Micheál Martin: Even after recruitment? Even after holding competitions?

An Ceann Comhairle: Deputy Seamus Healy, please.

The Taoiseach: They should not recruit people they do not have a budget to pay for.

Deputy Micheál Martin: People have lost private sector jobs on foot of being promised a post by the HSE.

Deputy Seamus Healy: From 2002 on, successive Governments have espoused and implemented the downgrading of hospitals and the transfer of acute hospital services to so-called centres of excellence. We all know that that policy has created chaos. It was wrong then and it is wrong now, and it should never have happened. We in south Tipperary were lucky that 15,000 people on the streets stopped the transfer of our services to other areas, but other areas were not as lucky. It is now time to recognise and reverse that policy failure.

The trolley figures are a clear example of the chaos. The human beings on trolleys in accident and emergency departments, on corridors and in wards are a clear example of the chaos, failure and indignity suffered by thousands of patients over the past ten years. The total figure for October is 11,452, which is outrageous. The figures are climbing year on year, and we have not yet entered winter.

One of the areas which has suffered the brunt of the policy about which I am speaking is the mid-west, including Limerick, Clare and north Tipperary, which is part of my constituency. There are knock-on effects on South Tipperary General Hospital. University Hospital Limerick and South Tipperary General Hospital consistently have the highest trolley figures in the country. Today's trolley figures are obscene. Patients are suffering and dying on trolleys in our emergency departments, something the Irish Association for Emergency Medicine has warned us about for the past number of years. Today's figures are the second highest ever recorded.

Mary Harney, the former Minister for Health, declared an emergency when 602 patients were on trolleys. Today, the figure is 679. The particular problems at University Hospital Limerick and in Clare and north Tipperary started with the closure of the accident and emergency departments in Nenagh and Ennis general hospitals. A local campaign held a number of very successful meetings to demand the reopening of the accident and emergency departments in those hospitals.

The chaos resulting from the policy I have described has been compounded by two moratoriums. Everybody in this Chamber, including the Taoiseach, knows they are real.

An Ceann Comhairle: Thank you, Deputy.

Deputy Seamus Healy: We have a moratorium on the recruitment of staff. There are 432 vacant posts for staff nurses, public health nurses and staff midwives. There are more than 500 nurse vacancies in mental health services. I know three nursing posts have been vacant for the past six months in south Tipperary mental health services, child and adolescent mental health services-----

An Ceann Comhairle: Thank you, Deputy. The time is well up.

Deputy Seamus Healy: -----and mental health services in the accident and emergency department in Clonmel. Is it now time to accept that the policy of downgrading hospitals has failed and that the policy should be reversed? Is it not time to agree to the reopening of the accident and emergency department in Ennis and Nenagh?

An Ceann Comhairle: Please Deputy. The time is up.

The Taoiseach: Regarding Clonmel hospital, which I know is very severely overcrowded at the moment, a new bed block is under construction there and we will get it open as soon as we possibly can once construction is finished.

Deputy Mattie McGrath: Where will we get the staff?

The Taoiseach: As for Limerick, as Deputies will be aware, a new emergency department, perhaps the most modern in the country, is open and functioning; a new block, the Leben block, opened two or three years ago; a further block of 60 beds is under construction and should open next year; and another block of 96 beds is planned to be built after that. Deputy Healy, I think, called for the reopening of the emergency departments in Nenagh and Ennis and perhaps other

parts of the country. He also quoted the Irish Association for Emergency Medicine. They are the doctors who work in emergency departments, they are the experts when it comes to emergency departments and they say we should not reopen-----

Deputy Seamus Healy: They say 350 patients are dying on trolleys.

The Taoiseach: -----any emergency departments. In fact, they say we should further consolidate them because modern emergency care can only be provided properly in a relatively small number of large centres rather than a large number of small centres. The latter might have worked in the past, when medicine was different, but it will not work in the future.

The mid-west and the north east tell different stories. In the mid-west, it is absolutely the case that Limerick experiences very severe overcrowding. I know that people there link it to changes made to the role of Ennis and Nenagh. In the north east, however, the story is very different. Monaghan and Dundalk emergency departments were closed quite some time ago - again, long before my party was in government. However, we see in the hospitals that took over from them, namely Cavan and Drogheda, the lowest levels of overcrowding in a very long time. There are record low levels of overcrowding in some of those hospitals. Therefore it is not as simple as saying reconfiguring causes overcrowding because one sees such a totally different story in the north east than in the mid-west.

Deputy Seamus Healy: I am shocked at the lack of urgency, almost indifference, the Taoiseach displays, almost as if this situation is normal. The trolley figures are absolutely obscene. We have people suffering and dying on trolleys in our hospitals. The Taoiseach is the leader of this country and has a responsibility for this obscenity, the suffering and the deaths of these people on trolleys in our hospitals over recent years, a position that continues to this day. He absolutely can solve this problem. I ask him to introduce immediately a supplementary budget to tax the 1%, the very wealthy people, the billionaires who own 27.3% of all the wealth in this country. They are not paying their fair share now, nor have they ever done so. I want the Taoiseach to reopen the accident and emergency departments at Nenagh hospital-----

An Ceann Comhairle: I thank the Deputy. He is way over time again.

Deputy Seamus Healy: -----and Ennis hospital and to reopen Our Lady's Hospital Cashel, a state-of-the-art hospital which has been vacant for the past ten years.

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

Deputy Seamus Healy: The Taoiseach has the responsibility to solve this problem. He can do it. The question is whether he has the political will to do it.

An Ceann Comhairle: I thank the Deputy and call the Taoiseach to conclude on this matter.

The Taoiseach: I assure the Deputy there is absolutely no need for a supplementary budget. The HSE will get an extra €1 billion next year.

Deputy Seamus Healy: This situation is normal, is it?

The Taoiseach: This will be the biggest budget the HSE has ever had and a very high one relative to other countries *per capita*-----

Deputy Seamus Healy: The Government will not tax the rich then.

The Taoiseach: -----so that will not be necessary. The Deputy thinks the solution to hospital overcrowding is higher taxes; it is not.

Deputy Seamus Healy: I referred to higher taxes on billionaires, who own 27.3% of all the wealth in this country. They are the 1%.

An Ceann Comhairle: Please, Deputy.

The Taoiseach: The solution is more beds, more funding for fair deal, more home care packages and investment in primary care and public health, all of which is being done.

An tOrd Gnó - Order of Business

Deputy Hildegarde Naughton: The business this week shall be as set out in the second revised report of the Business Committee, dated 5 November 2019.

Regarding today's business, it is proposed that No. a13, motion for financial resolution for the Finance Bill 2019, shall be taken without debate and any division demanded thereon shall be taken immediately.

Regarding Wednesday's business, it is proposed that expressions of sympathy shall be taken after questions on promised legislation and shall be followed immediately by Taoiseach's questions. Contributions on the expressions of sympathy shall not exceed two minutes each. No. 34, statements on the potential of an early exit from peat for electricity generation, shall conclude within 85 minutes, if not previously concluded. Statements shall be confined to a single round for a Minister or Minister of State and the main spokespersons of parties and groups, or a Member nominated in their stead, and shall not exceed ten minutes each, with a five-minute response from a Minister or Minister of State, and all Members may share time.

Regarding Thursday's business, it is proposed that Nos. *b*13, *c*13, *d*13 and *e*13, motions re bye-elections for Dublin Mid-West, Cork North Central, Dublin Fingal and Wexford, shall be discussed together and shall conclude within 40 minutes. Contributions shall be confined to a single round for a Minister or Minister of State and the main spokespersons of parties and groups, or a Member nominated in their stead, and shall not exceed five minutes each. Any division demanded thereon shall be taken immediately; and No. 35, Statements on the Report of the Implementation Group on Seanad Reform 2018, shall conclude within two hours, if not previously concluded. Statements of a Minister or Minister of State and the main spokespersons of parties and groups, or a Member nominated in their stead, shall not exceed ten minutes each, all other Members shall have ten minutes each, with a five-minute response from a Minister or Minister of State, and all Members may share time.

An Ceann Comhairle: I thank the Deputy. There are three proposals to put to the House. Is the proposal for dealing with today's business agreed to? Agreed. Is the proposal for dealing with Wednesday's business agreed to?

Deputy Richard Boyd Barrett: The credibility of this House, and of politics generally, has been seriously called into question by the "votegate" and "fobgate" scandals. Something that gives rise to even more serious questions about the goings on in this House is that more than

50 Opposition Bills passed by a majority of Dáil Éireann, in some cases more than once, have been blocked, effectively sabotaged, by the use of the money message. People Before Profit and Solidarity have time to put forward motions. We have that time very rarely and the next occasion on which we will have it will be tomorrow. Some 11 days ago, we submitted a motion to change Standing Orders, the rules of this House, in order to remove this blockage in respect of all the Bills to which I refer and allow them to continue their passage through the House. Last night, however, we received a letter from the Ceann Comhairle in which it is stated that we would not even be allowed to have our motion put on the Order Paper, never mind having it debated or voted upon.

The Constitution states, "each House shall make its own rules and Standing Orders". We are allowed - and it is one of the few things it seems we are allowed to do in this House - to put forward motions to change our own rules. We have put forward a motion to change the rules regarding money messages. In that motion, we made it absolutely clear that we respect the constitutional provision that prevents Opposition Deputies, anybody but the Government, proposing a Bill seeking to appropriate or spend public money. That is stated in the motion. The motion also states that other Bills that do not involve the spending of public money or any attempt to seek to tax anybody should not be blocked by the money-message procedure and that the rules should be changed accordingly.

An Ceann Comhairle: We cannot have a lengthy debate on this issue.

Deputy Richard Boyd Barrett: We believe that this is an unprecedented situation. It is suggested in the Ceann Comhairle's letter that we should change our motion. As an Opposition party, we have the right to put forward motions. We received a letter from the Ceann Comhairle in which he states that if we change the wording of the motion, it will be acceptable. I just cannot believe that. We have the right to put forward motions.

An Ceann Comhairle: Okay.

Deputy Richard Boyd Barrett: The Constitution states that we have the right to put forward motions regarding the rules of this House. We are most strongly objecting to sabotage of the democratic process in this regard.

An Ceann Comhairle: I thank the Deputy.

Deputy Richard Boyd Barrett: We want the right to put forward our motion.

An Ceann Comhairle: That is fine. Deputy Boyd Barrett has made his point. I ask him to resume his seat. For the general information of the House, I have ruled that the motion submitted by Deputy Bríd Smith for Wednesday's Private Members' Business is not in order. This ruling is on the basis that the motion would allow certain Private Members' Bills that would constitutionally require a recommendation from Government to be passed by Dáil Éireann without such a recommendation. There is a fundamental difficulty in seeking to put in place rules of the House, in the form of Standing Orders, that could allow Bills to progress through the House in an unconstitutional manner.

3 o'clock

My decision is fully in accordance with long-established rulings and parliamentary practice on the authority of the Chair to apply, interpret and rule on Standing Orders and matters of order generally. In doing so, I am advised by the Clerk of the Dáil, who has long experience in these matters, and he, in turn, is advised by the parliamentary legal advisers.

I am satisfied that the advice that I have been given in ruling the motion out of order is valid and sustainable advice to which I must have regard. I understand it causes great difficulty for the Deputies. I appreciate that, but the Deputies are also aware that the Dáil reform committee has negotiated a memorandum of understanding with the Government in respect of how money messages would be dealt with and that we are further examining how Standing Order 179 may be dealt with in a report that we are due to receive in the next number of days.

Deputy Richard Boyd Barrett: The salient rulings and conventions, as the Ceann Comhairle refers to, are clear on this. Salient ruling 258 states-----

An Ceann Comhairle: I do not need a lecture on salient rulings.

Deputy Richard Boyd Barrett: Hold on. People need to know this. Salient ruling 258 states, "It is not a function of Chair to interpret Bills, Acts or the Constitution". Salient Ruling 259 states, "Chair does not rule on the constitutionality of any measure coming before the House — this is a matter for the courts". That could not be clearer. What the Ceann Comhairle has stated in his letter is that he is choosing to interpret our motion as possibly infringing on the Constitution, when in fact our motion explicitly states it respects the constitutional provision the Ceann Comhairle refers to that seeks to change the Standing Orders of the House, which the Constitution allows us to do.

An Ceann Comhairle: The Deputy has made his point.

Deputy Richard Boyd Barrett: Hold on.

An Ceann Comhairle: No, please.

Deputy Richard Boyd Barrett: We are now in uncharted territory because the Ceann Comhairle is now saying that a motion, which we submitted 11 days ago, which the Ceann Comhairle now will not allow on the Order Paper, and which is due to be debated in the Dáil tomorrow, cannot be moved by us, debated or voted upon. That is absolutely sabotaging the right of Deputies to put forward motions in this House. That is totally unacceptable.

An Ceann Comhairle: I thank the Deputy for that comment.

Deputy Micheál Martin: First, I do not intend to query the Ceann Comhairle's ruling, or to undermine it, but I would have to say that I share considerable sympathy with what Deputy Boyd Barrett has said and with the fact that an entire Private Members' motion on a subject that has been a matter of debate here for quite some time is being ruled out. The case is that the Government has not treated the House with respect in terms of the money message. The Government consistently abuses the money message to prevent good legislation from being debated and progressed through the House. For example, the Shared Maternity Leave and Benefit Bill 2018, tabled by Deputies Lisa Chambers and O'Loughlin, involves no additional cost to the Exchequer. It simply shares out an existing resource in terms of the benefit in that situation to men. The comment by Government is it might effect a change in the administrative mechanisms of the Department of Justice and Equality and it is ruled out because of a money message.

Deputy Ruth Coppinger: It is the same as this.

Deputy Micheál Martin: That was never the intent of the money message. The Ceann Comhairle referenced the report of the reform committee. This has been going on for quite some time. I would have thought that would have been published a long time ago. I believe the

best way to change Standing Orders is through the various parties working together to try to get consensus on Standing Orders, not by mere resolution in itself.

Deputy Richard Boyd Barrett: This House has the right.

Deputy Micheál Martin: The money message has been abused. Of that, there is no doubt. The reason we are at this current impasse is because of the Government's abuse of the money message and the failure to bring forward earlier the recommendations from the reform commission.

An Ceann Comhairle: The Government Chief Whip is offering.

Minister of State at the Department of the Taoiseach (Deputy Seán Kyne): I agree with and respect the Ceann Comhairle's ruling. My understanding from the Business Committee was that we are awaiting the report by the Clerk of the Dáil on the issue of money messages, and this was what I understood to be agreed at the Business Committee.

The Deputy referred to 54 Bills that he states have been blocked. Government has yet to receive a request for a money message for 29 of these Bills. We have issued reasoned responses under the memorandum of understanding for ten Bills and issued money messages for three. There are currently ten Bills under consideration by Government. These will be dealt with in the coming weeks. It should also be noted that 13 Private Members' Bills have been enacted in the lifetime of this Dáil.

Deputy Mattie McGrath: I too support the concept. I accept the Ceann Comhairle's ruling but I believe the Government is using the money message as a measure to stop many good Bills, which is very unfair. I request that the clock be stopped while we have this debate. Many Deputies want to raise issues on promised legislation and the time for doing so is being consumed.

Deputy Richard Boyd Barrett: What is the point when we cannot pass laws?

Deputy Mary Lou McDonald: I have to be frank and say I am not in a position to make a judgment on the quality or otherwise of the Ceann Comhairle's ruling. I accept it is made in good faith but I agree with Deputy Boyd Barrett that this is a very troubling set of circumstances. We all accept that the Ceann Comhairle has a function to discharge but the ruling raises a very serious question mark over the rights and discretion of Members of the Oireachtas, specifically members of the Opposition. All of us know that this money message provision has been used as an alibi by the Government to block legislation. That is an established fact. That leaves us with the question as to what we can do about it. I believe we have the discretion to change Standing Orders. The Ceann Comhairle says there is a constitutional dilemma in that. The Members presenting the motion say that is not the case. Why did Solidarity-People Before Profit Deputies receive notice of this only yesterday?

Deputy Bríd Smith: We were informed at 9 o'clock last night.

Deputy Mary Lou McDonald: The disregard shown by that in and of itself strikes me as astonishing. Eleven days ago, Deputies presented for consideration by the Members of this House a motion in respect of the proper functioning of this place to address a matter that has been a cause of grave frustration for all of us. The Ceann Comhairle says there is a problem with the motion and the Deputies were told of this yesterday, at the 11th hour. At a minimum, that is very bad practice and it speaks again to the dilemma we have here. Are we totally and

inappropriately hemmed in by interpretations of Standing Orders, rules and the Constitution such that we can give out and complain but we cannot get any resolution of this matter? What is the remedy for the Deputies? That is what I would like to know. It is not acceptable to tell them they should simply forget about their motion because they will not get to bring it forward. I want to know when we will see a motion before the House and get to exercise our authority to change Standing Orders.

Deputy David Cullinane: Hear, hear.

An Ceann Comhairle: We are not hemmed in by the Constitution. We must have respect for the Constitution. Everyone here is charged with respecting Articles 17.2 and 28.4 of the Constitution, which guide how we act and are the basis of the advice we received. I take the Deputy's point. I do not find it particularly satisfactory that this advice has come to us late. The reality is that the legal advice on these matters was received by the Clerk of the Dáil on Thursday or Friday and needed further consideration. I received my advice on this on Monday morning.

I cannot call Deputy Bríd Smith. In dealing with the Order of Business, I can call one spokesperson from each party or group. We heard Deputy Boyd Barrett.

Deputy Bríd Smith: As the motion is in my name, I think I have a right to ask a question.

An Ceann Comhairle: That is not the case. We heard Deputy Boyd Barrett.

Deputy Paul Murphy: Can we see the legal advice, as we asked?

An Ceann Comhairle: In terms of the options available, an option has been indicated to Deputy Smith-----

Deputy Bríd Smith: That is exactly what I was about to ask about.

An Ceann Comhairle: -----as to a type of motion.

Deputy Brendan Howlin: I welcomed the indication that there was to be a motion on this issue. It is a frustration for everybody in this House. The notion that this is a new type of Dáil with new politics, that resolutions, motions and legislation from the Opposition benches would be welcomed and that everybody would be treated in like manner has not been the fact. I am a member of the Sub-Committee on Dáil Reform which has struggled to get around this impasse or blockage that we all know exists. The memorandum of understanding is a welcome development, but it is a cumbersome process that was dragged from the Government on the basis of there having to be some mechanism to resolve the frustration rather than having a constant row in the House.

The heart of the matter is the view of the Government that the constitutional provision, which exists in most parliaments, that the main job of the Government to enact the budget for the year cannot be undermined by constant Bills or motions to dismantle the budget. However, that has been extended, as Deputy Micheál Martin said, to any indication of a potential cost that might arise barring the progress of legislation that Members consider sound. We must find a mechanism to resolve this issue.

Deputy Eamon Ryan: To add to Deputy Howlin's comments, it is not just a cumbersome process. The Government, in the way it has abused this provision in the Constitution, is in a

sense going against the spirit, if not the letter, of the Constitution. A Cheann Comhairle, will you share with other Members the legal advice you received last Friday? It would help to inform us. I agree with others that we should be debating this. A debate would be helped if you were willing to share the legal advice the parliamentary legal office shared with you as to why it thinks it might possibly be unconstitutional.

Deputy Thomas Pringle: In fairness to the Government, I do not believe it is at fault for all of this. As the Chief Whip said, the number of Bills it has counted does not meet the number of Bills that have been held up. There is a problem with how this is being interpreted. There is a tendency on the part of your office, a Cheann Comhairle, to act as gatekeeper. That is certainly my belief. There was an instance in recent weeks when I put forward an amendment to the Social Welfare Bill 2019. The Government was outlining four or five items that it intended to check and I sought to add one, but it was ruled out of order as being a cost on the State. That is ridiculous given that the Government was outlining all the costs it was going to deal with itself, but one extra item was going to be too prohibitive. There is a problem with this, so I was looking forward to debating it in the House because I believe we must act on it.

Possibly the only way to resolve this would be to let it go to the courts so they can give clarity on it. I can get legal opinion to say that we can do this and you, a Cheann Comhairle, can get legal opinion to say that we cannot. All of that is opinion. We need the courts to adjudicate on it, and perhaps the way to do that is to pass this motion.

An Ceann Comhairle: I will call Deputy Bríd Smith, but before I do so, I wish to advise the House that the avenue available to the Deputy, which we have advised, is that she may recast the motion to bring it into order. This would involve redrafting it as a motion to refer the draft Standing Order to the Sub-Committee on Dáil Reform for its consideration. This option remains open to the Deputy. Having regard to the concerns expressed by all Members, I will convene a meeting of the Dáil reform committee this afternoon and I will ask the legal advisers to come to it with the Clerk of the Dáil and give us an explanation of why we are where we are today.

Deputy Bríd Smith: First, I wish to record the total disregard of this motion and our group, which has precious little Private Members' time. Your office received this motion 11 days ago, a Cheann Comhairle, and at 9 last night we were notified in writing that you were not allowing it to proceed.

Second, your offer to put a preamble to the motion that would refer it to the Dáil reform committee does nothing other than refer to that committee a motion that you say conflicts with the scheme of the separation of powers as set out in Bunreacht na hÉireann. That is set out in your writing.

Third, we have repeatedly asked for the legal opinion and it has been refused to us, other than to say it was verbal, not written. This is at least shoddy and at worst undemocratic. We are not going to sit here and take it. There will be no preamble and no referral to the Dáil reform committee. We have a right to put the motion. We submitted it 11 days ago. My office put a great deal of work into it, yet we were told "end of" at 9 last night. I do not accept that. I was elected by the people of Dublin South-Central to represent their interests and I am going to stand here until I am allowed to do that. I do not accept being pushed around in this shoddy way. It is not me you are insulting, but the people of Ballyfermot, Drimnagh, Walkinstown and elsewhere. How dare this House do that.

An Ceann Comhairle: Deputy Smith, I admire your passion for the particular issue, but I am afraid you are a little bit misguided. This is a constitutional assembly. We must have regard to the Constitution. When I signed the pledge here-----

Deputy Bríd Smith: The motion states "with regard to the Constitution".

An Ceann Comhairle: Excuse me, Deputy.

Deputy Bríd Smith: Read the motion, a Cheann Comhairle.

An Ceann Comhairle: Calm yourself, Deputy. When I signed the pledge here-----

Deputy Bríd Smith: Read the motion and put it correctly.

An Ceann Comhairle: Resume your seat, please. When I signed the pledge here I committed to be the Members' servant, not a slave to the system. We have reformed many aspects of how business is transacted here. However, we cannot unilaterally reform the provisions of the Constitution, which require a referendum to be changed.

Deputy Bríd Smith: We agree with you.

An Ceann Comhairle: For as long as-----

Deputy Richard Boyd Barrett: On a point of order.

An Ceann Comhairle: There is no point of order. For as long as the Constitution-----

Deputy Richard Boyd Barrett: This ruling is infringing the Constitution.

An Ceann Comhairle: Please, Deputy. For as long as the Constitution states what is set out in Articles 17.2 and I think it is 28.4, we are constrained. The Deputies might wish we were not, but we must deal with the reality.

Deputy Paul Murphy: Our amendment brings Standing Orders into line with the Constitution.

An Ceann Comhairle: That is not the advice I have.

Deputy Paul Murphy: Many of the comments made today are a bit external to the point. The point here is that you, a Cheann Comhairle, have not given a reason based on Standing Orders as to why you have ruled our motion out of order. You did not do it in a letter or in oral form today. Instead, you have referred to the Constitution. You have given a constitutional reason for our motion being out of order. That is unconstitutional, a Cheann Comhairle. You do not have the right. It is not your role to determine the Constitution. You are acting outside of your powers.

An Ceann Comhairle: No.

Deputy Paul Murphy: You are acting outside of the Standing Orders. It is clear in what is interpreted by the salient rulings of the Chair. You do not rule on the constitutionality of any measure coming before the House, but that is what you are doing.

Deputy Richard Boyd Barrett: What about Article 15 of the Constitution?

Deputy Paul Murphy: If you are ruling something out of order, a Cheann Comhairle, you have to give us the Standing Order under which you are doing it.

An Ceann Comhairle: Can you resume your seat, Deputy?

Deputy Paul Murphy: I can.

An Ceann Comhairle: You are selectively quoting from the salient rulings of the Chair that refer to matters relating to legislation, not to Private Members' motions.

Deputy Paul Murphy: Any measures.

Deputy Bríd Smith: Any measures.

An Ceann Comhairle: It is also the case, as the House is well aware, that rulings of the Chair, as from all of my predecessors, must be accepted and cannot be challenged and debated on the floor of the House. In fact, we have given more than 20 minutes to a debate I probably should not have allowed-----

Deputy Paul Murphy: According to the Constitution we have the right to write our own rules.

An Ceann Comhairle: -----but I am anxious for people to have their say.

Deputy Richard Boyd Barrett: What about Article 15.10 of the Constitution?

An Ceann Comhairle: We are going to proceed.

Deputy Richard Boyd Barrett: A Cheann Comhairle, can you please explain to me how your ruling is not conflicting with Article 15.10 of the Constitution that states: "Each House shall make its own rules and standing orders"?

An Ceann Comhairle: I am not getting involved in a further debate.

Deputy Richard Boyd Barrett: You are saying we are not allowed to do that and that you can decide the House is not allowed to do what the Constitution says it is allowed to do.

An Ceann Comhairle: Please do not be obstructive.

Deputy Richard Boyd Barrett: I am not. I am asking you to explain that.

An Ceann Comhairle: Please do not be obstructive.

Deputy Richard Boyd Barrett: I am not being obstructive.

An Ceann Comhairle: Please do not. Resume your seat.

Deputy Richard Boyd Barrett: Our motion is being obstructed.

Deputy Paul Murphy: The Ceann Comhairle is the one being obstructive.

An Ceann Comhairle: Will you resume your seat?

Deputy Richard Boyd Barrett: Can you explain that?

An Ceann Comhairle: Are the Members willing to accept that we would convene this afternoon a meeting of the Dáil reform committee to hear the arguments on this, which we will do? We will ask for the legal advice to be provided through the Clerk of the Dáil to that meeting. Will you accept that?

Deputy Richard Boyd Barrett: We are not accepting the Order of Business for Wednesday.

An Ceann Comhairle: Well, vote against the Order of Business for Wednesday, if that is what you want.

Deputy Paul Murphy: What do you expect us to do with our time?

Deputy Richard Boyd Barrett: What are we supposed to do with our time if we are not allowed to put our motion?

An Ceann Comhairle: That is up to yourselves.

Deputy Paul Murphy: No, you are the one who has decided.

An Ceann Comhairle: Does Deputy McDonald wish to make a point?

Deputy Richard Boyd Barrett: It is unbelievable. It has never ever happened.

Deputy Mary Lou McDonald: That meeting should happen and the advice should be shared, but that does not resolve the issue. Members have brought forward a motion. I did not realise, by the way, that the advice, apparently, was verbal. Have you received written advice?

An Ceann Comhairle: Yes.

Deputy Bríd Smith: He did not tell us he had written advice.

Deputy Mary Lou McDonald: It leaves us in a situation where, at the eleventh hour, this motion has been ruled out of order. That is strongly contested by Members of the House. This is a very difficult situation. I would like to see the motion taken. The rights and prerogatives of Members have to count for something.

Deputy Ruth Coppinger: No, the country would fall apart if we took the motion.

An Ceann Comhairle: The rights of Members count for an awful lot but the Constitution and the Standing Orders of the House count for something too.

Deputy Mary Lou McDonald: Of course they do.

Deputy Richard Boyd Barrett: The rules of this House do not infringe on the Constitution in any shape or form.

Deputy Mary Lou McDonald: Of course the Constitution and Standing Orders count for something. Nobody is contesting the contrary. What we are hearing, however, is an interpretation without the benefit of any information before us. With all due respect, all of this has been very last minute on the part of the system. That is not the fault of the Members.

An Ceann Comhairle: I will offer a further small piece of advice with regard to how the system works. The parliamentary legal advisers advise the Clerk of the Dáil. The Clerk of the Dáil advises me. That has been the process down through the years.

Deputy Mary Lou McDonald: I am not disputing that.

An Ceann Comhairle: It is no different today from what it has ever been in the past.

Deputy Mary Lou McDonald: We were informed at 9 p.m. last night.

Deputy Richard Boyd Barrett: This advice is based on what Bills could hypothetically do, not on the motion itself.

An Ceann Comhairle: Is the proposal for dealing with Wednesday's business agreed to?

Deputy Brendan Howlin: What are we voting on if there is no motion down for Private Member's business?

Deputy Richard Boyd Barrett: It is interesting that this was not mentioned on the Order of Business, by the way.

An Ceann Comhairle: We are voting on the Order of Business.

Deputy Brendan Howlin: We need to know. Can I suggest the Ceann Comhairle defer-----

An Ceann Comhairle: Solidarity-People Before Profit has Private Member's time-----

Deputy Brendan Howlin: We cannot vote on-----

Deputy Barry Cowen: The Deputies should reserve the right to make a recommendation at the committee meeting.

Deputy Richard Boyd Barrett: We cannot vote on a motion that is not on the Order Paper.

Deputy Brendan Howlin: Can we defer a decision on Wednesday's business until later?

An Ceann Comhairle: No, we are voting on the arrangements. What Solidarity-People Before Profit includes in the arrangements is its own business. It may be impacted upon by the meeting of the Dáil group.

Deputy Bríd Smith: That is a disgraceful thing to say to us. The Ceann Comhairle wrote to me at 9 p.m. last night. It is outrageous to tell us that it is our own business. The Ceann Comhairle is blocking it.

An Ceann Comhairle: I am not in the habit of making outrageous statements.

Deputy Bríd Smith: The Ceann Comhairle is blocking the motion and he is making an outrageous statement now. Perhaps it is unprecedented, but he is doing it now.

An Ceann Comhairle: I am not prepared to be bullied either.

Deputy Bríd Smith: I am not bullying anyone. The Ceann Comhairle is being bullied by somebody who is advising him badly.

An Ceann Comhairle: I am not prepared to be bullied.

Question put: "That the proposal for dealing with Wednesday's business be agreed to."

The Dáil divided: Tá, 91; Níl, 32; Staon, 1.

Tá	Níl	Staon
Bailey, Maria.	Adams, Gerry.	O'Sullivan, Maureen.
Brassil, John.	Boyd Barrett, Richard.	
Breathnach, Declan.	Brady, John.	
Bruton, Richard.	Broughan, Thomas P.	
Burke, Peter.	Buckley, Pat.	
Burton, Joan.	Collins, Joan.	
Butler, Mary.	Connolly, Catherine.	
Byrne, Catherine.	Coppinger, Ruth.	
Byrne, Thomas.	Crowe, Seán.	
Cahill, Jackie.	Cullinane, David.	
Calleary, Dara.	Doherty, Pearse.	
Canney, Seán.	Ellis, Dessie.	
Cannon, Ciarán.	Ferris, Martin.	
Carey, Joe.	Fitzmaurice, Michael.	
Casey, Pat.	Funchion, Kathleen.	
Cassells, Shane.	Healy, Seamus.	
Chambers, Jack.	Kenny, Gino.	
Chambers, Lisa.	Kenny, Martin.	
Corcoran Kennedy, Marcella.	Martin, Catherine.	
Coveney, Simon.	McDonald, Mary Lou.	
Cowen, Barry.	Mitchell, Denise.	
Creed, Michael.	Munster, Imelda.	
Curran, John.	Murphy, Catherine.	
D'Arcy, Michael.	Murphy, Paul.	
Deasy, John.	O'Reilly, Louise.	
Deering, Pat.	Ó Caoláin, Caoimhghín.	
Doherty, Regina.	Ó Snodaigh, Aengus.	
Donohoe, Paschal.	Pringle, Thomas.	
Dooley, Timmy.	Quinlivan, Maurice.	
Doyle, Andrew.	Ryan, Eamon.	
Durkan, Bernard J.	Smith, Bríd.	
English, Damien.	Stanley, Brian.	
Farrell, Alan.		
Flanagan, Charles.		
Fleming, Sean.		
Gallagher, Pat The Cope.		
Haughey, Seán.		
Healy-Rae, Danny.		
Healy-Rae, Michael.		
Heydon, Martin.		
Howlin, Brendan.		

Humphreys, Heather.		
Kehoe, Paul.		
Kyne, Seán.		
Lahart, John.		
Lawless, James.		
MacSharry, Marc.		
Madigan, Josepha.		
Martin, Micheál.		
McConalogue, Charlie.		
McEntee, Helen.		
McGrath, Finian.		
McGrath, Mattie.		
McGrath, Michael.		
McGuinness, John.		
McHugh, Joe.		
McLoughlin, Tony.		
Mitchell O'Connor, Mary.		
Moran, Kevin Boxer.		
Moynihan, Aindrias.		
Moynihan, Michael.		
Murphy O'Mahony, Margaret.		
Murphy, Dara.		
Murphy, Eoghan.		
Murphy, Eugene.		
Naughten, Denis.		
Naughton, Hildegarde.		
Neville, Tom.		
Nolan, Carol.		
O'Brien, Darragh.		
O'Callaghan, Jim.		
O'Connell, Kate.		
O'Dea, Willie.		
O'Keeffe, Kevin.		
O'Loughlin, Fiona.		
O'Sullivan, Jan.		
Ó Cuív, Éamon.		
Penrose, Willie.		
Phelan, John Paul.		
Rabbitte, Anne.		
Ring, Michael.		
Ross, Shane.		
Ryan, Brendan.		

Scanlon, Eamon.		
Sherlock, Sean.		
Smith, Brendan.		
Smyth, Niamh.		
Stanton, David.		
Troy, Robert.		
Varadkar, Leo.		
Zappone, Katherine.		

Tellers: Tá, Deputies Seán Kyne and Tony McLoughlin; Níl, Deputies Richard Boyd Barrett and Paul Murphy.

Question declared carried.

An Ceann Comhairle: As the question is carried, Wednesday's business is agreed to. Notwithstanding that we will have a meeting of the reform committee at 5 p.m. in committee room No. 2 to consider the concerns that Members have expressed.

Deputy Richard Boyd Barrett: I put it to the Ceann Comhairle that I really think this place has brought itself into-----

An Ceann Comhairle: Please, I ask that the Deputy does not. There is no provision for further debate. Deputy Boyd Barrett, there is no provision.

Deputy Richard Boyd Barrett: It is absolutely despicable what is going on.

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

Deputy Richard Boyd Barrett: Things are being done here that have never been done before to scupper the voice of elected representatives and to gag this House from its constitutional right-----

An Ceann Comhairle: Deputy, please-----

Deputy Richard Boyd Barrett: -----which was set out in article-----

An Ceann Comhairle: I ask the Deputy to resume his seat. Neither the Member nor the organisation has been invented that could gag the Deputy, so will he please sit down?

Deputy Richard Boyd Barrett: What is the point-----

An Ceann Comhairle: I ask the Deputy please to have respect.

Deputy Richard Boyd Barrett: The rules are being made up as we go along.

An Ceann Comhairle: Please have respect. Please resume your seat.

Deputy Richard Boyd Barrett: You are making them up-----

An Ceann Comhairle: Please resume your seat.

Deputy Richard Boyd Barrett: -----in order to scupper the rights of elected representa-

tives.

An Ceann Comhairle: Please resume your seat.

Deputy Richard Boyd Barrett: For what?

An Ceann Comhairle: Please resume your seat, Deputy.

Deputy Richard Boyd Barrett: For what? What is the point?

An Ceann Comhairle: The Deputy can leave if he does not want to participate, but while he is here-----

Deputy Richard Boyd Barrett: What is the point of this charade if rules cast by a majority of Members cannot proceed through the Dáil?

A Deputy: It is an acting class Richard.

A Deputy: Sit down, bold boy.

An Ceann Comhairle: We will not facilitate the Deputy's attempt to disrupt the House. Please resume your seat.

Deputy Richard Boyd Barrett: The House is being disrupted by the fact that we are not allowed to put a motion-----

A Deputy: Because it costs money.

An Ceann Comhairle: No, the House is being disrupted by yourselves. Please show respect for your colleagues by resuming your seats.

Deputy Paul Murphy: As an Opposition should in a democracy, we can put a motion but when it is passed, it can be ignored by the Government.

An Ceann Comhairle: Please resume your seat.

Deputy Paul Murphy: We can put forward Bills that are passed on Second Stage and then blocked. Now, when we try to amend Standing Orders, the Ceann Comhairle simply rules that out of order and our motion is being deleted.

An Ceann Comhairle: We have a meeting at 5 p.m.

Deputy Paul Murphy: It is unprecedented and outrageous that the democratic wish of the Dáil is repeatedly interfered with by the Government.

An Ceann Comhairle: Please resume your seat.

Deputy Paul Murphy: Unfortunately, the Ceann Comhairle is allowing this.

An Ceann Comhairle: I will suspend the House if the Deputy keeps this up.

Deputy Richard Boyd Barrett: You might as well.

Deputy Paul Murphy: It is about the right to interpret the Constitution as opposed to implementing and amending Standing Orders.

Deputy Bríd Smith: The meeting at 5 p.m. will achieve nothing because whether the Sub-Committee on Dáil Reform passes the motion, the Ceann Comhairle will deem it unconstitutional, which he has no right to do.

An Ceann Comhairle: Do not come to the meeting if you do not believe it will do anything. Is the proposal for dealing with Thursday's business agreed to?

Question, "That the proposal for dealing with Thursday's business be agreed to," put and declared carried

Deputy Richard Boyd Barrett: Vótáil.

An Ceann Comhairle: Too late. Resume your seat.

Deputy Micheál Martin: Too late. Deputy Boyd Barrett should have kept his eye on the ball.

Deputy Paul Murphy: The Ceann Comhairle is covering up for unconstitutionality and acting as a mudguard for the Government.

(Interruptions).

An Ceann Comhairle: Resume your seat, Deputy Murphy. Deputy Murphy, I am asking you to resume your seat. This is a democratic forum within which no Member is allowed to shout down his or her colleagues.

Deputy Richard Boyd Barrett: It is not.

An Ceann Comhairle: Will the Deputy resume his seat?

Deputy Bríd Smith: He is saying we have the right to amend Standing Orders.

An Ceann Comhairle: Is not Deputy Murphy able to speak for himself, Deputy Smith?

Deputy Bríd Smith: This flies in the face of democracy.

An Ceann Comhairle: The House is suspended for ten minutes.

Sitting suspended at 3.43 p.m. and resumed at 3.53 p.m.

Finance Bill 2019: Financial Resolution

The Taoiseach: I move:

THAT Chapter 2 of Part 29 of the Taxes Consolidation Act 1997 (No. 39 of 1997), as amended by Committee Stage amendments 25, 26, 27 and 28, 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.

Question put and agreed to.

Cabinet Committee Meetings

1. **Deputy Joan Burton** asked the Taoiseach when the Cabinet committee on infrastructure last met. [42284/19]

2. **Deputy Brendan Howlin** asked the Taoiseach when the Cabinet committee on infrastructure last met. [43183/19]

3. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on infrastructure last met. [45217/19]

The Taoiseach: I propose to take Questions Nos. 1 to 3, inclusive, together.

The Cabinet committee on infrastructure met yesterday, 4 November. It works to ensure a co-ordinated approach in the areas of infrastructure, investment and delivery, Project Ireland 2040 and Rebuilding Ireland. Significant work is under way across each of these areas covered by the committee through Departments, agencies and a range of interdepartmental groups such as the Project Ireland 2040 delivery board. These matters are also regularly considered at meetings of the Government and in bilateral meetings with the relevant Ministers.

Significant progress is being made on the implementation of Project Ireland 2040. In May last, the Government launched the first annual report for Project Ireland 2040 and it is clear it is already delivering better transport links, facilitating better health and environmental outcomes and yielding more housing. Project Ireland 2040 is set to deliver 14 major projects by year-end and a further 20 major projects in 2020. More than 25 more projects are due to be commenced by the end of 2020. On longer-term projects, more than 200 of these will be ongoing in 2020, including the national broadband plan, the north runway at Dublin Airport and the national train control centre.

The four funds launched under Project Ireland 2040 have a total of €4 billion to invest across the areas of rural and urban regeneration and development, climate action and disruptive technologies innovation. The first round of funding allocations under these funds, amounting to just over €150 million in 2019, have been announced. Second round calls have been launched for the disruptive technologies innovation fund and the rural regeneration and development fund. A further call for the urban regeneration fund will be announced soon and work is continuing on legislation to underpin the climate action fund. The Government is also considering some reforms to the oversight and governance of project selection, appraisal and delivery, including updating the public spending code.

Deputy Brendan Howlin: It was reported at the weekend that the Government plans to finally sign off on the national broadband plan next week after much delay and at six times the original cost. In response to a recent question in this House, the Taoiseach stated that the delay was due to a challenge by another broadband provider which has apparently contested the maps. The company in question, Imagine, recently denied this accusation, however, and stated that it merely made the Department of Communications, Climate Action and Environment aware of the availability of its existing investment and its plans for further expansion. What exactly is the state of play? The named company warned as early as February this year, before

the Government signed off on the controversial €3 billion plan, that proceeding with the current plan was an unnecessary State intervention and could lead to difficulties with state aid approval in the European Union. Despite this warning and much fanfare before the May elections, the Cabinet endorsed the €3 billion plan. Now it is reported that Imagine's existing services cover potentially 234,000 of the 540,000 premises that the new intervention was scheduled to cover. This raises two serious questions, on which I ask the Taoiseach for clarification. Has the Department revised the proposed intervention area and, if so, will the State subsidised plan headed by Granahan McCourt's private investment fund be entitled to yet more compensation? If no intervention is made and the area provided for in the plan is successfully challenged by a private operator, what are the financial implications for the Government breaching state aid rules? Reports suggest the figure could be up to €500 million. What is the Taoiseach's understanding of the matter?

Deputy Louise O'Reilly: Has the Cabinet committee on infrastructure discussed the ongoing issues with the national children's hospital? Responding to a parliamentary question, the Minister of State highlighted another cost overrun estimated to be €73 million. The State's chief procurement officer has resigned from the development board. If we are to believe reports, this is in no small part due to the spiralling cost overruns. Questioned on the resignation, the Minister for Public Expenditure and Reform stated that the chief procurement officer sat on the board in a personal capacity and not as a representative of the Department. The Minister has effectively washed his hands of the issue. Has the Cabinet committee on infrastructure followed his lead? Is the committee not concerned that the Minister does not believe the Office of Government Procurement should have a role on the board of a flagship project, the costs of which have tripled since the first budget allocation? The Minister and the Office of Government Procurement appear to have washed their hands of the project. If the Minister of Health cannot contain the costs and the Minister for Public Expenditure and Reform believes he has no role in cost containment, surely the Cabinet committee must take a different view. People incur a real cost as a consequence of the perpetual overspend and overrun, not just in money terms but also in terms of vital services.

4 o'clock

As I am sure the Taoiseach understands, these overruns are not victimless. Has the committee addressed the cost overruns of the hospital and the resignation of the Government's chief procurement officer from the board?

Deputy Richard Boyd Barrett: The housing crisis has reached absolutely dire proportions and, to be frank, in my part of Dublin it is getting worse every day. There are many reasons for this but one is the failure to put in place the necessary infrastructure in order to develop public lands for social and affordable housing. Our representatives on Dún Laoghaire-Rathdown County Council have discovered something that I suspect is the case right across the country. Of seven major sites in Dún Laoghaire-Rathdown that were identified in 2016 and zoned for public and affordable housing, only one has been progressed in any way, although no bricks have been laid. Nothing has been built. Six of those sites, or the overwhelming majority, have problems arising from infrastructure, with much of these down to Irish Water not putting in the required water infrastructure. Nothing has moved, houses have not been built and the housing crisis gets worse.

Perhaps the Government is hoping the private sector will come in to save the day but it was also reported in Dún Laoghaire-Rathdown that the amount from planning fees coming from the private sector has reduced in 2019. That means the private sector is doing less building and the expectation is the amount gained from these fees will reduce further in 2020. The private

sector is slowing down in terms of housing delivery in a key part of Dublin that is affected by the housing crisis. It is very likely that this is also happening in many other parts of Dublin and elsewhere. Public land zoned for housing development is not seeing any activity because of a lack of infrastructure. Is the Taoiseach concerned about that or does he have an explanation? Is this indicative of a failure in the Government's policy for delivering the necessary infrastructure for housing and the affordable housing we so desperately need to address the housing crisis?

Deputy Micheál Martin: With regard to the cabinet committee dealing with infrastructure, the cost of many projects is now significantly ahead of what was stated when the current national development plan was prepared. For example, today's newspapers report that a review of water projects indicates that costs are running, on average, 15% ahead of what was previously stated. Some projects are below budget but the significant majority are well ahead of estimates. Adding this to the other well-established overruns, such as those in the national children's hospital and the national broadband plan, the obvious question arises of when we will see a full review of timings and projects in the national development plan. I would appreciate it if the Taoiseach could give an answer to that specific question.

We have not received a satisfactory reply on the resignation of the Government's chief procurement officer from the hospital board. What is his role and his views on the children's hospital? Surely the Minister for Public Expenditure and Reform has ascertained those views on the specific project.

The overall point is that nobody can stand over a position where public money is being spent making claims about all the projects that will be delivered for a set amount of money while at the same time the Government knows the indicated funding is not there at all for these projects. When the national development plan was launched, we were promised regular updates and full transparency but in recent days all we are getting is more repeated announcements of already promised projects. When will the promised review of national development plan costs and timing be published?

My question concerned climate change but United States President Donald Trump would have been proud of the Taoiseach's recent comments on climate change. President Trump comes out saying things like we should not worry about climate change because we will have warmer winters and fewer people will die as a result. Perhaps the Taoiseach did not intend his comments as such but that is almost in the denial category. We could have far worse and more frequent storms, and this has already cost lives. Perhaps it could cost much more in future winters. I do not know what is going on in the Taoiseach's press office but apparently sources have said that Fine Gael Deputies will "roast" the Greens slowly on the barbecue. That nonsensical sort of behaviour must stop.

I asked about electric cars last week and I read a recent editorial in *The Irish Times* making a similar point. Nobody believes the target set by the Government on take-up of electric cars as we would already need to see dramatically more electric vehicles being sold than we are to have a chance of reaching that target. We lack the basic infrastructure to achieve anything close to that target. Has the Taoiseach reviewed the target, taking in the new information that has emerged around the lack of credibility in the numbers announced earlier this year? Nobody, and not even those in the Department, is standing over that figure it seems. The information coming from the Department is such that nobody attaches credibility to the figure.

Deputy Joan Burton: What does the Taoiseach have to say to the 600,000 people in north

and west Dublin who are again being told they are subject to a boil water notice, having seen the last one less than two weeks ago? On this occasion, people are unlikely to get a lifting of the notice before Thursday. Does the Taoiseach understand how difficult this is for families, particularly those with small babies or elderly people who may be ill? There was worry two weeks ago about what was happening with a boil water notice.

Irish Water has set out a series of programmes on capital investments to improve water facilities. It has stated that part of the Leixlip plant is 40 years old and, ideally, it would be closed for six to 12 months in order to carry out repairs. Irish Water cannot do this because it supplies 20% of households, mainly in north and west Dublin, and satisfies water needs and drinking water. The Government seems to be totally indifferent about this and the Minister for Housing, Planning and Local Government seems to be adrift in his role of providing housing infrastructure. We now understand that water infrastructure is also down the river and far away as far as people who pay tax are concerned. These people have an entitlement at least to expect that the Government could function so that potable water can come from the taps.

I am also concerned as north and west Dublin is a considerable area of investment for companies coming to Ireland and the repeated breakdowns in water services, combined with the way they have been handled, will cause enormous reputational damage to investment in the area. The Government seems to be entirely adrift on this. Has it called for a detailed investigation into what happened in Irish Water and has it heard the story of the bosses in Irish Water? Has the Taoiseach been to Leixlip to look at the creaking waterworks and see why this is happening? It is only down the road for him. The Taoiseach has mentioned all the money the Government will have for infrastructure up to 2040 but if this keeps going until 2040, Dublin and its water supply will be wrecked because the Government has not put in the investment.

The Taoiseach: I thank the Deputies for their questions. The word "challenge" was not the correct term for me to use with respect to the national broadband plan. Imagine sought an extension and this caused a delay at that point. It wanted to use the extension to submit additional maps and so on. To the best of my knowledge, there has been no revision to the State intervention area. The national broadband plan is now with the European Commission, a required process in order to get state aid clearance. We look forward to a positive outcome and if we get that it will enable us to sign the contract before the end of the year and start connecting homes, businesses and farms to high-speed broadband next year all over rural Ireland. It is our objective.

There has been no change to the budget allocated in December 2018 for the national children's hospital. The contractor, however, has submitted claims and these have yet to be adjudicated on. It is not unusual in a major construction project for a contractor to submit claims if it believes it had to carry out work beyond the contract. The good news is the scaffolding is now at roof level. I would invite anyone who has an interest in the children's hospital to go and visit the site. It really is shooting up as a building.

It is highly impressive that we are at this point now. The first element of the children's hospital, the urgent care centre at Connolly Hospital, has already opened. It is not fully commissioned but it is already open. The outpatient department is operating fully. The urgent care centre is operating from Monday to Friday from 9 a.m. to 6 p.m. It is already making a difference. The number of children waiting to see a general paediatrician has fallen by 30% already. It is already having a significant impact on waiting lists because those children who were waiting a long time to see a general paediatrician can now be seen in the dedicated outpatient

department at the Blanchardstown urgent care centre. It is a new service for people living in west Dublin and Meath and so on. They no longer have to take their children to Temple Street Hospital and can take them to the modern facilities at Connolly Hospital instead. Tallaght will open next year.

This project has been promised for as long as I can remember. I think it was first mooted when I was a medical student. I am very proud of the fact that we are now getting it done and delivering on it when other Governments failed to do so.

Deputy Micheál Martin: That is not true.

The Taoiseach: Other Governments failed to do so. There was an abortive attempt to build a national children's hospital at the Mater Hospital that failed. Other Governments failed to deliver this project.

An Leas-Cheann Comhairle: We have run out of time.

Deputy Micheál Martin: The Taoiseach should not be so partisan in his comments. That was a planning issue.

The Taoiseach: This Government is delivering it. I appreciate that sometimes when Governments fail, it is not necessarily their fault, but I am unsure whether Deputy Martin acknowledges that too often.

The target for electric vehicles and plug-in hybrid electric vehicles is ambitious. It is no secret that many people at official level thought it too ambitious, but often we are criticised for not having targets that are ambitious enough. This is one occasion when we have gone for an ambitious target. We believe it is deliverable. Over the course of the next ten years, roughly 1 million people will change their car or buy a new car. It is not inconceivable that we will get to a point where the majority of those will opt for an electric vehicle or a plug-in hybrid electric vehicle instead. We need to invest in the charging points to make that possible. That is happening. There are grants available to encourage people to do so. Moreover, the cost of these vehicles is coming down all the time. That is when we will start to see the big change, with people opting for them instead.

I was asked about the issue of housing on public land. My view is that we should use public land for housing, and that is being done. We should use public land for all of the public, including those requiring social housing, people who want to buy their own homes and those seeking affordable and cost rental property. I welcome the fact that Dublin City Council decided to vote to go ahead with the O'Devaney Gardens project last night, because this will allow 800 new homes to be built on a site near the city centre. These will include homes that people can buy, social housing for those on the social housing list and homes that people can rent. It is a good step forward. It is regrettable that the council has delayed it for so long up until now but I am glad to see that it is finally now going ahead.

Cabinet Committees

4. **Deputy Micheál Martin** asked the Taoiseach if climate change is covered by Cabinet committees he attends. [43226/19]

5. **Deputy Richard Boyd Barrett** asked the Taoiseach if climate change is covered by Cabinet committees he attends. [45218/19]

The Taoiseach: I propose to take Questions Nos. 4 and 5 together.

The Cabinet committee on the environment was established in July when the Government reorganised the Cabinet committee structures. It covers issues relating to the environment, including climate action and the implementation of the Government's climate action plan. The need for an all-of-government approach to climate action is obvious. This includes a deliberate and sustained focus by all relevant Ministers and Departments. The work of the Cabinet committee on the environment is an important part of this.

The Cabinet committee on the environment met for the first time on 30 September 2019. At its first meeting the committee discussed the first progress report on the climate action plan, which was published last week. The first progress report outlined the status of 176 steps for delivery, which were either due for completion in quarter two or quarter three of this year or are ongoing. A completion rate of 85% has been achieved, incorporating 149 measures across all sectors of society. The report details some of the key milestones delivered to date in furtherance of the climate action plan, including the introduction of a scheme for 1,200 on-street public charge points for electric vehicles. This is being led by local authorities.

We introduced a climate action focused budget with a commitment to increasing the price of carbon to €80 per tonne by 2030 and ring-fencing all new proceeds from the carbon tax for climate action and just transition. Other measures include the first Luas tram extension, the introduction of new requirements to ensure all new homes are at nearly zero energy buildings standard, and new rules for public procurement, meaning that €12 billion of State investment each year will be invested sustainably.

The Cabinet committee is due to meet again on 2 December 2019. Its focus will now shift to the delivery of quarter four 2019 actions and beyond, setting us on a pathway to decarbonising our economy and society.

Deputy Micheál Martin: I thought that was covered by the previous question. That said, it gives me the opportunity to go back to the Taoiseach on the issue of electric vehicles. The Taoiseach is not facing up to the reality of the points that I and most people are making. No one is criticising ambition, but there is a responsibility to ground whatever proposals we are making in some framework of reality. No one I have spoken to sees any credibility attached to the electric vehicle target. The Government needs to do more to illustrate how it came to that figure and how it expects an extra 1 million vehicles to materialise within the next ten years given the poor performance to date in terms of transformation of the public transport system, which has been especially slow and belated indeed. We can add to that the issue of the smoky coal ban. The Government has simply not taken up the cudgel on that. It has funked that particular decision and decided not to finish or complete it, even though it was started well over 30 years ago. That was when the ban was first introduced. The air quality is showing this in the capital and elsewhere throughout the country.

On the one hand we had the Minister for Health, Deputy Harris, at the launch warning about increased exposure to ultraviolet rays and skin cancer caused by climate change. On the other hand, the Taoiseach is saying we will have warmer winters, less heating and energy expenditure and fewer deaths as a result of the cold weather.

The first point is that we are having more extreme weather. That is what people have identified globally, and when I say people, I mean experts. Not only will there be more severe and dangerous storms that will cause injury and loss of life, but there will be an increased frequency of those storms globally. Certainly, this has materialised in Ireland in recent years. It has been one of the factors in alerting people to the issue of climate change. It has heightened people's sense of awareness and concern.

The whole idea of the carbon tax in many respects was around this energy question in terms of reducing the dependency on fossil fuels. The idea of the fuel allowance was to compensate for that. This is the first time I have heard that we will have lower fuel bills in terms of this entire agenda. We have just passed a budget that includes a measure to help people manage their fuel bills in future. There has been a tendency, particularly from deniers of climate change, to suggest that climate change will be great because we will have warmer weather in Ireland and that this somehow has pluses and so on. The Taoiseach needs to be careful about making those comments because it can undermine the broader case to try to convince people about the reality of climate change, that it is happening, that it will impact on people's lives and that the overwhelming outcomes and consequences of climate change are negative in terms of the quality of people's lives and in society in general. Those of us in this country are particularly vulnerable to rising sea levels, especially low-lying areas. I am not clear at all that we have taken the proactive measures necessary to deal with that issue in the short to medium term.

Deputy Richard Boyd Barrett: Does the Taoiseach not think he should apologise for trivialising the issue of the climate emergency by making those comments? It really gives succour to climate deniers like Donald Trump to make glib trivialising comments of that sort. It would be helpful if the Taoiseach said they were comments he regretted.

I question the Taoiseach's more general bona fides on this given the continued commitment to go ahead with the liquefied natural gas terminal in Shannon, which is going to import toxic fracked gas from the United States. It is okay to ban fracking here, and rightly so, because of the damage it does to the environment, but we have no problem with visiting it on the people of the United States. I also want to ask about public transport and the Government's commitments in that regard. We have been holding a series of meetings on BusConnects over the last while and when one looks into the facts of public transport in this country, one really has to wonder about the Government's commitment to getting people out of their cars. How does improving public transport square with the fact that bus fares in the last ten years have increased by 80%, the PSO subsidy to Dublin Bus has dropped dramatically from €87 million to €50 million and there are now fewer buses in the Dublin Bus fleet than in 2008? How do these stark facts about the poor state of our public transport system, which is one of the most costly in Europe in terms of fares, square with a commitment to improving public transport in order to get people out of private cars and thus reduce CO^2 emissions? I put it to the Taoiseach that they do not; they square more with a privatisation of public transport agenda which will do nothing to reduce CO^2 emissions.

Deputy Joan Burton: People were very taken aback by the Taoiseach's very flippant comments that climate change would make our winters warmer, bring all sorts of health improvements and increase people's longevity. To be honest, one would expect stuff like that in tweets from Donald Trump but not from the Taoiseach. I doubt that many people on the island of Ireland would agree, given the kinds of storms we have been having recently. The Taoiseach has gone out in his full gear with various front-line workers. He has been delighted with the photo opportunities and has warned us all to stay indoors. Now, suddenly, it is all about having

sunny, warm back gardens once climate change comes. He should withdraw the remarks and to younger people in particular, who are deeply interested in climate change, he should say it was a joke that just went wrong.

Air quality in Dublin is very poor and getting worse because there are so many vehicles on our roads emitting particulates. As a result, we have an epidemic of asthma, which is not a recognised illness qualifying for free medical care. Huge numbers, particularly of children, are suffering from asthma. People in bad housing are also suffering. We have lots of children in bad housing where there is mould and so on and they are particularly at risk of asthma. How does the Taoiseach join the dots? That is really what this question is about. Does he have someone in his Department who takes a look at how we deal comprehensively with these issues?

At the moment, BusConnects is promising or promoting the possible destruction of over 1,000 very mature trees in different parts of Dublin. The Taoiseach must see the trees with the ribbons around them as he travels around the city in his car. We just do not have enough public transport. There are people standing on buses most of the time. Unless this Government picks up the baton and starts working in the here and now on climate change, we are not going to persuade people to get out of their cars. We must have more public transport which should be cheaper. We must do everything possible to get people out of their cars in order to lower emissions which are very damaging to the people of Dublin, particularly to those who suffer from asthma triggered by the poor air quality in our capital city.

Deputy Louise O'Reilly: I do not think the Taoiseach will be offended if I say that he has a tendency to be a bit flippant in his public commentary. Sometimes it gets him the headlines that he desires but, as Deputy Micheál Martin will attest, it does not always go that way. His recent comments about climate change do a grave disservice to his office, his Government and to the responsibility that he, as Head of Government, has not just to this State but to the broader global community. Attempting to trivialise what is effectively a climate emergency sends a very poor message to campaigners and those who are dealing daily with the effects of climate change, including asthma sufferers and those who are confined to their houses due to severe storms and so on. In truth, the Taoiseach probably knows that his comments were ill-judged or did not land correctly.

The inference of this group of questions is that we are facing a potentially catastrophic climate emergency with such overarching policy implications that it warrants a Cabinet subcommittee of its own. Is that something that the Taoiseach would consider given that climate change has an overarching impact on all policy areas? I do not think there is any Cabinet position or Department that is immune from the impact of the climate emergency.

An Leas-Cheann Comhairle: Before I call the Taoiseach, I remind Members that we have only 13 minutes remaining so we may not get to the next question.

The Taoiseach: I state at the outset, in case anyone has any doubt about it, that climate change is real, is happening right now and is man-made, unprecedented and detrimental to human life and well-being both in Ireland and globally. Any benefits that may arise from it are far outweighed, many times over, by the damage it is doing and will do. I said that last Thursday as well. That is why we are taking action. In the last few weeks alone, we took the decision to increase the carbon tax. That was not a popular decision but it is one that anyone who is serious about climate action knows must be part of the solution. We secured €500 million to build an interconnector between France and Ireland so that we can sell our wind energy to Europe.

We decided to restrict exploration in our waters. We ordered more rail cars which will increase capacity on our rail services around Dublin by 34%-----

Deputy Joan Burton: We ordered them for the fourth time.

The Taoiseach: The Luas capacity expansion is under way and a new national train control centre has been approved. We have decided to take coal and peat out of the energy system in favour of wind and solar power. We are promoting electric vehicles and changing our bus fleet to hybrid vehicles. We have introduced new building regulations to make sure that new buildings are zero or near zero energy rated. We are investing in retrofitting. We have banned fracking. We set up a climate action fund by way of a levy on the oil industry. That is only the start; just a few examples of the practical things the Government I lead has done-----

Deputy Micheál Martin: The Oireachtas has done-----

The Taoiseach: -----in the last couple of months to bring about climate action, something about which we are very serious.

On what I said on Thursday, I am happy to clarify that it was, as *The Sunday Business Post* stated, an observation, not a policy statement. I can see how it was open to misinterpretation by those who may be pursuing a climate sceptic agenda. However, I would like to provide a little bit of context for my remarks. The document we were launching was the climate change sectoral adaptation plan for the health sector, 2019 to 2024, published by the Department of Health. Page 14 of the plan states:

> It is also important to note that there are a number of health benefits projected to occur as a result of climate change, for example warmer weather may reduce the risk of cold-related illness and death and may potentially improve mental health and wellbeing and increase physical activity levels.

This is a scientific and evidence-based document with seven pages of scientific references and citations backing up its contents. I also draw Members' attention to the Climate Action and Low Carbon Development Act 2015, introduced by the then Minister for the Environment, Community and Local Government, Deputy Alan Kelly of the Labour Party when it was in government. It is an Act that we all voted for. Section 5 of that Act requires the Government, in its national adaptation plan, to avail of any "positive effects of climate change that may occur". The then Minister and those Members who voted for that legislation in the House at the time not only believed that there may be positive effects of climate change, they also wrote it into the law and made it a requirement that the Government take them into account in its adaptation plans. I do not think anyone would argue that Deputies Alan Kelly, Eamon Ryan, Micheál Martin or the environmental NGOs, who all supported writing that provision into law, are like Donald Trump or are climate change deniers.

Deputy Micheál Martin: What about the electric vehicles?

The Taoiseach: Sorry, on the electric vehicles-----

Deputy Micheál Martin: I seek the evidence base for the figures.

The Taoiseach: I will have to get that for the Deputy.

Deputy Micheál Martin: I need to see that evidence base.

The Taoiseach: If there is one, I will get it for the Deputy.

Deputy Micheál Martin: If there is one.

The Taoiseach: It is fair to say that there-----

Deputy Louise O'Reilly: There really should be one.

The Taoiseach: -----are plenty of targets that do not necessarily have an evidence base behind them.

Deputy Micheál Martin: Come on. It cannot be back-of-the-envelope stuff.

The Taoiseach: They are ambitions.

Deputy Micheál Martin: There is always an evidence base.

The Taoiseach: No, there is not always one.

Switching to electric vehicles is an important part of the low-carbon transition. The Government will continue to help individual motorists who want to make the switch to an electric vehicle. We have allocated €8 million in the budget to maintain grants at their current levels for individuals purchasing electric cars. This is in addition to the planned departmental expenditure. A further €3 million will be provided for new electric vehicle infrastructure and an additional €3 million has been allocated for investment in new electric vehicle charging infrastructure. This includes additional funding towards the cost of installing on-street charge points, the expansion of the home charging scheme and the provision of funding to the Department of Transport, Tourism and Sport to roll out fast charging points to taxi ranks and transport hubs around the country.

I was asked about extending the ban on smoky coal. I explained previously that we have received strong legal advice from the Attorney General that to do so would be legally fraught because burning turf, briquettes and wood does as much damage to our air quality as burning smoky coal. We do not believe we would be able to stand over that in court were we to do it.

Deputy Micheál Martin: The Government has been doing it for 20 years.

The Taoiseach: When one goes to towns such as Enniscorthy and smells the air-----

Deputy Joan Burton: Why did the Government not follow Deputy Kelly's example and ban it?

The Taoiseach: Air quality in such areas is hugely related to the burning of peat and briquettes. In Dublin, it is largely due to diesel cars.

Deputy Micheál Martin: Will the Taoiseach give me the Department's evidence base for the electric vehicle figure? He might send that on to me if he does not have it now.

An Leas-Cheann Comhairle: I remind the House that we have eight minutes left for one question.

The Taoiseach: I will send it on if there is one. There may not be.

Deputy Micheál Martin: I ask the Taoiseach to clarify whether there is.

An Leas-Cheann Comhairle: Do Deputies want to continue with this question or do they want to move on?

Deputy Richard Boyd Barrett: Time is running out.

Deputy Micheál Martin: The Deputy wasted 25 minutes.

Deputy Louise O'Reilly: The Deputies are still wasting time.

Deputy Richard Boyd Barrett: Not of this time.

Deputy Micheál Martin: There was a full half an hour.

An Leas-Cheann Comhairle: We have eight minutes. I ask the Taoiseach to take Questions Nos. 6 and 7. I will limit the time for questions.

Departmental Reform

6. **Deputy Richard Boyd Barrett** asked the Taoiseach if he is considering new divisions in his Department. [43258/19]

7. **Deputy Joan Burton** asked the Taoiseach if he is considering new divisions in his Department. [44457/19]

The Taoiseach: I propose to take Questions Nos. 6 and 7 together.

The role of my Department is to assist my work as Taoiseach and to co-ordinate the work of the Government and Cabinet. While there are currently no plans to change the structure of my Department, its staffing needs and structure are reviewed on an ongoing basis. My Department is currently structured around five main divisions: the international, EU and Northern Ireland division, including responsibility on Brexit matters; an economic division; a social policy and public service reform division; a Government secretariat, protocol and general division and parliamentary liaison unit; and the corporate affairs division.

The remainder of staff in my Department include those in private offices or constituency offices, and the Government information service and internal audit unit. Recent changes in my Department include the establishment of the following: a secretariat for a new citizens' assembly; the National Security Analysis Centre; a climate action unit; a policing reform implementation programme office; a unit dealing with Brexit preparedness and no-deal planning; and a team dealing with the north-east inner city initiative.

With the exception of politically appointed staff, staff assignments in my Department are the responsibility of the Secretary General and the senior management of the Department.

An Leas-Cheann Comhairle: I ask all Deputies to limit their contributions to one minute each.

Deputy Richard Boyd Barrett: I apologise in advance for the fact that I will have to leave before I can hear the Taoiseach's answer.

An Leas-Cheann Comhairle: The Deputy does not have to wait.

Deputy Richard Boyd Barrett: I know. I just wanted to say that I am not being rude but must leave to take a call.

I propose that the Taoiseach take the issue of disability under his Department's remit. Disability advocacy groups and service users have been calling for this for some time. The UN Convention on the Rights of People with Disability, UNCRPD, has been ratified, although the Government notably opted out of the optional protocol which would make it legally accountable for ensuring equality for people with disabilities. This is important because the equality that people with disabilities should have under law due to the UNCRPD is not being delivered. One of the reasons is that the issue is spread across a series of Departments and areas, including housing, health, planning, transport, jobs and enterprise, and so on. Nobody is responsible for ensuring that a huge cohort of our citizens have the equality to which they are legally entitled. I suggest that the Taoiseach take the issue of disability under his remit. I will listen back to his answer later.

Deputy Joan Burton: One of the problems this Administration has is its competence when it comes to joined-up government. There are many Ministers and such a huge number of Ministers of State that we cannot even remember their names or functions. It is not clear from what we discussed today how the children's hospital got into its current state of bad budgeting. The Taoiseach did not comment on the boil water notices during my earlier question, but we were told today that Irish Water needs significant amounts of money to do up the treatment plant in Leixlip. Yet, there does not seem to be any joined-up government. A boil water notice was issued two weeks ago, and another was announced today which will last until Thursday. We could have them all the way up to Christmas. Where does the Government interact? The Taoiseach mentioned the 2015 climate change legislation that I, as Tánaiste, ensured came into effect. That only happened because I demanded it. The Taoiseach seems to be floating somewhere above this as if he is not affected by any of these things which affect people in their daily lives.

Deputy Micheál Martin: The Taoiseach has stated in the past that he is happy with the structure of the Department of the Taoiseach as it has been since 2016, when the last significant change was implemented. In that case, the change was a reversal of a decision taken five years previously to incorporate the EU division from Iveagh House into Government Buildings. If we assume that the UK's withdrawal agreement or something close to it is ratified next year, we will potentially be facing into many years of ongoing negotiations with the United Kingdom, both bilaterally and through the European Union. That is particularly true given that the deal Boris Johnson has negotiated would entail a harsher Brexit than that negotiated with Theresa May. That does not seem to be getting much attention, but that is the reality. Things may change in the upcoming election and a Government with a softer position may be formed. Nonetheless, there will be discussions on this issue.

I put it to the Taoiseach that we as a country must put in place a more substantive mechanism for maintaining ongoing relations at ministerial and official level. The British-Irish Council is too unwieldy and too focused on once-off events and initiatives to play this role. I have consistently argued this for four or five years. We must anticipate and deal with the many problems which could arise in the common travel area, for example, such as maintaining a seamless common travel area in the years ahead, particularly in areas of reciprocal rights such as health, education, and social protection. The devolved administrations also will have a significant role to play in this. In Scotland, where health and education services are governed from Edinburgh, maintaining alignment in the absence of EU frameworks and legislation will be a significant

task. I ask the Taoiseach to indicate what extra resources will be provided on that front.

Deputy Louise O'Reilly: In recent years, there have been growing calls from the disability sector for a full seat at the Cabinet table. We do not have a great record when it comes to interdepartmental work, and this remains a challenge, particularly in the areas of health, children and youth affairs, education, and justice. This is an area of our public administration that has yet to be truly reformed. Others have asked that disability be brought under the remit of the Department of the Taoiseach, thereby giving this broad policy area a home at the highest level in Government. Placing disability with the Department would give policy development and delivery added authority and perhaps it would give service users confidence that the UNCRPD will be implemented in full. I am happy to add my voice to those who have been calling for this for a long time in order that persons with disabilities will be placed at the centre of the Government and policy formation, and that they will not fall between two stools, as has so often been the case when it comes to interdepartmental work.

The Taoiseach: This Government, made up of Fine Gael and the Independent Alliance, has established a Minister of State for disability who sits at the Cabinet table. This is the first time we have had a dedicated Minister with responsibility for disability sitting at the Cabinet table.

Deputy Louise O'Reilly: That is not a full seat.

Deputy Micheál Martin: It is not the first time.

Deputy Joan Burton: It is not.

The Taoiseach: When was the last time?

Deputy Micheál Martin: We have had specific Ministers with responsibility for disability before.

Deputy Joan Burton: In previous Governments.

The Taoiseach: Did they sit at the Cabinet table?

Deputy Louise O'Reilly: It was a full seat at the Cabinet table.

The Taoiseach: I really do not think that is the case. This is the first time we have had a Minister of State at the Cabinet table whose sole responsibility is disability.

Deputy Micheál Martin: Is he effective?

Deputy Joan Burton: He is not a full Minister; he is a Minister of State.

The Taoiseach: As he works across a few Departments, he is able to co-ordinate the work of the Departments of Health, Employment Affairs and Social Protection and so on.

Deputy Joan Burton: He could not get the Beaumont centre for cystic fibrosis built.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputies Mary Butler, David Cullinane, and James Browne - to discuss overcrowding at the psychiatric unit at University Hospital Waterford; (2) Deputy Pat Deering - to discuss the matter of whole of life insurance whereby policies are reviewed twice per year and each time the payments go up and policyholders are being penalised for living too long; (3) Deputy Martin Ferris - to ask the Minister how a situation was allowed to arise whereby, on Friday, 25 October 2019, University Hospital Kerry at one stage had seven ambulances waiting to offload patients and which were unable to do so due to overcapacity in the emergency department, to further ask the Minister what ambulance cover the rest of County Kerry had while these ambulances were idling, and if he will make a statement on the matter; (4) Deputy Pat Buckley - to discuss the very poor broadband services in Cobh, County Cork; (5) Deputy Sean Sherlock - to discuss the need to improve broadband speed for 5,506 school children and their schools in the Cork East constituency; (6) Deputy Eamon Scanlon - to discuss the provision of speech and language therapy in counties Sligo and Leitrim and the latest lack of services due to vacant posts; (7) Deputies Eugene Murphy, Denis Naughten, and Michael Fitzmaurice - to discuss the proposed closure by the Irish Wheelchair Association of the Cuisle centre in Donamon, County Roscommon; (8) Deputies Declan Breathnach and Jim O'Callaghan - to discuss whether we are meeting international standards in tackling human trafficking; (9) Deputy Michael Moynihan - to discuss the delays in issuing licences for forestry felling, thinning and roadways; (10) Deputy Michael Healy-Rae - to discuss the number of trees being planted in Ireland; (11) Deputy Alan Kelly - to ask the Minister for Justice and Equality to explain the rationale behind the decision by An Garda Síochána to move the regional headquarters of the new Tipperary-Clare division to Ennis; (12) Deputy Margaret Murphy O'Mahony - to discuss recruitment and retention in rural practices which is putting GPs under tremendous pressure; (13) Deputy Paul Murphy - to address the climate action report over the weekend; (14) Deputy Joe Carey - to discuss the need to provide an additional bus to resolve a school transport issue which is negatively impacting upon 17 pupils attending St. John Bosco's secondary school, Kildysart, County Clare; (15) Deputy Mattie McGrath - to discuss the need to increase resources and staff to the Garda National Drugs and Organised Crime Bureau; (16) Deputy Thomas Byrne - to discuss the plans for provision of additional social housing in County Meath; (17) Deputy John Brady - to discuss the delays in developing the Arklow primary healthcare centre; (18) Deputy Brendan Smith - to discuss the need for additional Garda resources for the Border region following the recent Independent Reporting Commission report and recent incidents of cross-Border criminality; (19) Deputy Richard Boyd Barrett - to discuss the legal cost of the Apple tax; (20) Deputy Bríd Smith - to discuss the proposed development at O'Devaney Gardens; (21) Deputy Joan Collins - to discuss the sale of public lands by Dublin City Council to Bartra Capital; (22) Deputy John McGuinness - to discuss the urgent need to finalise the terms of reference relative to the death of Shane O'Farrell and all relevant events associated with his death before and after; and (23) Deputy Fiona O'Loughlin - to discuss the lack of progress on a new transport or mobility allowance.

The matters raised by Deputies Breathnach and O'Callaghan, Kelly, and Brendan Smith have been selected for discussion.

Ceisteanna (Atógáil) - Questions (Resumed)

Rent Pressure Zones

21. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the number of specific staff allocated to each local authority affected by short-term letting regulations to implement the new rules; and if he will make a statement on the matter. [45192/19]

Deputy Darragh O'Brien: Will the Minister provide on the number of new staff allocated to each local authority affected by the short-term letting regulations he brought in, which became effective this summer, in order to implement the new rules for those authorities that have rent pressure zones? I am trying to get a handle on the additional resources now in place and what resources it is planned to put in place over the coming months.

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I thank the Deputy for the question. On 4 June, my Department wrote to planning authorities with rent pressure zone, RPZ, designations seeking estimated resource funding requirements for the implementation and enforcement of the new short-term letting provisions, to cover the period to the end of 2021. My Department wrote again to planning authorities on 2 July and 26 September seeking new or revised estimates following my designation of additional RPZs in certain parts of the country, which extended the application of the short-term letting provisions to these areas. The additional resources sought primarily comprise additional enforcement staff but also include, *inter alia*, associated legal and IT costs.

Since then, further communication has taken place between my Department and all relevant planning authorities seeking clarification and refinement of the resourcing requests, as well as the practical implementation of the short-term letting provisions.

Under budget 2020, €2.5 million is being made available to support planning authorities in the implementation and enforcement of the short-term letting legislation. My Department has now secured sanction from the Department of Public Expenditure and Reform for this new funding provision. My Department will be contacting local authorities shortly regarding the recoupment of eligible expenditure in respect in the latter part of 2019 and their budgets for 2020.

Pending this, planning authorities are enforcing the new provisions, including the recruitment of new staff, if required, from within their existing resources.

Deputy Darragh O'Brien: I thought my question was quite clear in that I asked how many additional staff per local authority have been recruited. The Minister's reply referred to clarifications, the refinement of additional resources and additional funding. I am interested in how much, if any, additional funding has been secured. Surely the Minister has an idea how many additional staff are in place to cope with demand, given that the regulations came into force in July. Is he happy with the progress to date?

How many people have registered their properties under the new regulations? Is the Department keeping an eye on that? I and others raised this issue at a meeting of the housing committee in terms of how it would be managed and whether resources would be in place to manage it. Without being difficult, I would like some information on how many additional staff are in

place in Dublin City Council and Fingal, South Dublin and Dún Laoghaire-Rathdown County councils. Have all of the local authorities responded to the Minister's correspondence?

The Minister mentioned two dates, 2 July and 26 September. Does his Department have the information it needs? Does it know what each local authority requires? I am trying to get a handle on the numbers involved, the effect of these regulations and whether they have been implemented yet.

Deputy Eoghan Murphy: I thank the Deputy for the follow-up questions. There were a few parts and I will try to cover all of them.

Each planning authority already has a planning section, an enforcement section and everything else. Dublin City Council has more than 170 staff. It was quite clear in the first few months of implementation of these new laws that local authorities would be required to reallocate staff from within existing resources. For example, a number of staff in Dublin City Council were already dealing with short-term letting because it was an issue for the city. What we did with the planning laws was clarify the legal situation from a planning point of view.

We said we would allow local authorities to hire new staff out of the funding we would provide for 2020 and onwards and we would try to recoup the cost of additional staff hired in the course of 2019. We know Dublin City Council want to hire about 13 new staff and has already started recruitment. It has taken on new staff. Out of all of the local authorities impacted by the changes, we have had requests for between 50 and 60 new staff in total between now and 2021. Funding of €2.5 million is available which will go some way to meet the costs of the additional staff required for planning authorities. I will deal with complaints, exemptions and everything else in my next reply.

Deputy Darragh O'Brien: That is useful to some degree. The Minister indicated that 50 or 60 additional staff have been recruited by the affected local authorities. I take it that no additional staff have yet been appointed. That is important. The regulations have been in place since 1 July. A major issue was made of short-term lettings. These are an issue not just in terms of restricting supply for long-term renters but also in the context of enforcement. The Minister correctly referred to the quality of life for people who are living next door to properties being used for short-term letting, particularly apartments and so on.

We are aware of the issues. Deputy Ó Broin, I and other members of the housing committee spent a lot of time discussing this issue. I want to know what effect the regulations brought forward by the Minister have had. They have been in place for over four months. Is the Minister satisfied with the progress that has been made? What more would he like to be done? Has each local authority told the Minister what additional funding they need?

Deputy Eoghan Murphy: I thank the Deputy. Each local authority came back with information on the number of additional staff they will require and the funding they will need out to 2021. We are now engaging with them in terms of the actual funding we have, and what that means in terms of how many new staff can be hired and how they may have to reallocate staff within their own planning authorities which are the sections within local authorities that deal with this matter.

Dublin City Council has already recruited additional staff. A lot of recruitment needs to take place in order to provide the additional 50 or 60 staff required. We are in a bedding down period and are now moving towards more rigorous enforcement. We have had 300 or more

notifications to avail of exemptions, that is, people who want to continue to home share but who will not be involved in short-term lettings unless it is under the 90-day cap. We have had 16 requests for a change of use. We have had 370 complaints from members of the public. A total of 152 people received warnings from the council and 45 concerned property owners were subsequently issued with section 154 warning notices further to subsequent inspections. Some 160 of these cases were subsequently resolved to the satisfaction of the council without the need to initiate court proceedings, which means that properties were put back into use for long-term letting or were sold. There are 165 ongoing investigations. That gives the Deputy an example of the significant work which is already under way, and that is before all of the new additional staff have been hired.

Water Supply Contamination

22. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government the information he received regarding the failure of Irish Water and Fingal County Council to fully implement the recommendations of the March 2019 drinking water audit report relating to the Leixlip water treatment plant prior to the alum dosing incident that resulted in the issuing of a boil water notice for 615,539 persons on 21 October 2019; and the action he will take in view of the findings of the October 2019 Environmental Protection Agency, EPA, drinking water audit report regarding the Leixlip plant, which indicated the October boil water notice. [45363/19]

Deputy Eoin Ó Broin: As the Minister knows, we have had two significant boil water notices issued for the five local authorities in Dublin, Kildare and Meath. Today, representatives from Irish Water, the EPA, Fingal County Council and the City and County Management Association, CCMA, appeared before the Joint Committee on Housing, Planning and Local Government. What actions has the Minister taken since the two boil water notices were issued? What reassurance can he give to the public that the current boil water notice will be dealt with as quickly as possible and that additional measures will be put in place to ensure that this does not happen again?

Deputy Eoghan Murphy: I thank the Deputy for the question. Leixlip water treatment plant is publicly operated by Fingal County Council through a service level agreement with Irish Water and not a private operator. The EPA report of the audit of the recent incident at the Leixlip water treatment plant, published on 30 October, found that the recommendations of the EPA's previous audit of the plant in March 2019 were not implemented. The audit noted that, in particular, the failure to install automatic shutdown when critical plant alarms were not responded to was a contributory factor to the incident on 21 October which resulted in a boil water notice for over 600,000 consumers.

I am extremely concerned that the lessons and corrective actions required following the audit in March were not fully implemented, and that once again so many people are today affected by a boil water notice.

The turbidity issues now arising are linked to the need to upgrade this treatment plant to reduce the risk of contamination. The EPA has identified in its audits that the filters at the plant need to be upgraded without delay.

Since the October incident, Irish Water and Fingal County Council have implemented automatic plant shutdown on high turbidity if there is a failure to respond to an alarm within 15

minutes. In the case of the current boil water notice, the plant operators reacted quickly, even before alarms were activated, and shut down what is known as the old plant at Leixlip.

I have spoken to the managing director of Irish Water and the CEO of Fingal County Council and will meet them to discuss these issues in detail. I have also requested that the EPA provide me with a full report on the incident in addition to its audit report. This will include the EPA's view on the causes of the incident, if and how it could have been prevented and the responses of Irish Water and Fingal County Council.

Deputy Eoin Ó Broin: I thank the Minister for his reply. Two things became evident from today's hearings. The first is, obviously, very significant systems failures and management failures between the incident that took place in April and the EPA audit in March and the event in October. Not all of the eight recommendations the EPA made in March have been fully implemented. The EPA has made another nine recommendations to Irish Water and is awaiting a response in that regard. I would like the Minister in his supplementary response to give us an assurance that he will take a hands-on role in this, now that the extent of the problem has become manifest, to ensure that Irish Water and Fingal County Council fully implement all the recommendations from the two EPA reports as quickly as possible.

One of the disturbing things about the November incident - the Minister is right about this - is that Irish Water made very clear that what happened yesterday was not a plant failure and that everything that was meant to have been done was done in accordance with proper procedure. The difficulty is that we still have a boil water notice affecting more than 615,000 people in six local authority areas. While capital funding is in place to deal with some of the filtration issues the Minister spoke about, installation of the ultraviolet system the EPA is now recommending would require, in Irish Water's words today, tens of millions of euro of additional money and could take two to three years. Can the Minister give us a commitment that if that is required to reduce the level of risk at this plant, he will actively explore it with Irish Water as well as Fingal County Council?

Deputy Eoghan Murphy: I thank the Deputy for the follow-on question. When we read the EPA audit of the October event, if we want to call it that, and the March event, and now we have a November event, I think we were all pretty shocked by what was not done between March and October. It was a very detailed report and I thank the EPA for the work it did very quickly as a result of this boil water notice being put in place. This is a critical piece of infrastructure and we now see the importance of ensuring that when these audits happen they are responded to in a timely fashion and that the investments that need to be made are made without undue delay. I thank the members of the committee for the lengthy engagement they had today over a number of hours with the relevant stakeholders. Yesterday I myself spoke to the managing director of Irish Water, the chief executive of Fingal County Council and the head of the EPA. I will visit the Leixlip plant tomorrow. In this instance I have requested a special report from the EPA that follows on from and will build upon the audit. That will come to me very shortly, after which I will engage with all the relevant stakeholders to ensure we have a proper understanding of what needs to be done regarding the operation of this plant. Irish Water finds itself in a difficulty in that it is legally responsible for the plant but not in operational control of it. Certain things which should have been done and which Irish Water wanted to do after the March failure were not done. They have now been done but it should not have taken the October event for them to be done. I need to review, based on the information I get following this third incident, exactly what new measures might need to be taken regarding not just the long-term treatment issues and investments - the Deputy talked about the issue of UV - but also

the operational control of the plant itself.

Deputy Eoin Ó Broin: I thank the Minister for his response. I wish to press him, however, on the issue of the ultraviolet filtration system because, if that is necessary, it will require additional capital investment over and above what has already been allocated for this plant. Therefore, while I am not asking him to commit to that expenditure, I am asking for reassurance that if it is required, he will look on it positively.

The other issue that arose today is that while non-domestic customers of Irish Water will get rebates to go some way towards compensating businesses, it is not the same for domestic householders, who in many instances have had to pay very significant sums of money for bottled water. Bizarrely, Irish Water said it would provide bottled water for vulnerable households but it has no criteria for determining what a vulnerable household is and just provides the water on request. Surely, given the frequency of the boil water notices we are seeing, not just in Dublin but elsewhere, some fairer system could be put in place to provide bottled water to householders in instances in which they are not able to drink the water coming through their taps.

Deputy Eoghan Murphy: I thank the Deputy for his follow-up question. If he has the opportunity to visit a water treatment plant and see a UV system in operation, he will see how it works and its benefit. My understanding is that even if a UV system had been put in place, it would not have prevented what has happened in this third incident, so it is important to separate that out. My immediate concern is to ensure we can get the type of work we need to do done on what is called the old part of the plant in order that the threat of a boil water notice does not hang over all these residents indeterminately into the future. That is the first piece of work we must do and the most important. There are other elements in the audit, including UV lighting and so on. We must look at this because this is a critical piece of infrastructure. It serves far too many households, supplying one third of Dublin's drinking water, I think.

The list of vulnerable users maintained by Irish Water has worked very effectively when we have had various incidents in the past. The Deputy will remember that in 2017 a very large pipe broke, which affected thousands of households, but Irish Water was able to target those vulnerable households unable to get out to the water tankers with bottles to fill with water. There were two choices here: cut off the water supply to treat the plant, or let water go into the system and put in place a boil water notice. Since we have done the latter, people can still shower and wash clothes, but when it comes to drinking, cooking, brushing their teeth and so on, they need to boil water. They therefore do not necessarily need to go out to get plastic bottles of water, which has other impacts. They can still use the water coming out of their taps. I know boiling water is a massive inconvenience, but the inconvenience of having no water at all would have been much greater. I therefore support the call made by the authorities on that.

Compulsory Purchase Orders

23. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the steps he has taken to strengthen the use of compulsory purchase powers by local authorities to acquire units for social and affordable housing purposes; and if he will make a statement on the matter. [45193/19]

Deputy Darragh O'Brien: The Minister will be aware that in September 2018 a report by Indecon for the Department of Finance recommended a major programme of compulsory pur-

chase orders, CPOs, to tackle vacancy rates across the country and bring vacant homes into the public housing stock. With that in mind, what steps have the Minister, Deputy Eoghan Murphy, and his Department taken to strengthen and increase the use of compulsory purchase order powers by local authorities to acquire units for social and affordable housing purposes to rehouse families across the country?

Deputy Eoghan Murphy: I thank the Deputy for his question.

Local authorities have a range of existing legislative powers available to them to deal with derelict and underutilised properties in their functional areas, for example, through the compulsory purchase powers and under derelict sites and housing legislation. This legislation is kept under constant review.

There is a clear focus on increasing the supply of housing available in both the private context and the social context. To this end, looking at our existing housing stock and whether we are making efficient and effective use of it is a key element of Rebuilding Ireland.

The key in this regard is the implementation of the national vacant housing reuse strategy. Every local authority has now prepared a vacant homes action plan and has designated vacant home officers to co-ordinate local actions to address vacancy and to identify priority "vacancy hotspot areas" and properties that can be quickly brought back into residential use.

Since the launch of Rebuilding Ireland, just under 1,200 vacant homes have been reintroduced to the liveable social housing stock, primarily through a range of vacancy initiatives. Local authorities are also working to bring homes back into use by acquiring dwellings in unfinished estates. Overall, we have also seen an estimated 11,032 homes come out of long-term vacancy into the housing sector from the third quarter of 2016 to the second quarter of 2019, inclusive, of which 7,551 were units which were reconnected to the electricity grid after at least two years, while more than 3,000 related to units connected to the electricity grid which were in unfinished housing estates. A proportion of these may have led to compulsory purchase orders in some instances, but this was not necessary.

Based on the most recent survey of local authorities, the vacant site levy has moved at least 42 sites into development. The derelict site provisions have also been brought into line with the vacant site levy provisions. In 2018 An Bord Pleanála concluded nine compulsory acquisition cases taken by local authorities under the Derelict Sites Act and which were referred to the board for confirmation.

These recovered properties aid us in the ongoing effort to meet our commitments under Rebuilding Ireland to ensure that Ireland's existing housing stock is used to the greatest extent possible.

Deputy Darragh O'Brien: I thank the Minister for his response. I am talking specifically about the homes that have been brought in by the use of compulsory purchase orders. I am aware that CPOs are a good stick to have and that they do not always need to be used, but there is a great disparity in their use in some local authorities versus others. With that in mind, when was the most recent circular his Department issued, if it has issued one, to local authorities advising them, or advising them again, of the powers they have? Some seem quite reticent to use them. I have specific examples of this.

The Minister talked about bringing vacant housing stock back into use, but only about 102

homes have been brought back into use under the repair and leasing scheme. That is just 13% of the target that was set. It is in principle a very good scheme. It should be a lot more successful than that. I have noticed recent advertisements in the papers trying to push it. That is welcome.

Are some local authorities ignoring the fact that they have these additional powers? What is the Minister and his Department doing to ensure that local authorities use that stick when needed to bring long-term derelict and vacant homes back into the housing stock?

Deputy Eoghan Murphy: One of the complications we have to acknowledge with CPO is that it involves some 70 pieces of legislation, some of which have their roots in the 19th century. The Law Reform Commission is undertaking a piece of work to see how we can reform and streamline CPO powers so they can be clearer. We have held workshops in the Department of Housing, Planning and Local Government in the Customs House as part of our housing summits. We have taken exemplary local authorities in this area, such as Louth County Council, and talked through the different things they have done regarding CPO and how successful those approaches have been.

5 o'clock

The repair and lease scheme is a good and necessary one. Often with local authorities, however, it proved to be the case that when they have engaged with someone on the repair and lease scheme the home has come under the buy and renew scheme. The owners have not gone for a lease. Instead, they have sold the property to the council and the council has subsequently renewed the property. In those cases, under the repair and lease and buy and renew schemes together, we have achieved a return of more than 500 properties. That has proven, therefore, to be a successful approach.

A pilot study was also conducted across a number of local authorities. That was initially based on the CSO numbers for potential vacancies in the country. That was a high number, but it included homes for resale, reletting and holiday homes. We asked six local authorities to do a field study. Each was to investigate about 1,200 vacant homes within their local authority area. To date, those six local authorities have inspected more than 7,000 homes. Of the 7,157 homes which had been seen to be vacant, only 205 proved actually to be vacant on the second inspection, which I think happened some six months later. That brings us down to a truer level of vacancy of about 2.9%, which is a normal vacancy rate in a normally-functioning housing sector. I will return to the other points in my follow-on answer.

Deputy Darragh O'Brien: Chartered Surveyors Ireland has submitted a report to the Government with recommendations concerning CPO law in Ireland. It is complicated legislation and change is needed. If we consider local authorities, would a practical step be to incentivise them to acquire vacant homes by covering conveyancing costs, for argument's sake? I think we can do much better than we have been doing in this area. Many of the 205 properties, of the 7,000 vacant properties to which the Minister referred, down to 205, are vacant because elderly people may have problems with the fair deal scheme and how that is assessed. That is prevalent and changes need to be made on the health side of things regarding how assessments are made. Many properties are vacant because people may not be able to get out of nursing home care. The method of assessment by the HSE means that those homes cannot be rented out. Specifically regarding derelict and vacant homes, I would like to know about the recent interactions the Minister has had with local authorities. I believe some local authorities just do not want to go down this road. Has a recent circular been issued to local authorities? Would the Minister consider incentivising local authorities by covering the conveyancing costs for homes that they

bring back into the housing stock?

Deputy Eoghan Murphy: Deputy Darragh O'Brien is absolutely correct concerning the fair deal scheme. It is one of the things I first suggested when I came into this role. There was a huge backlash publicly about forcing people in nursing homes to become landlords. That is not what we were talking about at all. We were talking about a situation where someone might want to get a property back into use and enabling them to do so in a way that would not penalise them. That is now being looked at by the Department of Health. Reforms concerning the fair deal scheme are coming forward in the legislative programme. My intention and hope, working with officials from the Department of Health, is to be able to put forward amendments at that stage to get those properties back into use. Those changes will require sanction from the Department of Public Expenditure and Reform. I think that many vacancies are coming from the fair deal scheme. Many vacancies also come about because of other reasons, such as probate, which can be difficult to disentangle.

Our ultimate aim, however, is not to use CPO. We want the threat of CPO to be strong enough to ensure that properties come back into use. An indicator of some progress in this area is the more than 7,000 homes reconnected to the electricity grid after more than two years of long-term vacancy because of engagements that have occurred. Between my Department and the local authorities, every area now has a vacancy plan and a vacancy officer. That is the result of the ongoing work we have with the local authorities on the important issue of vacancy. Schemes are in place to cover the costs that might be encountered where somebody might coming under the repair and lease scheme. In those situations, we will fund the work that needs to be done to get property back into use. It must then be used for social housing and that is an important caveat.

Rental Sector

24. **Deputy Michael Healy-Rae** asked the Minister for Housing, Planning and Local Government if incentives will be put in place to ensure that the private providers of accommodations are encouraged to keep their properties available for letting purposes and not to sell into the private market due to the fact at present no one is purchasing property to go into the business of letting in view of the fact it does not make financial sense to do so; and if he will make a statement on the matter. [45136/19]

Deputy Michael Healy-Rae: I wish to put on the record what could be perceived as a conflict of interest regarding the issue I am addressing. I raise this issue on behalf not just of constituents, but people up and down the length and breadth of this country. I am referring to people who provide accommodation. That could be student accommodation, property rented to local authorities or rented directly to private individuals as their homes. As far as I am concerned, these people have not been represented here by Opposition spokespersons or by people in the Government. I feel this needs to be highlighted and the importance of these people to the housing sector demonstrated to the Minister.

Deputy Eoghan Murphy: The strategy for the rental sector, developed under Rebuilding Ireland, was published in December 2016 and outlines a range of measures to develop further a viable and sustainable rental sector. Structured around the four key areas of security, supply, standards and services, the strategy sets out a number of targeted measures and initiatives with the aim of providing better security of tenure, achieving higher accommodation standards

and greater rent certainty for tenants, as well as enhancing the supports and services available to landlords to facilitate the development of a more vibrant and sustainable rental sector. The strategy also aims to provide for other models of delivery of housing intended specifically for rental purposes.

In accordance with action 9 of the strategy, a working group on the tax and fiscal treatment of rental accommodation providers was established in 2017. The group was chaired by the Department of Finance and included representatives from the Revenue Commissioners, my Department and the Residential Tenancies Board, RTB. The group's report was published by the Department of Finance on budget day 2017 and it presented ten policy options for consideration. These were divided into short-term, medium-term and long-term timeframes. Five potential short-term options were identified as measures which could potentially be implemented via budgets 2018 and 2019.

It is a matter for the Department of Finance to lead on the implementation of the group's policy options, in line with any related Government decisions. To date, the following policy options have been implemented. Option 1 concerns the accelerated restoration of full mortgage interest deductibility for landlords of residential properties. With effect from 1 January 2019, mortgage interest on rental units is 100% deductible for all landlords. Option 4 is in respect of introducing deductibility for preletting expenditure for previously vacant properties. Implementation of this policy option was prioritised in budget 2018 to encourage an increase in housing supply by bringing vacant properties back into use. I support any measures that help to maintain and increase the supply of rental properties.

Deputy Michael Healy-Rae: The people on whose behalf I am speaking are taxpayers. They have rental income and pay tax. As the Minister knows, these people collect money in rent, then pay more than 50% in tax, pay their mortgages, if they still have them on their properties, and maintain properties to a proper standard. That is 100% right, of course. I am fearful, however, that many of these people are departing from this activity. We can see the reason for that when we look at the Opposition benches. I refer to the language sometimes used about people who own and rent out property. Even within the Government, these people are spoken about in a derogatory way, as if they are doing something criminal.

Some of these people are accidental property owners. There are also people who have gone out of their way to buy property to rent it out. The Minister is not a foolish man, that is one thing that he is definitely not. He is intelligent enough to know that in today's market, it does not make financial sense for people to purchase property and start to rent it out. As I stated, those people will be giving more than 50% of the rents collected in tax. Then they have to maintain the property, rent it out and face all the associated difficulties and tribulations. Those people are not going to do that in the future. I am fearful that people selling property to get out of that business are selling into the private sector. That property is then no longer available for renting and that is making the crisis worse.

An Ceann Comhairle: The Deputy will have another opportunity to contribute.

Deputy Michael Healy-Rae: I thank the Ceann Comhairle.

Deputy Eoghan Murphy: We have to be careful regarding the language we use in this Chamber concerning a whole host of issues. We should not seek to demonise one part of our community. As Deputy Michael Healy-Rae rightly stated, many of the landlords in this country,

some 70%, own only one property. Many of them are accidental landlords who did not mean to become landlords, but became such because of what has happened in our recent history. Some of them may now be at a point where they want to cease being a landlord and are able to do so. This has led to some of the volatility we have seen, with tenants being served notice to quit and the insecurity they experience as a result of needing to find a new place when we do not have enough homes to meet demand.

We have sought to provide incentives for landlords. We have sought to ensure that people invest in rental property because not everyone can go from living in their parents' home to buying a property. Many will need to rent and many will want to rent for a number of years.

I do not disagree with the Deputy's analysis of the high tax treatment of landlords. However, despite the work done by the tax strategy group, we have not been able to go down the route of making changes to the tax treatment of landlords as there are so many other spending demands on the Exchequer and we can only make certain changes year on year. We have introduced other important measures in the areas of mortgage interest relief and the expenditures that can be included by landlords in their engagement with the Revenue Commissioners.

When I talk about a European model in housing, I am referring to having a rental sector where tenants have long-term leases, security and affordable rents and have an understanding that rents cannot jump dramatically every year. We want to move away from the position where people invest in the rental sector based on the capital appreciation of the property and then exit the market ten or 15 years later to one where people invest for a rent roll. That lends itself to a certain type of investor and this approach is beginning to work in the cities. I worry, however, that landlords are exiting the sector outside the cities, resulting in a lack of rental accommodation outside cities and large towns. We must keep a close eye on this.

Deputy Michael Healy-Rae: The Minister's analysis of the situation is spot on and I am very impressed with it. It is perfect but the problem is in trying to provide incentives to landlords outside cities, as the Minister said. With regard to the cities, it does not make sense that a person or the State should subsidise a rent of €2,500 per month. I do not care where people put their heads down at night but I do not believe renting a house for four weeks is worth that money. At the same time, I am speaking for people who own properties and are trying to make them pay. I want the business to be profitable enough for these people to continue in it but I also want people who are paying rents to have security and to be able to afford the rent. I do not like the idea of people renting forever, although I do not mind people renting for a certain period in their lives if they can then get a local authority house or are able, through employment, to get a mortgage and buy their own property.

Deputy Eoghan Murphy: The Deputy's point about those who are renting and wanting to leave the rental sector to buy a home is well made. Rents are too high in too many parts of the country. People cannot afford their rent and are making sacrifices just to meet the cost. They should not have to make those sacrifices. In addition, they are unable to find the space to save in order to purchase their first home. We have introduced schemes such as the help-to-buy scheme and the Rebuilding Ireland home loan to recognise that people are caught in a rent trap and to help them out of that trap and into home ownership.

We must ensure we have a rental sector that will protect those who will continue to rent and people coming to this country to rent. The sector must also have investment, not only from the State but also from the private sector. Further improvements are required to allow that to

happen in a sustainable way. That is why rent controls are so important. I am talking about ensuring that people cannot make super profits off the backs of people who are struggling to find a place to live. At the same time, we must make sure there is an incentive for people to invest, become landlords and provide an important service in cities and towns. This is an area we have to keep an eye on.

We can take some hope from the fact that in the first two quarters of this year, as well as seeing landlords exiting the sector, we also saw new landlords entering the market. I understand there was no net change in the first two quarters but I will have to check that. As landlords exited, new landlords came in to the sector. I hope this points to progress.

Local Authority Housing Provision

25. **Deputy Seamus Healy** asked the Minister for Housing, Planning and Local Government if he will immediately fund local authorities to enable them to commence an emergency local authority house building programme of a minimum of 10,000 new builds per year on public land. [45493/19]

Deputy Seamus Healy: Successive Governments have not only failed to solve the housing crisis but have created a housing emergency. I ask the Minister to fund local authorities to build a minimum of 10,000 houses per year on public land as the key driver to tackle the current housing emergency.

Deputy Eoghan Murphy: I thank the Deputy for the question. Over the course of the six-year Rebuilding Ireland action plan, the Government is firmly committed to meeting the housing needs of more than 138,000 households, with more than 50,000 homes being delivered through build, acquisition and leasing programmes. The implementation of Rebuilding Ireland is a key Government priority supported by significant annual investment. For 2019 alone, funding of €2.4 billion is being provided for all housing programmes, with a further €2.63 billion available in 2020. This investment will see the housing needs of almost 27,400 households being met in 2019, of which 10,000 will be new social housing homes delivered through build, acquisition and long-term leasing programmes. In 2020, we are targeting the delivery of 11,000 homes through build, acquisition and leasing. More than 7,000 of these will be newly-built social housing homes, the highest number of such homes to be built in a single year this century. The delivery of these homes will substantially aid the continued reduction in the number of households on social housing waiting lists. These numbers continue to decline, with a 26% reduction since 2016.

My Department continues to engage intensively with all local authorities to keep momentum on new build output as high as possible. As part of our ongoing commitment to support structures, a dedicated housing delivery office has been established to support local authorities to maximise their delivery potential and harness the best that is available in their functional areas. In addition, in September last, my Department, in collaboration with local authorities, published the employers' requirements document. This document supports local authorities by providing guidance on the general quality of materials, finishes and fittings for use in social housing in the interest of value for money. In addition, it provides guidance on the preparation of tender documents for improved cost and programme control.

There is nothing preventing local authorities from delivering more social homes. My De-

partment continues to work intensively to streamline and facilitate new processes. New homes require appropriate planning permissions and while this cannot be achieved overnight, dedicated efforts since 2016 will now see 2020 as a record year for social housing build output.

Deputy Seamus Healy: The picture the Minister has painted is not the picture I or the vast majority of Deputies find in their clinics. We do not expect the Minister to solve the problem overnight but his party has been in government for eight years. What has happened since 2002 is that the public housing programme has been handed over to the private market, namely, builders, developers and landlords, and we now rely on the private market to be the main driver for the provision of public housing. It is clear to any reasonable person looking at the current situation that this policy has failed utterly.

That 4,000 of the 10,398 persons who are homeless are children does not indicate a successful policy. Targets set by the Minister and Government over a number of years have not been met and we now have a very serious problem. The only way to deal with it is to ensure that funds are made available. Local authorities can only build housing if they have funds and I am asking the Minister to make funds available so that they can build at least 10,000 houses per year.

Deputy Eoghan Murphy: All Deputies receive numerous representations in relation to people in housing difficulty, whether they are trying to rent, buy a home or secure social housing or are at risk of going into emergency accommodation. The difficulties we have are fundamentally supply difficulties. Until we get supply surpassing demand, we will continue to have people facing difficulties in the housing sector.

Rebuilding Ireland recognises that social housing output was outsourced to the private sector in the past. I am committed to changing that and giving back to local authorities and housing bodies the mandate to drive the delivery of social housing. That is why more than 7,000 new homes will be built next year. We will actually increase the social housing stock by more than that figure through acquisitions and long-term leasing. More than 7,000 social housing homes will be directly built by local authorities and housing bodies and a small portion will be built through the Part V process. That is more than in any other year this century, including the boom years. This shows what we have done under Rebuilding Ireland in terms of giving the authority and resources back to the local authorities. Since 2016, they have been tooling up in that regard. We can have this record year next year because of the work that has been done. After 2020 and into 2021, it will be higher again.

Deputy Seamus Healy: Obviously, the Minister does not recognise that there is a serious homelessness crisis. The figure of 10,398 does not include a significant number of other people who are also homeless. Thousands of people couch surf. They are living at home or on relatives' couches and floors. There are additional thousands in that category alone. There is also a situation where thousands of individuals and families neither qualify for the local authority housing lists nor for a mortgage. They are not included in these figures. They find themselves in the unenviable position where they have to rent for the rest of their lives at very significant rental costs. Rents, as we know, have rocketed in recent years. Thousands of families and individuals in that category are not shown in any figures, and those people are put to the pin of their collar to survive. The Minister should fund the local authorities to build significant numbers of houses - a minimum of 10,000 - on an ongoing basis to solve this problem.

Deputy Eoghan Murphy: I thank the Deputy for the follow-on question. It is not a ques-

tion of funding. Rebuilding Ireland was a ring-fenced budget, the first time that has happened over a number of years, because of the commitment we were making to getting social housing built again. I refer to more than €6 billion to be able to do that. The situation we have in homelessness is complex. It is not just about a lack of adequate housing, although that is a very big part of it. Some 10,400 people in emergency accommodation is an unacceptably high figure. That is why we have to continue to drive the delivery of new social housing homes.

It is worth recognising also that, last year, more than 27,000 households were supported through different Government supports. We will do that again this year on top of that. Each year, under Rebuilding Ireland, we are helping tens of thousands of people who might be in housing insecurity, in emergency accommodation, or who are on the housing lists waiting for that social housing home to get into those homes. A huge amount of work is being done but much more work needs to be done. From day one, Rebuilding Ireland was always a five-year programme to get back to a sustainable level of housing output. Now, in the national development plan, which will take over from Rebuilding Ireland after 2021, we drive those targets up even further.

It is worth pointing out one factor. Last year, for every four houses that were built, one of those houses was built for social housing. It will be between that and one in three this year. That is very important because it shows the commitment this Government is making with taxpayers' money to building social housing homes directly.

An Leas-Cheann Comhairle: We move on to other questions.

Deputy Seamus Healy rose.

An Leas-Cheann Comhairle: The Deputy got his two supplementary questions.

Deputy Seamus Healy: Do I not have another minute? I want to ask the Minister, and I am sure he would want to respond-----

An Leas-Cheann Comhairle: He might want to respond but-----

Deputy Seamus Healy: -----about the procedure for homeless persons being approved as homeless by local authorities.

An Leas-Cheann Comhairle: Perhaps the Minister can-----

Deputy Seamus Healy: There is now a situation whereby persons who are homeless in Tipperary County Council-----

An Leas-Cheann Comhairle: I am depriving other Members of opportunities.

Deputy Seamus Healy: -----must advise the council that they are homeless, make a full housing application and wait 12 weeks to be designated as homeless.

An Leas-Cheann Comhairle: We understand the question.

Deputy Seamus Healy: Will the Minister comment on that situation because it is unbelievable?

An Leas-Cheann Comhairle: Will the Minister communicate with the Deputy?

Deputy Seamus Healy: If the Minister thinks it is wrong, he should instruct the local authority to do otherwise.

An Leas-Cheann Comhairle: This is unprecedented that the Deputy would have three supplementary questions.

Deputy Eoghan Murphy: I can communicate directly with the Deputy if there are particular issues that people in his constituency are facing in this regard. We want people to engage with local authorities early where they are at risk of homelessness. We also want to make sure there is no unnecessary delay in processing their applications, be it for the housing assistance payment, HAP, homeless HAP, the use of a HAP place finder, or getting on the housing list.

Ceisteanna Eile - Other Questions

Housing Estates

26. **Deputy Aindrias Moynihan** asked the Minister for Housing, Planning and Local Government if projects that were approved for funding under the first national taking-in-charge initiative but that were not completed will be prioritised under the new national taking-in-charge initiative; and if he will make a statement on the matter. [45228/19]

29. **Deputy Aindrias Moynihan** asked the Minister for Housing, Planning and Local Government the criteria that will be used to allocate funding under the new national taking-in-charge initiative; and if he will make a statement on the matter. [45227/19]

31. **Deputy Martin Heydon** asked the Minister for Housing, Planning and Local Government the status of applications for funding by Kildare County Council under the National Development Plan 2018-2022 for developer-provided infrastructure to assist in the taking in charge of housing estates; and if he will make a statement on the matter. [44688/19]

Deputy Aindrias Moynihan: Across the country, people are living in unfinished estates where the treatment plant is malfunctioning and sewers are backing up. This taking-in-charge initiative represents a possible opportunity for them to straighten up the place, make it safer and get on with their lives. We have already seen that it has taken a year to review the pilot scheme and the scheme is only accepting applications at this stage. How soon can people in these houses expect to see funding released and work started to improve the estates around them?

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): I propose to take Questions Nos. 26, 29 and 31 together.

In July this year my Department launched the multi-annual developer-provided water services infrastructure resolution programme. Bids were sought from local authorities around the country for funding under the programme. The development of such a multi-annual funding programme was a key recommendation of the report on the national taking-in-charge initiative that was published by my Department in December 2018. That is less than a year ago. The programme will enable the progressive resolution, on a priority basis, of substandard develop-

er-provided water services infrastructure, commonly called DPI, much of which was installed in housing estates during the building boom of the late 1990s and early 2000s. These privately owned and temporary facilities provide mostly wastewater treatment with a small number providing drinking water.

In a survey conducted by our Department in late 2015, it was estimated that just over 900 housing estates around the country depended on developer-provided infrastructure for their wastewater services. However, in a workshop recently organised by my Department to inform local authorities of the new resolution programme, it is now estimated that approximately 513 housing estates depend on such infrastructure. It is a lot less than what previously would have been talked about.

In April 2016, my Department launched the national taking-in-charge initiative. This was in recognition of the financial commitment that residents made in buying their homes and the importance of ensuring that roads, open spaces, car parks and service connections are completed and maintained to a satisfactory standard. The purpose of the initiative was to trial or demonstrate new approaches and working methods in supporting and accelerating overall national and local action on the process for taking in charge of housing estates, including those with developer-provided infrastructure. The collaborative experience gained by the key stakeholders in implementing the taking-in-charge initiative has now informed the new resolution progamme. The objective of the programme is to resolve this substandard component of our water services infrastructure in a sustainable manner, and ultimately to support residential estates being taken in charge. The national development plan published in February 2018 includes provision of €31 million for the period 2018 to 2021 to support the programme.

The closing date for bids under the programme was 18 September 2019. It was opened in July. A total of 19 local authorities with developer-provided infrastructure in estates in their areas made applications under the programme for support. Bids for ten estates were received from Kildare County Council. I think it was 11 in Cork County Council, but we can go into that shortly. My Department is currently completing a preliminary evaluation and clarification process on the bids received with the local authorities.

The intention is to set up an expert panel shortly to evaluate the bids independently and recommend suitable projects for funding. This evaluation will take place over the coming months. Membership of the panel will include departmental, stakeholder and independent representation in the Chair. The expert panel will make recommendations to me on the suitability of projects for funding under the programme based on the criteria set out in the framework document issued to local authorities when requesting proposals. The panel will report to my Department when its examination of the bids is concluded. We expect to be in a position to make announcements in early 2020 on approvals and allocations once that process is concluded and has been considered.

To clarify, we had the report in December 2018, we opened for proposals in July 2019, that closed in December, and we are now making those decisions to be announced in early 2020.

Deputy Aindrias Moynihan: We are almost halfway through the plan that runs from 2018 to 2021 and the Minister of State has just taken in applications. Is it realistic that all the funding will be pushed out until next year and the year after that? Will he prioritise the release of funding this year given that he is almost halfway through the 2018 to 2021 scheme without having spent on it? Will he prioritise schemes on it? Crossbarry, which was part of the original pilot

and was identified as having a great need, was the only one of the pilot schemes that did not advance to construction because it was found that the job was even bigger and the need greater. They had all the background works and so on done and now they have to wait for the review and for a new application despite having been delayed all along. Will such schemes be prioritised, because they have already gone through the mill, so to speak, and been assessed and identified as having a need?

The Minister of State has a number of different classes of schemes. There are smaller ones that would only deal with one housing estate and others that would supply an entire village and possibly open up and unlock other lands for housing. Will the Minister of State look at every scheme before releasing all of them or will he prioritise some of those that would give rise to the release further housing? For example, there could be an impact in Crossbarry where a large amount of extra land could be opened for further housing and where there are already planning applications.

Deputy Damien English: The pilot scheme informed the framework of how to judge and place various estates in order of priority. That was the reason we had the pilot scheme. The framework was developed and every local authority was involved in that framework. There were workshops on it as well to help to inform them when they placed estates and projects on the priority list.

The Deputy specifically referred to Cork. The Cork city area did not have any estates with DPI infrastructure requirements. Cork county submitted nine individual bids, including two for the four DPI estates at Crossbarry. The council bid addresses 11 estates overall. In it, the council estimated the cost of sustainably resolving the DPI of these estates at just over €1.56 million. The expert panel is to be formed in the next couple of weeks and it will use the framework and the criteria that are set out. The Deputy is correct that there are three categories. The panel will make the calls on that. Naturally, every local authority was asked to detail why it was putting forward various estates and the priorities behind that. I expect that is all included in the applications and the expert panel will judge. We will try to prioritise key areas. Public health is a major part of the framework as well.

To be clear, the framework funding that was set aside is ring-fenced over the three years and will be spent accordingly. It covers from mid-2018 to 2021. That money is still there and its purpose is to fund this infrastructure. The infrastructure is there since the 1990s and early 2000s.

Deputy Aindrias Moynihan: I return to the question of prioritising. Will the Minister of State look at every scheme and release all of them in a big bang or will he recognise that some places can provide houses much faster on the ground? These are places such as Crossbarry where planning applications and so forth are already in place and where development is being held up because of the absence of these schemes. Will he look at every application or just at some of the classes first and release those so he can get houses built and give residents in those unfinished estates the benefit more quickly, especially given the fact that they have been held up for so long? They were part of the pilot and had to wait for the review, which took over a year, and it appears that they have to wait again. They have already been assessed as having a need. In fact, it is a much greater need than originally believed. That is why they did not advance in the pilot scheme.

The Minister of State has €31 million. How is he distributing that across the three classes?

Has he made a decision on that and can he clarify how he plans to spend it? This scheme is for the period 2018 to 2021 so we are half way through it. Will the Minister of State release some of that funding before the end of the year to let people get on with it? Time is slipping by.

Deputy Damien English: To be clear, we are not half way through. The funding is allocated in an envelope for a couple of years so it is not the case that we are any way through it. The money must be spent on these estates before 2021. This is about the resolution of previous mistakes and that is where the focus will be. This is developer infrastructure that was not monitored properly and probably was not planned properly. In hindsight, it possibly should not have been allowed under previous Administrations. We are dealing with that now. It is a resolution. That is the priority on which it will be allocated. The expert panel will judge the applications that have been made. As I said, Cork made 11 applications and Crossbarry is mentioned in them. The criteria are there for judging them and the expert panel will use them. Neither I nor the Minister, Deputy Eoghan Murphy, will tell the expert panel how to judge. It will use the assessed criteria that have been set out. However, this is about resolution and rectifying the mistakes of the past.

An Leas-Cheann Comhairle: I call Deputy Heydon.

Deputy Aindrias Moynihan: What about the distribution of funding?

Deputy Martin Heydon: A number of these estates were developed in Kildare. It is questionable whether the single stand-alone developer infrastructure should have been permitted in the first place. Kildare County Council has submitted a list. When will a decision be made on funding for the estates? The Moone Village estate currently has raw sewage flowing out onto the street. A number of constituents contacted me about this in recent weeks. It has been a long-standing issue in Moone. There are also Allen Court in Allen, the Paddocks in Ballitore and Lios an Ri in Clogherinkoe. There is a long-standing legacy issue with Moorhill Wood in Brannockstown from the boom times. Redhills Park in Ellistown and Mountrice Mill in Monasterevin are part of a pilot scheme with Irish Water. Can the Minister of State provide an update on the current position with the Irish Water protocol regarding taking-in-charge? With regard to the list that has been submitted by the council, when will a decision be made on that in the context of the €31 million he has available? If and when these estates are upgraded, and it must happen as quickly as possible, who will have responsibility for maintaining them in the future? Will it be the local authority or Irish Water?

Deputy Damien English: Deputy Heydon managed to name all ten estates that are the subject of applications from Kildare County Council. They will be judged on the criteria. Submissions closed in September and Kildare got in on time with ten. An expert panel is being put together to judge the applications based on the criteria set down in the framework. That was based on the pilot scheme we had in the past. The panel will make those judgments and we expert it will be able to announce its decisions in early 2020. Work can begin throughout 2020 as well. There is an envelope of €31 million for the next couple of years. The number of estates in this category is probably about half of what we initially thought it would be, which is positive. There has been much change to housing developments in the last number of years, but there are potentially approximately 500 estates to be addressed. This allocation of funding will go a long way towards dealing with some of them and, hopefully, will bring badly needed resolution for residents who were let down by previous decisions. It is not so much that developer provided infrastructure was completely wrong, but that there was no plan to join it up and no logic to it. There was no monitoring of it and no quality assessment. It is basically down

to how it was managed without any long-term thinking. That is what is being corrected now. There is a methodology set out on how to judge that and correct it in the future.

Deputy Martin Heydon: I agree that there is a lack of management and monitoring. There are lessons for us to learn as we continue development around the country. With regard to the local authorities and the staff they have for different areas, are there enough staff in compliance sections to oversee? Is it also a key issue for Irish Water in terms of its resources to examine the compliance levels and ensure that where there is developer provided infrastructure it is being correctly implemented and installed? There are significant challenges in places such as Moone, Allen, Ballitore and Clogherinkoe and the people in these estates are encountering them daily. Hopefully, we can get funding through this scheme to address many of these problems. What is the longer-term plan for Irish Water in the context of a taking-in-charge protocol? Who will have responsibility for the ongoing maintenance of these estates when they are taken back in charge? Will they be in the charge of the council or Irish Water?

Deputy Damien English: Irish Water is involved in the solution in a high percentage of cases because the infrastructure can quite easily be tapped into its network and so forth. It will be in charge of that. In other cases they are rural areas which are a little more difficult, but individual solutions will be found as well. The key part is that we use the pilot scheme and enable the knowledge on this. Irish Water and local authorities are fundamental to the solutions, and the funding is allocated to the local authorities to carry out this work. They will be in charge of and oversee the work.

Regarding the present and the future, planning has changed completely in the last seven or eight years since we have been in government in terms of how it is managed and regulated. This cannot and would not be allowed to happen again. I am confident of that because we made sure to change it with regulations and the changes we made in the context of how we approach planning and development. With regard to servicing lands in the future, there are proposals on the desk of the Minister - these will be announced shortly - regarding Irish Water and what will happen in the future. We are also looking at a more joined-up approach between local authority development plans and Irish Water's spending plans. There cannot be development without infrastructure now. That does not happen any more.

Deputy Aindrias Moynihan: The Minister has €31 million for that and he is spreading it across three broad categories. They include smaller estates and estates where a solution would also provide a solution for the wider village and community. Has he made a decision on how he will distribute the €31 million across the three categories? Would the Minister of State accept that, if he spends some of it on measures that will benefit the wider community, more people will benefit from it? Undeveloped zoned ground for which planning permission has already been granted can also be brought into play. He can kill two birds with one stone and deal with unfinished estates while bringing zoned ground into consideration. Has he decided how he is going to spend that €30 million across those categories? Could he prioritise one category over another? Has he thought about this? Would he consider it? Could schemes that have already undergone assessment not be allowed to get on with their business rather than being held back while everybody else is assessed?

Deputy Damien English: There are four categories to be analysed by the expert panel. I will not prejudge the panel's decision. Criteria are set down and decisions will be made in conjunction with local authorities. Local authorities have done their homework and have worked out, as best as they possibly can, the cost of doing this work. They have considered whether

some of the projects are shovel-ready and how easy it is to tap into the current system. Naturally, if other planning gains arise, they will be considered but my priority, which I assume is the same as the Deputy's, is to help those people who have been left stranded in a very difficult position. That is what this is about. It is about taking in charge existing estates where people were failed in the past. That is the number one criterion. Where these estates exist alongside existing Irish Water infrastructure and infrastructure that has capacity for the future, that will be of benefit, but this work is about taking in charge existing housing estates that were built in an unsatisfactory manner, which are serviced with unsatisfactory infrastructure and which are vulnerable to issues relating to wastewater and, in some cases, water.

Water Quality

27. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government if the cause of the recent boil water notice at the Leixlip water treatment plant was the same as that discovered by the Environmental Protection Agency in March 2019. [45234/19]

Deputy Eoin Ó Broin: To move on a little bit from what we were discussing earlier, I was not questioning the decision regarding whether to shut down the water supply or to introduce the boil water notices. I understand the logic behind that. I refer more specifically to what happens after the current upgrade works to deal with the turbidity issue are carried out. The Environmental Protection Agency, EPA, was very clear in both its October audit and its contribution to the committee today that the ongoing work will not be enough to ensure that there will not be a repeat of the kind of incident we just saw yesterday in the future. That is why it has recommended that Irish Water look at a UV disinfection system. On foot of that request from the EPA, has Irish Water decided that is what is required? Will the Minister engage positively with Irish Water to ensure that this additional protection is introduced in parallel with the current capital works rather than waiting until after 2024 to address all of this?

Deputy Eoghan Murphy: I thank the Deputy for the question. I have a written answer but it is the same as the previous answer so, if it is okay, I am not going to read it out. I hope that will allow us to move through the questions more quickly. The important change with regard to accountability is that the EPA now reports directly to me. The agency is not under my Department's remit. In the course of an audit, the EPA, because it is independent, will audit a plant, make recommendations and will then take Irish Water or any other body to task over the implementation of those recommendations. It has strong powers to do so. Earlier this year in Donegal, the EPA pursued Irish Water in respect of a number of issues. It is very important that the EPA is strongly independent so that it can act without needing to drag in a Minister. In respect of this plant in particular, given what we have seen in the events in March, October and November, it is important that the EPA will now report directly to me. Following on from its report, which is more detailed than the audit, I will engage with Irish Water and with Fingal County Council to see what needs to be done. I will do that very soon. I have seen the revised timelines arising from the March recommendations. I am not necessarily happy with them, although I understand that it is very difficult to change parts of the filtration system without having to cut off people's water supply. I want to see whether there is something we can do to help in that regard.

With regard to UV treatment, given the critical nature of this plant and the increased demands on it arising from an increase in the supply of housing, we have to ensure that the neces-

sary treatment equipment is in place. To repeat my earlier point, the boil water notice currently in place as a result of the November event would still be in place if UV treatment equipment was present. The lack of this equipment did not cause this issue. With regard to the more detailed report the EPA will supply to me and the recommendations that will flow from it, we will have to look again at both the operation of the plant and the investment planned for it.

Deputy Eoin Ó Broin: I welcome that direct engagement. The EPA's audits are very valuable and very useful and are produced in a way that those of us who are not technical experts in the field can fully understand. The Minister is absolutely right. The ongoing upgrading of the filtration system in the old part of the plant which supplies 20% of the water to the greater Dublin area is, as far as we understand, the primary cause of yesterday's event. The EPA, however, said in the recommendations of its October audit and in committee today that even when the capital works currently funded in the programme and under way are completed, there will still be a risk of the kind of event that happened yesterday if we do not move towards a UV disinfection system. When we asked Irish Water about this, we asked how much such a system would cost to introduce and how long it would take. It told us that it would cost tens of millions of euro and take several years. I am not asking for the Minister to intervene in the ordinary day-to-day running of Irish Water or in the work of the EPA, but Irish Water, on foot of the recommendation in the October report, may take the view that it needs an additional disinfection system. This could be introduced in parallel but it would need additional funding from the Minister's Department not this year, or necessarily even next year, but over the next two or three years. It is on that matter that I am asking the Minister to engage positively with not only the EPA, but with Irish Water, so that we do not finish this piece of work only still to risk an event such as that affecting hundreds of thousands of households in Dublin and surrounding counties because we did not introduce the UV disinfection system.

Deputy Eoghan Murphy: I thank the Deputy for the follow-up question. We still have to get to the root cause of the November event but we can all agree that the level of risk currently inherent in the Leixlip plant is unacceptable. It is not acceptable and it is not fair to all of the houses served by this water treatment plan for this uncertainty to continue into the future. I do not want to get ahead of the process currently under way. I spoke to the head of the EPA yesterday and the process will conclude shortly, although we must recognise that the staff who were preparing this report for me were pulled back in for the November event. This will mean a little bit more of a delay, but there will be no unnecessary delay in providing me with this report. Without getting ahead of that process, I am committing to review the operational situation of this plant and the need for additional equipment to be put in place in the future.

Traveller Accommodation

28. **Deputy Eoin Ó Broin** asked the Minister for Housing, Planning and Local Government his plans for the implementation of the recommendations of the expert group on Traveller accommodation published in July 2019. [45235/19]

Deputy Eoin Ó Broin: As we know, it was in 2017 that the Housing Agency, on foot of a request from the Department, published a very extensive report showing the failings in the Traveller accommodation budgetary process. To the Minister's credit, he put together an expert group which produced a very good report, which was published in July. We are now four months on from that so I am interested to hear the Minister's intentions with regard to progress-

ing the very important recommendations of this report.

Deputy Damien English: I am currently considering the report and recommendations of the expert group on Traveller accommodation, which has been published on my Department's website, with a view to implementing appropriate actions and policies that will improve the delivery of Traveller accommodation nationally. The priority is to ensure that full use is made of the increasing level of funding available for investment in Traveller accommodation. We must ensure this money is spent and that further investment for the years ahead is also secured.

In Ireland, accommodation for Travellers is provided through a wide range of options including standard local authority housing, private housing assisted by local authority or voluntary bodies, private rented accommodation and Traveller-specific accommodation. Travellers may express a preference across the range of accommodation types at any stage when applying for social housing support through the social housing needs assessment process. It is noted that this process provides additional accommodation options to Traveller families to meet their culturally appropriate needs.

As Deputy Ó Broin will be aware, the 32 recommendations made by the expert group to accelerate the delivery of Traveller accommodation are comprehensive and wide-ranging and include proposals aimed at addressing research deficiencies, including deficiencies in how information is gathered and used so that needs can be identified clearly through the social housing assessment process; removing any potential delays and obstacles in the planning system with regard to delivery – a number of recommendations have been made in this regard; increasing resources and delivery capacity; and strengthening governance arrangements.

In the context of the 32 recommendations, my Department is now liaising with key stakeholders on issues arising across all relevant Departments. It should be noted that the expert group's report has also been shared with the national Traveller accommodation consultative committee and that members of the committee are considering the report and will provide submissions to my Department, as appropriate.

My Department and I will, in turn, further consider the issues arising and set out a roadmap for implementation of agreed recommendations. It could also be called a mini action plan or a project plan. I know the Deputy loves action plans. We find them quite useful in getting work done. This involves bringing all stakeholders into the conversation, which we have been doing over recent weeks and months. We have been gathering their opinions on, and analysis of, the matter. We will try to combine all of that as well. The Deputy can be assured that the Government is committed to accelerating and increasing the delivery of much-needed Traveller accommodation, and the funding is in place to support this delivery.

We are due in to a committee next week with the Deputy, which may prove a better time to go through each recommendation to see how we can progress them. We are committed to doing this also and we will put in place a project team, which we are already implementing, with an action plan to implement the various actions. Some are short and medium-term, but we would like to be in a position to start implementing the recommendations. We have started some of them already, but starting from January on, let us have a group in place. We will put somebody from the Department in charge to implement this and follow through on all of the actions.

Deputy Eoin Ó Broin: I thank the Minister of State. I acknowledge the work and commitment of the Minister of State to this project. Because of this commitment, he has built up a

considerable volume of trust with members of the Opposition and with the stakeholders.

I have two concerns. The Housing Agency's report was published in January 2017. Extensive consultations took place during that. The expert group did its work and got engaged. I do not believe there is necessarily a need for a wide sectoral consultation. It is more about the Government deciding which of the recommendations it is going to implement and what the timeline is. The sooner the Minister of State can bring that forward the better. I and many of the Traveller advocacy organisations would hate to see another long round of discussions when really what we want to see is what is going to be implemented.

There was a 45% underspend in 2017 of the money allocated by the Department of Housing, Planning and Local Government to local authorities for Traveller accommodation. That underspend rose in the following year to 48%. Halfway through this year it was less than 20%, although I am aware this will increase. A huge amount of money is not being spent. The urgency on this is enormous. I am happy with the action plans if the actions are good and if the target dates are met. The sooner the Minister of State can bring that forward so that everybody is clear as to how the 32 recommendations are going to be implemented, the better it will be for all of us.

Deputy Damien English: I wish to clarify that it will not be a big round of consultation at all. To be fair to all of the various stakeholders who will be involved in implementing the actions, I need to get some quick comments from them. This will include the national Traveller accommodation consultative committee, NTACC, which is there to advise me and the rest of us on this. That group has not given me its formal thoughts as I have not had a chance to engage with it. I have had some initial brief submissions from the three main Traveller organisations represented on the NTACC. I understand they want to give some further thoughts on that and I am anxious to get them. We have had submissions from the City and County Management Association, CCMA, the Association of Irish Local Government, AILG, the Irish Traveller Movement accommodation association committee, CENA, and Wexford County Council. I am also awaiting a submission, which is on its way to me, from the Department of Justice and Equality. That is important. When we have the submissions we can move on this. The plan is to put in place a project board, which I will sit on, to drive these actions. There will be a little bit of expertise required, if need be, for each action in certain areas. This is also being put together. We fully intend to move on with this as soon as possible and will not sit back.

While the spend is a lot higher than 20% now, it should be at 100% and they should be looking for more. The Minister, Deputy Murphy, and I are on record saying that we want more money spent in this regard. We recognise the need. If there are available resources, we use them to find other accommodation solutions for Travellers, even if not Traveller-specific. The money is put to good use. It is not handed back. It is spent on housing and housing solutions, and it is important to recognise that too. We want it spent in the right way, however. There are also some planning changes there, but it is to be hoped that if everybody buys into this, we will be able to make some great progress.

With regard to the delays in 2017, the Deputy will be aware of some of the history of that. We would not accept all the responsibility for that. I believe it was a little bit slow and it should have moved faster, but there were reasons for that. We are moving on in the right direction now and it is important that we do so.

Question No. 29 answered with Question No. 26.

Home Loan Scheme

30. **Deputy Martin Heydon** asked the Minister for Housing, Planning and Local Government the status of the allocation of additional funding for Rebuilding Ireland home loan applications from County Kildare; and if he will make a statement on the matter. [44687/19]

1160. **Deputy Thomas Byrne** asked the Minister for Housing, Planning and Local Government when funding will be allocated to Meath County Council for the Rebuilding Ireland home loan scheme; and if he will make a statement on the matter. [45190/19]

Deputy Martin Heydon: The Rebuilding Ireland home loan is a very good scheme for those on the lower end of the wage scale who get up early in the morning for work and who are looking to be able to purchase their own house and aspire to own their own home. Demand in Kildare is particularly high for this scheme. Will the Minister outline how much his Department has allocated to Kildare County Council for loans to be allocated under the Rebuilding Ireland home loan, the initial amount granted, and if any subsequent top-ups have been given to Kildare County Council for the Rebuilding Ireland home loan?

Deputy Eoghan Murphy: I propose to take Questions Nos. 30 and 1160 together.

When the Rebuilding Ireland home loan scheme was initially being developed, it was estimated that the drawdown of loans would be approximately €200 million over three years. This loan product, however, has proved to be more successful than initially anticipated. In the context of the scheme's success, my Department engaged with the Department of Public Expenditure and Reform and the Department of Finance about the allocation for 2019.

I engaged early, as I said I would. While discussions commenced in October 2018 on additional funding, the first tranche of €200 million was only fully drawn down in August of this year. My Department wrote to all 31 local authorities on 15 August this year sanctioning an additional €363 million in funding for the Rebuilding Ireland home loan. This brings total funding for the loan scheme to more than €563 million for 2018 and 2019 combined.

Kildare County Council's total allocation for the period 1 February 2018 to 31 December 2019 has been increased to €20.9 million. The allocation for Meath has been increased to €35.8 million for the same period. These overall allocations incorporate loans already issued since the inception of the scheme, loans that will be drawn down on foot of approvals already issued, and projected loan demand for the rest of 2019.

Deputy Martin Heydon: Kildare County Council gives six months for approved applicants to draw down their allocated loan under the scheme. If it has not been drawn down within the six-month period, the money is then recycled and given to the next applicant in the queue. There is a big issue also in the length of time people must wait after they have applied. It is very difficult to rent and to save for a deposit at the same time. If a person gets the allocation, he or she has just six months to find the right house to seal the deal.

I have also encountered the issue where there are multiple applicants, especially in Kildare and I am sure in the greater Dublin area, Meath and Wicklow also, who apply to several county council lists for the Rebuilding Ireland home loan. Has the Minister considered a national register where the Housing Finance Agency could act as an overarching body so that when a person has applied in more than one county and is allocated the funding in one county, he or she could then be knocked off the other lists? This could give the opportunity to other people

in Kildare who are also waiting on the list. Currently, it can take six months for it to become apparent that the person who is in front of them on the list will not be drawing down that money. We need to get the money recycled quicker and get it back into the system quicker.

Deputy Eoghan Murphy: The six-month drawdown period for those who have received approval for the Rebuilding Ireland home loan is standard within the industry. I am aware there have been some delays at the processing stage and people wanting the credit committee of the local authority to meet again more quickly to get approvals turned around. The Housing Agency, which is the overseer in the first line for an approval or a decline, operates to very efficient timelines.

The Deputy makes a very good point, however, about the duplications in the system. A person can apply to different local authorities and as a result it can, for a period of time, give an uncertainty around the actual headroom that is left in the local authority in terms of the funding that has been approved or allocated from central government to the local authority. One of the things we have discussed with the Department of Public Expenditure and Reform is new reporting requirements for local authorities whereby they would have to report back each month to the Housing Agency so we can see where duplication might be happening where a loan has been drawn down. On an enhanced role for the Housing Agency or the Housing Finance Agency and the roles they already play in trying to manage duplications better, a national register is a good idea and is under active consideration at the moment by me in how we can further improve this very desirable low interest mortgage.

Deputy Martin Heydon: Kildare's figures are a good example of why such a measure is necessary. Of the €21 million the Minister has said is available to Kildare County Council to draw down, the council has asked the council members to approve only €15 million. This is because there has been a drawdown of only €10 million. It means there are an awful lot of people still waiting on a list who are now contacting my office. They want to get a Rebuilding Ireland home loan but are stuck in that system. Where there is duplication it would be very helpful to have some measures to deal with that.

The income limits for the Rebuilding Ireland home loan are €50,000 for a single person and €75,000 for a couple. I have dealt with a number of cases where a person in his or her 30s is a public servant or works in the public sector and might be high enough up the increment scale. It is not too hard to get just on or above the €50,000 threshold. One comes across very few banks, however, that are able to give mortgages to people in that space who are on less than €60,000. This means we still have a cohort - single people and couples - that are missing out between the Rebuilding Ireland home loan and what the banks are lending.

The Rebuilding Ireland home loan is a very good step in that direction, but if there was a review of those limits, a slight increase should be considered. While there is a maximum level allowed, perhaps consideration could also be given to a minimum level. That there is no minimum level for the local authority to bring in is a vulnerability in the scheme.

An Leas-Cheann Comhairle: I will allow a short supplementary question from Deputy Ó Broin.

Deputy Eoin Ó Broin: The Minister will be aware that one of the difficulties in Dublin is that the loans being offered are, on average, €200,000. My local authority of Dublin City Council offers €180,000. This is far short of the market rate.

One of the things we are being told by people who receive offers that are simply too low in the context of purchasing properties is that the information on the Rebuilding Ireland home loan website is confusing and does not outline clearly what the key criteria are. In fact, the calculator on the website can often give people an inflated sense of the loans they will be able to access. When they receive an offer, it is far below what the calculator indicated or they do not get an offer at all. The broad range of criteria applied to the home loan facility at the underwriting stage must be explained more clearly so that people do not go into it with unrealistic expectations of what they might be able to get. The issue is particularly acute in the larger urban areas.

6 o'clock

Deputy Eoghan Murphy: I thank the Deputies for those follow-on questions. On the last point raised by Deputy Ó Broin, it would be an awful thing if couples were looking at homes on the basis of an expectation of a mortgage they were not going to get. That would kill their hopes and dreams right out of the gate. As a result, I will look at the issue as to whether the calculator and the credit committee are out of kilter.

Deputy Heydon asked me to examine the income limits. I will not be looking at them for the time being. The limits of €50,000 for an individual and €75,000 for a couple are in line with the other affordability requirements we are introducing. The Rebuilding Ireland home loan and affordable housing products are new and will be kept under review into the future but for the time being they are set. As to the example that was given with regard to people who might be just above those limits, it is very interesting to consider the banks. While the banks do not come under my remit, there is a question as to whether the latitude they have to make exceptions is being used with respect to higher earners. Surely, those exceptions should be made in respect of lower earners who actually need the help rather than given to the higher earners. I would like to have a bit more information about that, albeit the Central Bank and the banks themselves are independent of my Department. Where the banks have exceptions policies, they should ensure that exceptions are not only made in respect of high earners as that undermines the whole point of having a flexibility to make exceptions within the lending criteria.

Question No. 31 answered with Question No. 26.

Social and Affordable Housing

32. **Deputy Richard Boyd Barrett** asked the Minister for Housing, Planning and Local Government the number of affordable homes which will be delivered in 2020; when the income eligibility criteria for such homes will be defined; and if he will make a statement on the matter. [45220/19]

38. **Deputy John Curran** asked the Minister for Housing, Planning and Local Government if appropriate regulations regarding the sale of affordable homes will be reviewed and introduced; and if he will make a statement on the matter. [45008/19]

48. **Deputy Darragh O'Brien** asked the Minister for Housing, Planning and Local Government the estimated final average cost of an affordable home under the new affordable purchase scheme; and if he will make a statement on the matter. [45198/19]

53. **Deputy Bríd Smith** asked the Minister for Housing, Planning and Local Government the measures he is taking to ensure the availability of affordable housing units in view of Cen-

tral Bank rules and the income limits that apply to qualify for inclusion on social housing waiting lists; and if he will make a statement on the matter. [45149/19]

Deputy Richard Boyd Barrett: The income thresholds for affordable housing must be established clearly. Certainly, what the Minister has said to date indicates that there are huge numbers of people we cannot identify or say how they will access affordable housing. The Minister promised a review of the income thresholds for social housing. When will that review take place?

Deputy Eoghan Murphy: I propose to take Questions Nos. 32, 38, 48 and 53 together.

Arrangements for homes to be made available for purchase at a discount on open market rates are now provided for under the affordable dwelling arrangements and Part 5 of the Housing (Miscellaneous Provisions) Act 2009, which I commenced in June 2018. As Deputies will be aware, provisions in Housing Acts and the Planning and Development Act 2000 relating to affordable housing were repealed in 2011 in view of the fact that house prices had halved in the period between 2008 and 2011.

I signed regulations in respect of the making of a scheme of priority on 12 March 2019 and these were issued to local authorities on 22 March 2019. The purpose of a scheme of priority is to set out the affordable purchase arrangements at local authority level. This includes the methodology that will be applied by local authorities to determine the order of priority to be accorded to eligible households in instances where the demand for homes under the scheme exceeds the number of homes available.

Further regulations will be put in place over the coming months regarding income eligibility and other matters. When the operational procedures for the scheme have been finalised and before affordable homes are made available under the scheme, a programme of communication will be undertaken by my Department and local authorities.

In order to support the delivery of homes to buy or rent at rates which are discounted on open market prices, this Government has committed €310 million under the serviced sites fund, or SSF, from 2019 to 2021 to provide infrastructure to enable the delivery of some 6,200 homes.

To date, I have allocated funding of €127 million in support of 35 projects in 14 local authority areas for infrastructure works that will see the delivery of almost 3,200 homes. The overall cost and the timing of delivery for these projects is contingent upon the completion of design, planning and procurement in the first instance, and local authorities are working to achieve delivery as quickly as possible. I confirm that the first SSF supported affordable homes will be delivered on a site in Boherboy, County Cork, in 2020. Delivery across the country will increase incrementally on an annual basis thereafter.

The selling price of homes made available for purchase by local authorities will be influenced by a number of factors including the cost of each particular development, which can vary significantly from one site to another, and the housing type involved.

While the Central Bank's macro-prudential rules must be applied to banks providing mortgages to the purchasers of what will be private homes available under the scheme, significant discounts of up to 40% of market prices will mean that these homes will be available to individuals on moderate incomes who would otherwise not be in a position to purchase their own home.

In addition to making more affordable homes available for purchase using the cost-rental model, the SSF will also play an important role in making homes available for rent at levels which are significantly below market rates. I have convened a working group within the Department in conjunction with the Land Development Agency, the Housing Agency and other expert bodies. This group is developing the policy framework for the broader cost-rental model and examining how a sustainable financing structure can be established to commence delivery of units at the scale required to get this new category of housing off the ground. The work of the group is being assisted by a consultancy and research support that is being undertaken by the European Investment Bank on our behalf.

This work is being informed through two cost-rental pilot projects at the former St. Michael's Estate in Inchicore and at Enniskerry Road in Dun Laoghaire-Rathdown, respectively. The latter project has already commenced construction, supported by EIB funding, and the first homes are anticipated to come on stream from 2021.

To assist local authorities to progress projects that have been submitted under the SSF, my Department hosted an affordable housing workshop last Thursday. The workshop was attended by representatives from the 19 local authorities who were included in the first and second serviced sites fund calls.

These new schemes are set in the context of significant moderation in the growth in house prices and complement other key Government affordability initiatives. Included among these are the Rebuilding Ireland home loan, under which over 1,000 loans had been drawn down by end June this year, and the help-to-buy scheme, under which some 14,000 applications have been approved. In addition, the Land Development Agency's initial portfolio of sites has the potential to deliver 3,000 affordable homes while the local infrastructure housing activation fund, or LIHAF, will support more than 2,300 affordable homes on mainly publicly owned lands. A further 5,600 homes some of which have already come on stream, will benefit from a LIHAF related cost reduction.

In overall terms, programmes are in place under which some 18,000 affordable homes or homes with a LIHAF-related reduction will be delivered. To date, 15,000 households have also been supported into more affordable homes under the Rebuilding Ireland home loan or the help-to-buy scheme.

The following are some examples of the cost of homes under the affordable scheme. In the Boherboy housing estate in Cork, for example, two-bedroom houses will be delivered at €200,000 or less. A single person earning €36,000 could afford to buy such a house using the Rebuilding Ireland home loan. In Ballymun, two-bedroom homes will be sold for between €148,000 and €168,000. A single person earning €31,000 would be able to afford one of these homes using the Rebuilding Ireland home loan. In Ballyfermot, one-bedroom homes will be available for approximately €136,000 which will be affordable to a person on €25,000. In O'Devaney Gardens, two to three-bedroom homes will cost €300,000. A couple earning €55,000 could afford such a home. A sum of €55,000 would typically be the combined income of a new teacher and a nurse living together and buying that home together. That is the type of affordability we plan to deliver on sites in Dublin, Cork and at the cost-rental site in Deputy Boyd Barrett's constituency, which will see two-bedroom apartments for rent at €1,200, or €600 per person. That is how we are trying to drive affordability by using the serviced sites fund to deliver homes that are affordable to buy as well as cost-rental housing.

Deputy Richard Boyd Barrett: We were told the Enniskerry site would commence two years ago but it still has not commenced.

Deputy Eoghan Murphy: It has.

Deputy Richard Boyd Barrett: Due to the fact that the Minister is linking affordability to market and cost issues, people on low incomes will not be able to afford these houses, in particular in areas like mine where market prices are very high. Given the income thresholds for social housing, thousands of people are having their hopes and dreams, to use the Minister's phrase of earlier, dashed because they are being thrown off housing lists after years of waiting when their incomes marginally exceed the income threshold whether temporarily or simply on foot of the lapse of time. When they are thrown off the housing list, they may lose ten, 15 or even 20 years of waiting time while their incomes still mean they do not have a prayer of buying or renting anything in their area and cannot expect that the affordable housing, which has yet to appear but which the Minister promises will come, will ever be affordable to them. What does he say to those people?

Deputy John Curran: I want to look at this from a Dublin perspective as house prices here are considerably higher than in many other parts of the country. There is a substantial cohort of people who are squeezed out of the housing market and consigned to life in private rental accommodation. The irony is that often the rent they pay is greater than a mortgage repayment. The Minister has clearly identified schemes that will come on and has given examples. The problem is that is a drop in the ocean compared with demand. My specific concern is that the big housing solutions that we see, the big planning applications that are going directly to An Bord Pleanála, are all build to rent. That seems to be where the future lies. Our concern is that there are people who are working whose incomes are higher than the entitlement threshold for social housing who are missing out and are not able to purchase their own houses.

Out of curiosity, I looked online before I came to the House and found that in Dublin today, of new houses for sale under €300,000, 12 are listed publicly. That is the scale of the problem and that is the group that we are trying to address.

Deputy Eoghan Murphy: To respond to Deputy Boyd Barrett, the Enniskerry Road development has commenced. It is a pilot project that will operate on a cost rental model. It involves two housing bodies, the Housing Finance Agency, the Housing Agency, my Department, and the local authority. If we get it right, a two-bedroom apartment in a great location that is very well serviced will be available for €1,200. That is very important in terms of affordability. For €600 per person, rent in that type of location is very positive. If that works as a pilot, we can expand it throughout the country. That is what the working group is there to do.

On what might be affordable for someone looking to buy, I gave the example of O'Devaney Gardens, which has new two or three-bedroom homes that a starting teacher and nurse living together could afford to buy. These are the types of people we are trying to target with the affordability provisions.

The next question was how we help those who cannot qualify for social housing. We do so with these schemes. We also help them with supply. We know the increase in supply has driven down house prices in parts of Dublin or stabilised them in other parts, but we must throw off the old thinking that supply alone will bridge the affordability gap, particularly in our cities, because it will not and has not in other areas. That is why we have these affordability schemes,

the Rebuilding Ireland home loan and the help-to-buy scheme to help people out of the rent trap into new homes.

An Ceann Comhairle: That concludes questions to the Minister.

Deputy Richard Boyd Barrett: I thought we had a second round of supplementary questions.

An Ceann Comhairle: We do not, actually.

Deputy Richard Boyd Barrett: We usually do.

An Ceann Comhairle: I apologise but all the time is gone. That concludes questions to the Minister for Housing, Planning and Local Government. It is not that I am being particularly obstreperous today but we must stick to the rules.

Deputy Richard Boyd Barrett: The rules do not seem to be working very well for some of us.

Written Answers are published on the Oireachtas website.

Saincheisteanna Tráthúla - Topical Issue Debate

Human Trafficking

Deputy Declan Breathnach: The shocking discovery of 39 bodies in a truck recently is testament to the need to look at what measures Ireland will implement to take the scourge of human trafficking more seriously. The treatment of human trafficking victims in Ireland falls well short of humanitarian protection and the measures described in the legal instruments of the UN, the EU and the Council of Europe. I expect the Minister will tell me that human rights are at the heart of Irish foreign policy and that the report, Global Ireland - Ireland's Foreign Policy for a Changing World, contains a commitment to combat and prevent human trafficking. This is not what I see on the ground. The failure to secure convictions since the law was amended in 2013 and the failure of authorities to initiate any prosecutions in 2018 demonstrates the chronic deficiencies in victim identification, referral and assistance. We need to wake up to this scourge and start making progress against an abhorrent crime that is happening under our noses.

Many of these people are being severely exploited, whether they are women in nail bars, men in the fishing industry, horticultural workers or, indeed, personnel in car washes. It is modern-day slavery and in many instances people's travel documents are taken from them, they are hoodwinked and they do not realise they are being trafficked. They are promised jobs and accommodation but work for a minimum, and after expenses and accommodation are deducted, they are left with practically nothing. Currently when a woman who has been trafficked or who has been involved in exploitation and has been subjected to rape, being beaten or being threatened bravely steps out of those shadows, the response is often to provide accommodation in direct provision. Trafficking should not be confused with immigration. It is a crime and these people are the victims. Direct provision centres are not a place of refuge or comfort for them.

They need our rescue and care.

Deputy Jim O'Callaghan: I welcome the Minister's presence to deal with this very important issue concerning human trafficking. Slavery was abolished throughout the world many years ago, but unfortunately it still operates through the crime of human trafficking. Many people living in disadvantaged parts of the world are desperate to escape from their economic situation. As a result, they put themselves in the hands of individuals who promise to take them from those developing countries into countries in Europe and America. We must recognise the extent of the problem. Many women avail of the opportunities to be transported from one country to Europe, sometimes Ireland, in the belief that they are coming here to work in jobs that will be profitable for them. As Deputy Breathnach noted, unfortunately, many of these women find themselves in a sex industry that is fuelled by the pursuit of money. It is not only women who are the victims of these crimes. Men are also coming from impoverished countries in the belief that they will gain normal employment. They end up being exploited by unmeritorious and unfair employers who decide that they want to use them to avoid meeting their obligations under employment law. There are also horrific examples of people being trafficked for organ harvesting. I do not believe that it is an issue that has arisen in Ireland, but it is part of the international problem posed by human trafficking. It is crucial, in light of what happened tragically in Essex and the Irish association with that, that we are not complacent about our obligations under international law. We must ensure that Ireland is at the forefront of standing up for our obligations to fight human trafficking so that these vulnerable people can be protected.

Minister for Justice and Equality (Deputy Charles Flanagan): The events in Essex are a tragedy for all those concerned and their families and friends, to whom I would express my deepest sympathies and condolences. I am conscious that that incident is the subject of an ongoing investigation in the United Kingdom, and in relation to which An Garda Síochána is assisting at a high level. I do not wish to say anything that could prejudice those investigations.

On the broader issues raised by the Deputies, it is important to differentiate between human trafficking and migrant smuggling. While both are criminal activities frequently involving criminal networks seeking to make a profit, there are important distinctions. The Government is fully committed to addressing human trafficking and migrant smuggling under Irish and EU legislation and the principal international conventions. However, as the Deputies have raised questions specifically on anti-human trafficking, I will focus on that topic in this response.

The second national action plan to prevent and combat human trafficking in Ireland was launched in 2016, and core to this is a victim-centred and human rights-based approach with the ultimate aims of preventing human trafficking, ensuring an effective criminal justice response, and delivery of supports to victims. Deputy Breathnach raised in particular the question of support for victims. Ireland endeavours to achieve best practice in its victim-centred approach to combating human trafficking. When suspected victims of human trafficking are either encountered by or referred to An Garda Síochána, they are provided with a wide range of services by both the Government and NGOs through the national referral mechanism. These include health services, that is, mental, emotional and physical care, immigration permission, legal services, accommodation, material assistance, including supplementary welfare allowance or rent, access to the labour market, vocational training and education, police services, repatriation, translation and interpretation services, and access to education for dependent children. Identification of victims is a key component in the process of tackling human trafficking and accordingly the relevant authorities in Ireland fund and deliver a variety of specialised anti-human trafficking training to State officials. Particular emphasis in this training is placed on the identification

and provision of appropriate assistance to suspected victims of human trafficking. The Garda Síochána plays a leading role in this process.

Action is also being taken to raise public awareness in this country and help members of the public identify the signs of human trafficking. More information is available on the Blue Blindfold website maintained by the Department of Justice and Equality. It may also be noted that EU Anti-Trafficking Day is marked annually on 18 October. To mark that, the Department of Justice and Equality partnered with 23 other European states in a campaign to raise awareness to the issue of human trafficking. Ireland is also active at the international level in fighting human trafficking, in particular through co-operation with partners in the European Crime Prevention Network and Europol.

An Garda Síochána has committed significant resources to the investigation and prosecution of human trafficking. A specialised Garda unit, the human trafficking investigation and co-ordination unit, has been in place for ten years, conducting investigations into human trafficking and providing advice, support and where necessary, operational assistance to investigations at district level. Members of An Garda Síochána have this year undertaken human trafficking training courses delivered by the Federal Bureau of Investigation and the PSNI.

The Deputy referred to prosecutions in this field. These are complex cases and Deputies will appreciate that it can be challenging to secure convictions in human trafficking cases for a range of reasons, including difficulties in securing sufficient evidence to prove beyond a reasonable doubt the existence of coercion or deception of the victim. For example, last year a prosecution the State brought against three suspected traffickers was withdrawn due to the victims choosing to return to their home countries and declining to co-operate with Garda requests for testimony. I met the Garda Commissioner earlier this year on this matter and he outlined an anti-organised crime strategy against trafficking gangs, targeting their finances and their use of the Internet, and by working closely with other jurisdictions.

The annual report of the anti-human trafficking unit of the Department of Justice and Equality indicates that in 2018 there were 64 victims of human trafficking. Of the 64 recorded incidents of human trafficking in Ireland last year, 13 are recorded as having occurred outside the jurisdiction and 51 are recorded as having occurred within the jurisdiction.

Deputy Declan Breathnach: I express my support of and co-operation with any efforts to alleviate suffering or combat wrong-doing in what might have started as a tragic case arising from the greed of criminals involved with human trafficking. Vietnamese families are currently trying to make a provision in order to bring their loved ones home. I express my deep shock and offer our condolences, as the Minister has done.

We must reassess our response to this issue and six points should be immediately implemented. These include a review of the criminal justice response, a national referral mechanism where victim care would be distinct from direct provision and a new strategy for human trafficking incorporating European Union and Council of Europe requirements to be annually presented to these Houses and reported on. Government and business transparency in supply chains legislation must be considered, with a wider consideration of tainted money. Ireland's UN Security Council nomination process should address human trafficking and a rapporteur should be appointed for Ireland to work across government, criminal justice, civil society and the private sector in order to assist the development and delivery of a strategy. We must be a driving force.

Deputy Jim O'Callaghan: I thank the Minister for his reply. The annual report of the anti-human trafficking unit reveals that this is a problem in our country. We noted there were 64 victims of human trafficking in 2018 and of them, 51 were recorded as having occurred within this jurisdiction. We are talking about individuals, specifically women who have been trafficked into this country for sexual purposes or men who are abused in the workplace by not being given any of the protections afforded to the rest of us as workers under the law.

It is very important for us to note there have been very limited prosecutions in this country. I note the Minister's comments regarding the difficulty of prosecuting these cases, particularly where there are victims who are not prepared to co-operate or who may find it very difficult to co-operate because of a fear they will get into further trouble if they give evidence against persons who have trafficked them. What happened in Essex is a wake-up call for us and we must recognise that our obligations really must continue to apply. We must be more vigorous in ensuring we comply with those obligations.

Deputy Charles Flanagan: The Deputies have raised a number of constructive points that I would be happy to pursue as being applicable. I assure the House that An Garda Síochána continues to engage actively with the Director of Public Prosecutions in order to pursue further prosecutions this year. Having regard to the international dimension of the crime, we have developed strong links between the Garda and other European police services. Interpol and Europol channels are regularly used for these investigations.

I again point to the Second National Action Plan to Prevent and Combat Human Trafficking, which was launched three years ago. In this regard there are six priority areas, and if the Deputies have other elements they would like us to add, we are happy to consider them. The six priorities are currently prevention, training, awareness raising and evaluation, the reduction of vulnerability, the collection of data, demand reduction and enhanced co-ordination and co-operation. Action continues on a whole-of-government basis in line with that plan. Again, Ireland remains active on the international stage. From a domestic perspective a number of State bodies provide care and practical support to victims, including the Health Service Executive, the Legal Aid Board, the immigration service and Tusla in respect of child and family matters. My Department also provides funding to several non-governmental organisations for their work in providing support to victims of trafficking. I acknowledge on one hand the support for victims and on the other hand the robust criminal justice response.

These are complex matters but I assure Deputies Breathnach and O'Callaghan that the Government remains committed to tackling such matters through all available means.

Garda Divisional Headquarters

Deputy Alan Kelly: I acknowledge the presence of the Minister. As he is aware, I raised this matter before and there was no Minister or Minister or State available to take it. I appreciate the advice of the Ceann Comhairle and the Department contacted me to apologise for the fact that no Minister or Minister of State was available, although a Minister of State came to the Chamber immediately afterwards.

Deputy Charles Flanagan: I was in the Seanad.

Deputy Alan Kelly: I was not referring to the Minister.

Deputy Charles Flanagan: We should be clear about this. Nobody is evading responsibility here. I was in the Seanad on that occasion and we can check the record.

Deputy Alan Kelly: I was not referring to the Minister at all.

Deputy Charles Flanagan: We rang the Deputy's office with a number of available dates for this debate and this appears to be the first available date that suits him.

Deputy Alan Kelly: That is fine. It is not the issue. I do not see the point of the Minister's comments.

An Ceann Comhairle: Just deal with the matter at hand.

Deputy Alan Kelly: A Minister of State was outside the door who then came into the Chamber. It was not the Minister, Deputy Flanagan, but a Minister of State at the Department. The Ceann Comhairle acknowledged that fact to me in writing. Perhaps the Ceann Comhairle could allow me some latitude as I have lost a minute with the Minister's intervention.

Deputy Charles Flanagan: No. The Deputy raised the matter.

Deputy Alan Kelly: There was no Minister of State provided to answer the debate. A Minister of State from a different Department was sent in.

Deputy Charles Flanagan: I did not send in anybody.

Deputy Alan Kelly: Okay. That is even more worrying.

Deputy Charles Flanagan: It is not.

Deputy Alan Kelly: It is.

Deputy Charles Flanagan: The Deputy refused to accept an invitation to the debate until now.

Deputy Alan Kelly: Excuse me. I tabled this topic for debate. I did not mean for this to kick off but I put down this topic for debate, as I am entitled to do.

An Ceann Comhairle: Perhaps we could proceed and discuss what was or was not done at a later time outside the Chamber.

Deputy Alan Kelly: No Minister was available at the time. It is customary for a Minister or Minister of State from the Department to answer the debate rather than a Minister or Minister of State with no responsibility for the area.

Deputy Charles Flanagan: I was in the Seanad and I make no apologies to the Deputy or anybody else for that.

Deputy Alan Kelly: I am not saying anything about that but there are other Ministers of State in the Department.

The new divisional headquarters location for the Tipperary and Clare Garda division makes no sense. The local perception is of bewilderment and the decision has sapped morale. I respect the idea that the Garda Síochána must change and I even welcome that change. My county has access to two of the longest motorways in Ireland and it touches six other counties.

It is central to much of the transport in Ireland. The idea that the headquarters for the divisional area would be in Ennis is frankly insane. The proposal is even more bizarre than that. The Tipperary and Clare division does not make sense. We will have a divisional headquarters in Ennis sandwiched between Garda divisions in Limerick and Galway, meaning there will be three headquarters along the west coast and none in Tipperary. This does not make sense for members of An Garda Síochána. No one can tell me that the gardaí who will deal with the headquarters in Ennis will not have to start travelling to the town. Gardaí from Tipperary will have to travel through another division in Limerick to reach their divisional headquarters in Ennis. As someone who lives right beside the Ballina-Killaloe bridge, the Minister can trust me when I say it would be quicker to go through Limerick. That is why we need a new bridge.

The decision-making process was based on five criteria, namely, population, level of crime, workload, projected growth of the area and geography. With the greatest of respect to my good friends in County Clare, Tipperary is miles ahead of Clare on all five of these criteria.

We met the Garda Commissioner last Friday and I respect his decision to attend a meeting of the joint policing committee in Tipperary. He acknowledged after questioning that there may have been other reasons. If the criteria point to one decision but another decision is made, it shows a lack of transparency. This results in innuendo and other commentary, which I neither welcome nor want to hear. The metrics do not add up for this decision.

An Ceann Comhairle: I thank the Deputy.

Deputy Alan Kelly: In fairness, I lost a minute so I ask for a little latitude.

There is also a lack of consultation. The Garda Representative Association in the county has made valid points about the lack of resources in Tipperary. The Garda Commissioner was unable to tell us how many extra gardaí would result from this changeover. I asked the Commissioner a question the other day but he did not answer it. He stated that a number of divisions would be opened first, which I respect, after which the process would be analysed and audited and the findings and learnings would be considered. All I am asking for is a review of this decision-making process after several years to see whether it is working or justifiable. That is a reasonable request. Auditing is good. This decision is obviously wrong because all the metrics show it is wrong. I am asking the Minister to put forward that request.

Deputy Charles Flanagan: As far as Topical Issue matters are concerned, I neither evade nor avoid my duties and obligations in the House. The record will testify to that in terms of my appearance here.

An Ceann Comhairle: It will.

Deputy Alan Kelly: I never said anything of the sort.

Deputy Charles Flanagan: If I am in the Seanad, I cannot be here. A message was sent to Deputy Kelly's office and, as far as I understand, the Office of the Ceann Comhairle.

The origin of the new model lies in a detailed analysis of these issues by the Garda Síochána Inspectorate. I remind the House that the inspectorate is an independent body comprised of experienced and distinguished policing professionals. It is tasked with ensuring that the resources available to An Garda Síochána are used to achieve and maintain the highest levels of efficiency and effectiveness in the operation of its functions with reference to the best standards of com-

parable police services. The recommendation of the inspectorate on how An Garda Síochána is structured is in line with this remit and will ensure maximum policing impact on the ground in County Tipperary. The recommendations were strongly endorsed by the independent Commission on the Future of Policing in Ireland. The commission was made up of policing experts, experts from the private sector and academics - people with experience of policing.

I remind the House that the announcement of the new model by the Garda Commissioner was welcomed by the Policing Authority and other key stakeholders. I emphasise that this new model will bring positive impacts throughout the State and in Tipperary. First and foremost, it will mean more gardaí, including sergeants and inspectors, on the front line. It will reduce bureaucracy within the Garda organisation and empower divisions to take decisions at local level in counties Tipperary and Clare. It will create divisions of sufficient scale to ensure operational independence. Every division will have specialists in critical areas, including domestic and sexual crime and economic crime. In short, the new model will bring significant improvements to An Garda Síochána structures, processes and services in Tipperary and Clare, maximising the organisation's operational impact at the local level in both counties to deliver an improved more consistent and highly visible policing service in communities across Tipperary and Clare. The new division in Tipperary and Clare, like all others, will have between 600 and 800 Garda members. It will have a Garda inspector available on a 24-7 basis and expertise in cybercrime and protective services, which deal with domestic and sexual violence, as well as a major focus on community engagement across counties Tipperary and Clare.

I have previously highlighted that in the current model several divisions cover two counties, including the division in my constituency. There is no evidence that the location of a divisional headquarters outside a county boundary diminishes policing services in any respect. I have been a Deputy representing Laois-Offaly for a long time. I have never once heard it put to me that because the headquarters is in Portlaoise policing in Tullamore has suffered.

It is important that we continue to acknowledge the reasoning and rationale behind this system. The idea is to improve services at local level. The new model will shift power and decision-making from Garda headquarters in Dublin to chief superintendents and superintendents nationwide, including in Tipperary and Clare. This will bring these senior members of the Garda service closer to the communities they serve in Tipperary and Clare, ensuring a more localised and responsive policing service that will reflect the local needs of the people in the division. It is not the case that under the new model, policing services will be centralised at divisional headquarters.

I welcome the Commissioner's confirmation that as many superintendents as possible will be in key locations throughout the division, including in Thurles in County Tipperary. This has been achieved in the divisions that piloted the model. The location of the divisional headquarters is simply an administrative matter and will not impact in an adverse or negative way on policing in the new division. The increased Garda numbers in Tipperary bear witness to the commitment to delivering the best possible police service in the county. Garda numbers in Tipperary have increased from a total of 354 at the end of 2015 to 384 this year. At the same time, the number of Garda civilian staff in the division has almost doubled from 32 at the end of 2015 to a total of 61 today. This is a considerable increase in civilian staff and means that additional gardaí can be redeployed from administrative to operational policing duties where their training and policing expertise can be used to best effect.

Deputy Alan Kelly: I believe in modernisation of An Garda Síochána. I also believe that

we need to see considerable change. I am not one of those who come to the Chamber to practise NIMBYism, as my track record will show. I do not believe in political policing. I believe in transparency in decision-making. Where a decision such as this is made and it is not transparent across the criteria, it has to be questioned. That is what this Chamber is for. I listed the criteria and I challenge anyone to say that, when applied, these criteria place Ennis in County Clare above Thurles in County Tipperary.

The Minister made a statement about his time as a Deputy which is frankly not relevant. He said that locating the Laois-Offaly divisional headquarters in Portlaoise rather than Tullamore made no difference. There is some difference between the distance from Tullamore to Portlaoise and the distance from Carrick-On-Suir to Ennistymon. The former is approximately 36 km while the latter approximately 180 km. The point is the scale and size. We have divisional headquarters in Limerick and Galway, and rightly so given the scale of the cities and areas they cover. We then have another headquarters on the west coast in Ennis. The largest inland county, Tipperary, has a major issue with crime owing to the length of motorway there. The decision is bizarre given that Tipperary places higher than Clare under all of the criteria. Is it any wonder that the gardaí to whom I have spoken at all levels are so disheartened by this decision? That is a fact. If the Minister listens to the GRA and to other garda representative bodies, they will tell him this.

It is good practice to review decisions. While I do not agree with what has been done here, I am not asking for it to be changed now. However, I want to know when the Department first became aware of this decision and whether there was any other iteration of it beforehand. Will the Minister ensure that, given the Garda Commissioner's statements, after a number of years all of this will be audited to see if this is the optimal way to organise Garda divisions?

Deputy Charles Flanagan: I acknowledge the entitlement of Deputy Kelly or any other Deputy to raise questions. Indeed, it is an obligation on the Deputy's part. I am very pleased that the Commissioner has responded to an invitation to attend a meeting in Tipperary in order to answer questions. In this regard, the Commissioner recently met members of the Tipperary joint policing committee. I understand that he addressed the issues raised by Teachtaí Dála and local representatives directly on the new model. Garda Commissioner Harris and his senior team have indicated that they are willing to meet joint policing committees all over Ireland and accept submissions. This engagement is important and I urge all interested parties to avail of the opportunity to engage.

At the heart of the concerns raised by Deputy Kelly is the relationship between communities and their local gardaí, as well as the garda resources required in each division to provide an effective policing service. An Garda Síochána is a growing organisation. Since the reopening of the Garda College in Templemore in County Tipperary, closed under a previous Administration, approximately 2,800 new gardaí have attested and have been assigned to mainstream policing duties around the country. A further 200 gardaí are due to attest before the end of the year. At the same time, the record level of recruitment of Garda civilian staff is allowing for the redeployment of gardaí to operational policing duties in Counties Tipperary and Clare. As a result, there are significantly more gardaí working to protect communities from harm. Under this new model we will see more sergeants and inspectors at the coalface in Tipperary and Clare. We will see less duplication and bureaucracy at superintendent and chief superintendent level. There will be greater specialisation in Tipperary and Clare, with expertise available locally to address the new types of crime and to engineer the responses required of An Garda Síochána to legislation passed in these Houses on an ongoing basis.

This new model will deliver on some of the key recommendations of the Commission on the Future of Policing in Ireland. Gardaí should be visible in Tipperary and Clare, on the front line, engaged in community policing. I am confident that the roll-out of the new model will strengthen and facilitate community engagement and provide an improved policing service to communities in Tipperary, Clare and elsewhere.

Policing Issues

Deputy Brendan Smith: I appreciate the opportunity to raise this issue and I welcome the fact that the Minister for Justice and Equality, Deputy Flanagan, is in the House to take it. The issue is self explanatory and barely requires further expansion from me. At midday yesterday the Independent Reporting Commission reported on progress being made towards ending continuing paramilitary activity. The commission's core finding is concerning, namely that "paramilitarism remains a stark reality in Northern Ireland" that continues to be a serious obstacle to peace and reconciliation. Some 21 years after the signing of the Good Friday Agreement, this is a worrying assessment and it should remind us all that implementing the agreement is still a work in progress and that progress in recent years has been slow, to put it at its most diplomatic. It is indeed ironic that the Independent Reporting Commission now operates under the mandate given to it by the Fresh Start agreement of 2015. If the other bodies and institutions took the mandate to start afresh and focus on their own roles as seriously and assiduously as the Independent Reporting Commission, we would all be in a better place on this island.

In their assessment, the four members of the Independent Reporting Commission state clearly and unambiguously that ending paramilitarism can only be sustainably brought about by means of a twin track approach which combines policing and justice responses alongside systemically tackling the serious socioeconomic deprivation facing the communities in which paramilitaries operate. The commissioners specifically recommend that tackling paramilitarism be made a new dedicated outcome in a programme for Government. They view this as the best way of achieving the whole-of-system approach that is needed in Northern Ireland. As a representative of a Border community that has enjoyed the benefits of the Good Friday Agreement that have been allowed to flow, I agree wholeheartedly with the commissioners in this judgment and urge both Governments and the political parties in Northern Ireland to put the eradication of the scourge of paramilitarism and paramilitary criminality at the core of any future programme for Government of a future Executive in Northern Ireland. Such an Executive and a Northern Ireland Assembly is sadly lacking at present.

There is much more we can do now, however, starting with making all of the necessary resources and manpower available to An Garda Síochána and the PSNI without delay. Indeed, the Independent Reporting Commission specifically calls for increased and enhanced neighbourhood policing and for urgent action to address the delays in cases coming before the courts. I do not know of a single person in Cavan or Monaghan who would not endorse that call 100%. Co-ordinated action is needed now to tackle the wanton intimidation of whole communities by paramilitary gangsters that we have seen over the past few weeks and months. I had the opportunity some weeks ago in this House to outline my abhorrence and that of the people I am privileged to represent of the cruel terror that was inflicted on Kevin Lunney. There were also other despicable and cowardly incidents perpetrated on other Quinn Industrial Holdings executives that were intolerable. These are a challenge to our local communities and to this State but the rule of law must prevail at all times. I must emphasise the fact that this is the view of more

than 99.99% of the people that I represent in the Border communities. Previous Governments and Ministers for Justice and Equality have shown how this State is prepared to use all its resources to stand up to the gang lords and thugs. Over a decade ago in Limerick such necessary action was taken with a successful outcome. We need to show the same level of seriousness and resolution today. The first step must be to dramatically increase the resources available to An Garda Síochána in the Border areas to show that this State will not tolerate the intimidation of individuals or communities, regardless of the jurisdiction from which the perpetrators come.

In conclusion, this House should express its gratitude to the four members of the Independent Reporting Commission, Mr. John McBurney, Mr. Tim O'Connor, Ms Monica McWilliams and Mr. Mitchell Reiss for their continuing service.

Deputy Charles Flanagan: There is no more consistent an advocate for Border security and policing than Deputy Brendan Smith. I say that not only in respect of my time as Minister for Justice and Equality, but also previously as Minister for Foreign Affairs and Trade. The Deputy and others will acknowledge that policing the Border region has always presented particular challenges and these necessitate a collaborative approach to policing between law enforcement agencies North and South of the Border. There is ongoing close co-operation between An Garda Síochána in this Republic and the PSNI in Northern Ireland. The importance of this ongoing high level of co-operation has been emphatically demonstrated again in recent weeks by the abhorrent attack in County Fermanagh to which Deputy Brendan Smith referred. I visited the area and was briefed by the Commissioner and the investigation team in Cavan. It is clear that elements of this horrific crime took place on both sides of the Border and a joint investigation is ongoing, including ongoing sharing of information and evidence between An Garda Síochána and the PSNI.

I am sure the Deputy will join me in welcoming the Commissioner's decision to establish an additional armed support unit in Cavan town. This unit will complement the work of units already based in Ballyshannon, County Donegal, close to the Border and in Dundalk, County Louth, the home town of Deputy Breathnach, in the northern region. The northern region has benefitted from the accelerated recruitment to An Garda Síochána and the unprecedented €1.76 billion budget provided to the force for 2019. Since the end of 2017, Garda strength in the northern region has increased by 150 to approximately 1,500, with Garda staff in the region also increasing by approximately 150, which represents an increase of almost 30% over the past three years. The ongoing recruitment will provide the Garda Commissioner with the resources needed to deploy increasing numbers of gardaí to the region to deliver a visible, effective and responsive policing service. These requirements will be kept under ongoing review by Garda management with a view to addressing any policing requirements for the Border region which may arise from time to time. In the event that a no-deal Brexit gives rise to additional requirements in Border areas, further resources can and will be provided through redeployment.

I acknowledge what Deputy Brendan Smith said about the Independent Reporting Commission, IRC, report. In November 2015, the British and Irish Governments and the Northern Ireland Executive agreed a series of measures under the Fresh Start agreement as part of a concerted and enhanced effort to tackle organised and cross-jurisdictional crime. These measures included the creation of the joint agency task force which is led by senior officers from An Garda Síochána, the Police Service of Northern Ireland, the Revenue Commissioners and UK Revenue and Customs. This joint agency task force meets regularly and did so most recently this week in Belfast. Both Governments are determined that, regardless of the political outcome of Brexit, the excellent ongoing level of co-operation between An Garda Síochána and the

PSNI must and will continue. It is important that every resource be made available, as Deputy Smith rightly says, to combat the threat posed by dissidents and criminals of an organised and ruthless nature who seek to exploit the policing challenges faced in the Border area.

Deputy Brendan Smith: I thank the Minister for his detailed response. As he knows, the Independent Reporting Commission report is very clear that ending paramilitary activity is made immeasurably more difficult by two issues, namely, the vacuum created by the absence of devolution and uncertainty over Brexit. A return to political decision-making in Stormont is essential in order to comprehensively address these issues, which are multifaceted and deep-rooted. I have often said in this House that the one political mandate that all of us on this island have is to implement the Good Friday Agreement, having been given that mandate through the referenda held both North and South in May 1998. Sadly, we do not have a functioning Executive or Assembly in Northern Ireland, for which both Sinn Féin and the DUP should be ashamed as they have held up the restoration of those necessary institutions. A non-functioning North-South Ministerial Council has also been a huge loss to this country, as it could have been central to the preparations for Brexit in an all-Ireland context.

The residue of paramilitary activity must be eliminated. Great emphasis must be placed on dealing with these criminals who masqueraded for decades under so-called political ideologies, resulting in destruction and loss of life. That must be ended once and for all.

The Minister correctly pointed out that I have consistently raised the need for additional resources for the Border region in this House. I have often said that there are unique policing demands in the Garda Border division. The Minister used that phrase on television the other night. I have always highlighted the need for additional resources because of cross-Border criminality. It hurts me and 99.9% of the people I have the privilege of representing when we hear ill-informed commentary that our region is lawless or that its people do not subscribe to the rule of law. Sadly, a very small number of criminals both North and South have inflicted damage on the area. I reiterate that more than 99.99% of the people living in the Border region are law-abiding. They work hard, the same as people in every other part of our country, pay their mortgages, rear their families, pay their education and health bills and are looking to the future. They want to be secure in the knowledge that they are safe when going to and from work. That does not take away from the fact that a very small number of people can do a lot of damage to a region, but the people I represent believe in the rule of law.

An anniversary mass for the late Paul Quinn, a young man who was murdered in horrific circumstances by thugs and criminals, was held only a few weeks ago. Recently, my colleague, Deputy Breathnach, launched a report on cross-Border crime on behalf of committee A of the British-Irish Parliamentary Association. The report noted that there had been an increase in the number of criminal groups with cross-Border operations over the past five years, rising from approximately one in five groups in 2014 to one in three in 2018. Cross-Border criminality, in which people are involved in illicit trade in drugs, fuel products and so on, must be tackled with every possible resource available to the State and its agencies both North and South.

Deputy Charles Flanagan: It is both appropriate and timely that Deputy Brendan Smith should make specific reference to the second report of the Independent Reporting Commission, which was published yesterday by the British and Irish Governments. It draws attention to a recent upturn in paramilitary activity and paramilitary-related murders over the past year. I think of Jim Donegan, Ian Ogle and Lyra McKee. The report also makes clear that the lack of a Northern Ireland Executive is a hindrance to progress. There is an urgent need for the re-es-

tablishment of the institutions in Northern Ireland and for political leadership to be restored. A key recommendation of the IRC report is that tackling paramilitarism should be properly placed within the Northern Ireland programme for government. This placement should address the complex and interconnected social deprivation factors, such as educational under-attainment, which strongly correlate with the legacy of paramilitarism in many areas. This recommendation cannot be implemented while an Executive is not sitting in Northern Ireland. I join Deputy Smith in his call in that regard.

I spoke recently to the UK Home Secretary and met the recently appointed Secretary of State for Northern Ireland. I assure Deputy Smith that I took both these opportunities to reaffirm our deep commitment to continuing the close working relationship we have with our colleagues in Northern Ireland and the UK on matters such as security and risks in the Border region. I remind Deputies that this co-operation and intelligence-led policing is producing significant results in addressing cross-Border criminality. Last Thursday, for example, gardaí attached to the national drugs and organised crime bureau intercepted a commercial haulage vehicle in Dundalk and recovered cannabis herb with an estimated value of €3.2 million, subject to analysis. Two men were arrested and investigations are ongoing.

I reaffirm that An Garda Síochána has the full support of the Government in its ongoing work addressing cross-Border criminality. We are providing record resources to enable it to perform this critical role. I welcome the interventions of Deputies Breathnach and Brendan Smith from the Border area, not only this evening but on a consistent basis. It is important that we all work together towards ensuring that the scourge of violence and criminality of an organised nature in the Border area is by no means tolerated.

Criminal Justice (Mutual Recognition of Decisions on Supervision Measures) Bill 2019 [Seanad]: Second Stage

Minister for Justice and Equality (Deputy Charles Flanagan): I move: "That the Bill be now read a Second Time."

I am very pleased to present this Bill to the House. I am also pleased to report that it received general support on its recent passage through the Seanad. I do not wish to tempt fate or anticipate the approval of Deputies but I hope it might receive a similar amount of broad support here. There is a pressing need for this legislation to be enacted.

This Bill will give effect to the provisions of EU Council Framework Decision 2009/829/JHA on the application, between member states of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention.

Ireland is obliged to give effect to this framework decision. The deadline for implementation was 1 December 2012. Any further delay on our part is likely to result in referral to the European Court of Justice. The Bill will fully implement the provisions of the framework decision into Irish law and will meet our obligations in this regard under EU law.

The Bill is overdue and has been a long time coming. Drafting of the Bill has been particularly complex due to the interaction with existing law in this area, much of which is non-

statutory. While the Bill is important, the number of people to whom it will apply will be small.

The Bill is detailed and technical, but is a straightforward and faithful transposition of the framework decision. The text closely reflects the provisions of the framework decision. The framework decision provides for cross-border recognition of supervision decisions and monitoring of the conditions attached to such supervision. The framework decision is one of a suite of measures designed to ensure that the courts have the same options open to them for dealing with non-residents as they have for residents. The framework decision is also founded on the principles of the right to liberty and of the presumption of innocence, but it carefully balances these against the protection and security of the general public.

7 o'clock

Although this Bill is quite a technical piece of legislation, its intention is simple. It aims to implement the provisions of the framework decision by creating a legal framework to facilitate an EU citizen subject to a supervision decision to return to his or her home country while ensuring that the necessary supervision measures continue to function and that the legal consequences for failing to comply with that supervision can be enforced, if needs must. This ensures that the necessary protections for the public are in place.

Under the provisions of this Bill, that person could have his or her supervision transferred to Ireland. He or she could return to the State, carry on working and living with family and have his or her supervision monitored by An Garda Síochána. The Bill will ensure that a person who is charged with an offence in another member state will not suffer a disproportionate interference in his or her life before facing trial on any charges. If he or she should fail to comply with the supervision measures, the Garda could enforce the order endorsing the supervision decision through the Irish courts, so the protection of the public is very much ensured.

The Bill also provides for the reverse scenario, that is, supervision decisions imposed by the Irish courts on individuals who are not habitually resident in the State can be transferred back to that person's home state if he or she wishes to return. The Bill cannot be used to remove someone from one state to another without his or her consent. Such an arrangement has obvious benefits and is likely to encourage compliance with the supervision decision. Ultimately, the public is safer when supervision is successful.

I want to turn to the provisions of the legislation and outline what is proposed in some detail. The Bill consists of 38 sections and is highly prescriptive. It sets out in great detail the step-by-step procedures by which transfers of supervision measures can take place.

Part 1 comprises sections 1 to 7, inclusive, of the Bill and covers a number of general provisions, including provisions on commencement, interpretation, the application of the Act, expenses and the power to make regulations. Section 5 specifies that the Minister for Justice and Equality will be designated as the central authority in the State for the purposes of this Bill and also states that the functions of the central authority can be delegated by order.

Part 2 comprises sections 8 to 22, inclusive, which set out the rules and procedures that will apply where Ireland is the issuing state, meaning that it is an Irish court making a decision on supervision measures, in other words a decision to grant bail, subject to conditions, to a resident of another member state, the executing state. These procedures include obligations and provisions such as obliging the Irish central authority to consult with the executing state in regard to various aspect of the supervisions decision. This can include if the supervised person commits

a serious breach of the decision.

Section 10 also compels the central authority to bring to the attention of the court any risk to the public, giving the court the power, in section 11, to make a supervision decision in certain circumstances. The section does not impede the court's power to refuse the accused person bail on any existing ground. Sections 12 to 18, inclusive, detail the various procedures and processes that the issuing state and the executing state must adhere to or can rely on, such as outlining, as it does in section 12, the application process for a supervision decision for a person who has already been granted bail in the state and wishes to return to another member state pending trial.

Section 15 provides for the potential responses from the executing state to a forwarded supervision decision, for example rejecting the supervision measures, delaying the decision-making process or adapting a supervision measure. Sections 19 to 21, inclusive, give powers to the court to make decisions on revoking and renewing supervision decisions and issuing arrest warrants where the supervision measures have been breached. Section 22 makes provision for the supervised person in the other member state to appear before the court at certain hearings via live television or video link.

Part 3 of the Bill comprises sections 23 to 38, inclusive, and sets out the rules and procedures that will pertain where Ireland is the executing State, in other words, where a decision on supervision measures is issued in another member state and forwarded to Ireland to be recognised here. This includes consultation with the issuing state on various issues around the supervision decision, as per sections 25, 28 and 29, obligations on reporting regarding supervision measures and their conditions, in section 27, as well as outlining the definitions of what constitutes an offence under Irish law, in sections 26 and 30.

Sections 31 to 34, inclusive, and 37 to 38, inclusive, set out the Irish courts' and central authority's obligations and powers regarding supervision decisions made by member states. Sections 35 and 36 state that the other member states will retain competence to renew, modify or revoke the supervision decision and provide for the extension of the monitoring of the supervision decision if necessary and requested by the other member state.

We will of course have the opportunity to discuss all sections of the Bill in more detail on Committee Stage. However, as I have already stated, the Bill is somewhat overdue. The European Commission is currently reviewing the implementation of the Council framework decision and failure to enact the necessary legislative provisions would likely result in referral to the Court of Justice. Therefore, I ask Deputies to support the passage of the Bill through the House.

As Deputies can see, the Bill is detailed, technical and prescriptive, but its aims are straightforward. It fully and faithfully implements the provisions of the framework decision by establishing a system and setting out step-by-step the procedures for returning non-resident persons, subject to supervision measures, to their home country. It does this in order to prevent an unreasonable interference in the life of the accused before trial and it guarantees that the necessary enforcement options are available to national authorities to safeguard the public.

Although the number of people who may wish to transfer their supervision under this measure is likely to be minimal, for those individuals who find themselves abroad, away from family and community supports, it will undoubtedly prove a valuable instrument with the ultimate goal of ensuring safer societies. I commend this Bill to the House and hope it will garner the support of Deputies.

Deputy Jim O'Callaghan: I wish to share time with Deputy James Lawless. We will not take the full amount of time available.

Fianna Fáil will support this important technical Bill. As the Minister said, the purpose of the Bill is to transpose into Irish law the framework decision that was made in October 2009 and which seeks to give mutual recognition to what we in Ireland would term bail conditions that are applied in this country so that they can be availed of by a citizen of another EU country in that other EU country.

We should acknowledge at the outset that it has taken a long time for us to get here. As I mentioned, the decision was made in October 2009 and ten years later we are dealing with Second Stage of the Bill seeking to get it transposed. We need to acknowledge that this is not the first time we have had a significant delay in respect of the transposition of important legislation in the criminal justice area. The Government should make efforts to try to ensure we will not be guilty of this type of delay in the future. It is not just the fact, as the Minister stated, that we could be subjected to sanctions by the European Commission and European Court of Justice but also that we need to recognise that citizens of other EU member states cannot avail of the provisions of this if they happen to be arrested in Ireland since we have not transposed it into Irish law. It is also important to say that nothing in this legislation impacts on the rights of members of the Judiciary here to refuse to grant bail. The right to refuse to grant bail will still rest with members of the court on the basis of, for instance, whether they believe there is a likelihood of another offence being committed while the person is out on bail. It is unquestionably the case that in many instances people from other EU countries are refused bail because they can be regarded as flight risks. That is why this is useful legislation. We will be able to allow people who meet the qualifications to have bail granted to them to serve those bail conditions in the country in which they are resident or where they are EU citizens. Similarly, we have seen many examples, as the Minister mentioned, of Irish citizens who may be arrested and prosecuted abroad where it would have been preferable if they could have served their bail conditions here as opposed to not having any bail conditions granted to them, but in fact they would then be subject to being remanded in custody in the EU country.

As I mentioned, there is another matter we need to consider. I know it will be difficult for the Minister to answer this now unless he has a crystal ball, but what will be the position in the case of a no-deal Brexit? We know that in a no-deal Brexit European arrest warrants will be a very difficult issue. There is significant co-operation between Ireland and the UK in the operation of the European arrest warrant, particularly in respect of the matter we talked about earlier. I refer to the PSNI and An Garda Síochána co-operating in the extradition of people on either side of the Border for the purpose of facing criminal charges. We have seen that if it is the case that there will be a no-deal Brexit, there will be problems with the European arrest warrant. Furthermore, what will be the position of Irish people in the UK who are charged with offences? Will they be granted or refused bail in circumstances in which the provisions of this legislation will not apply?

Fianna Fáil will support the legislation.

Deputy James Lawless: I will make just a brief comment. As my colleague Deputy O'Callaghan said, Fianna Fáil supports the Bill and welcomes its introduction to and passage through the House.

It is worth briefly considering other international frameworks, in particular the Magnitsky

Act. Bill Browder visited Leinster House earlier this year. While the Magnitsky Act provides for a different type of framework from that provided for here, it allows international human rights violators to be sanctioned in multiple countries and jurisdictions. It is less of an advance than the legislation before us but it might be considered as a sanction. Otherwise, Ireland risks becoming a haven for violators of human rights. We in this House should consider whether it is appropriate to advance the Magnitsky Act.

To tie in with an issue Deputy O'Callaghan raised regarding what will happen in a post-Brexit landscape, we hope we are beginning to see an orderly Brexit. In any event, it is worth reflecting that the European Convention on Human Rights is a very successful international legal framework which has underpinned much of the human rights legislation, including legislation on the presumption of innocence, which is key to the legislation before the House. The presumption of innocence is underpinned by the European Convention on Human Rights. It is a great irony that it was a British Law Lord who authored the convention following the Second World War. This brought the presumption of innocence, the golden thread, and the principles in the likes of Woolmington *v*. DPP to bear on European law. It is this rich inheritance that Britain is now walking away from with Brexit, but *c'est la vie*. That is outside of our control. We in this House, however, are committed to European and international frameworks, no less the one before us, which we support.

Deputy Sean Sherlock: *C'est la vie.*

Deputy Jim O'Callaghan: *C'est la vie.*

Deputy Martin Kenny: This Bill is designed to provide for the mutual recognition of judgments and decisions among member states of the EU on probation and bail and alternative sanctions in order that these can be served out and supervised in jurisdictions other than the one in which they were handed down. Sinn Féin has no objection to the Bill, which will have the effect of allowing, for example, an Irish resident who is sentenced to a period of probation while temporarily in another member state of the EU to return home and be supervised by the Irish Probation Service for the duration of that probation, rather than having to stay for that time abroad. It will also allow someone from - that is to say, resident in - another member state who is found guilty and convicted of an offence in Ireland, for which he or she is handed down a period of probation by the court, to return to his or her country of residence under the supervision of the probation service in that jurisdiction. For example, a person from abroad attending a rugby match in Dublin may end up being charged with assault and given two years' probation by the courts. He will be able to go home and have the probation supervised in his home state instead of having to stay here to observe the conditions of his probation.

It is important that the rights of accused persons charged with offences abroad are protected, just as it is important that victims are protected by ensuring that non-resident accused persons fulfil their bail conditions. It is also preferable to reduce the detention of a person pretrial in this jurisdiction if the same conditions can be enforced in his or her home state. The enforcement of bail conditions in the EU member state in which a person is ordinarily and legally resident makes sense for everyone concerned.

This Bill will facilitate cross-border recognition of bail conditions in EU member states. Here again, we come up against the potential problems of Brexit. I hope that a relevant amendment can be made to ensure that the conditions that apply in the Bill will also prevail in respect of Britain and the North after Brexit. The measures in the Bill are important to protect the

rights of accused persons who face trial in another EU jurisdiction while also ensuring there is a legal basis for the enforcement of bail conditions in other member states. The Bill implements EU Council Framework Decision 2009/829/JHA on the application of the principle of mutual recognition of decisions on supervision measures as an alternative to provisional detention of the accused.

It is the way of the world that thousands of people fall foul of the law and are caught up in and charged with offences, big and small, while they are temporarily abroad in other member states. What this Bill basically does is afford such persons the same protection as they would have at home and give the courts the same options for dealing with them as courts in their home jurisdiction. The proposals ensure that the courts have the same options in dealing with non-residents as they have with residents of each EU member state and that member state criminal justice systems can recognise and enforce one another's judgments as EU citizens move freely around the European Union.

There is also the facility of the European arrest warrant to ensure that if someone does not return to face trial or judicial processing in the other jurisdiction, he or she can be surrendered under that facility. I noted when introducing the Bill that the Minister emphasised that the presumption of innocence is a cornerstone of our criminal justice system and that this measure will ensure that a person charged with an offence in another member state will not suffer a disproportionate interference in his or her life before facing trial on those charges. As the Minister said, these proposals allow an accused person to maintain ties with family and continue employment or education in his or her home country while awaiting trial. He also said that by providing for the enforcement of bail conditions and return of the person for trial, the Bill also puts in place the necessary protections for victims and the public.

I wish to raise a matter which, although outside the scope of this Bill, is very much relevant to its context and the principles expressed in the Minister's contribution. I refer to the case of two US army veterans, who I understand wrote to the Minister recently about their situation, namely, Ken Mayers from New Mexico and Tarak Kauff from New York. One of these gentlemen is aged 82, while the other is 77. Both have been unable to travel home to visit their families for the past six months. They have been awaiting trial for non-violent action at Shannon Airport last St. Patrick's Day. The two men were arrested at the airport on 17 March when they tried to inspect an Omni Air International aircraft which was on its way to Kuwait. The veterans believed it was carrying US troops and weapons in violation of international law. The men have been charged with trespass and causing €2,500 worth of criminal damage to the perimeter fence of the airport. They also had their passports taken from them as part of their bail conditions. While recognising that the Minister cannot interfere in the administration of justice in the courts, his claim that accused persons do not suffer disproportionate interference in their lives before facing trial, as well as his affirmation that he is in favour of proposals to allow an accused person to maintain ties with family and continue employment or education in his or her home country while awaiting trial in the case of EU citizens, should also apply to these two gentlemen. I know they have written to the Minister. While it may not be appropriate to interfere in a case, there needs to be good efforts from the Minister's office to deal with this situation. I have met these two men. They were here in Leinster House last week and are advanced in age. They are very principled. I state that in the context of them being allowed to return to their home country. They engaged in this campaign to highlight this situation and, if they come to trial, they will immediately return to this jurisdiction. They stated that they would swim the Atlantic to do so because they are determined to raise this issue, about which they are

very passionate. Anything that can be done to give these two men the opportunity to return to the United States to meet their families and continue their lives would be most appropriate. In the meantime, we support this Bill and its provisions for the mutual recognition of supervision measures. We hope the Minister will consider the particular aspect that I have brought to his attention. These two men may be citizens of the US, but we have an obligation to them. From a humanitarian perspective, it is something that should be looked at very seriously.

Deputy Sean Sherlock: We support the Bill, which is a technical mutual recognition or harmonisation measure under EU regulation. I am not sure how much practical effect it will have. Mutual recognition of decisions concerning supervision measures as an alternative to provisional detention means, in layperson's language, mutual recognition of bail. An Irish resident charged with an offence in another member state can be given bail and have his or her bail conditions monitored here, as opposed to being remanded in custody abroad. Similarly, a resident of another member state charged with an offence here may be granted bail on condition that his or her bail is monitored in his or her home member state. We are talking about cases where the accused resides abroad and is given bail allowing him or her to return home on the expectation that he or she will return to Ireland for trial. I do not know how often that will happen in practice, but it is welcome, for what it is worth.

Deputy Maureen O'Sullivan: This is an interesting Bill. I note that if it is enacted, it will allow the application of the principle of mutual recognition concerning decisions on supervision measures as an alternative to provisional detention. It will allow those accused of an offence in Ireland and released on bail to be monitored in their country of ordinary residence. The whole procedure is set out for this to be monitored in Ireland when a person has been released on bail in another EU member state. The legislation is practical and reasonable in the name of due diligence and fairness.

That is particularly the case when one considers the principle of being innocent until proven otherwise. This common-sense approach is to be welcomed. We know that when someone is accused of a crime, that is not a judgment but an accusation. Anybody can be in the wrong place at the wrong time, be implicated by circumstances or be wrongly accused of a crime before he or she reaches a courtroom. In this country, we know full well the injustice of wrongful convictions and people being wrongly accused. We have the famous and sad examples of the Birmingham Six and the Guildford Four. We also have many examples from the North of Ireland, where men, in particular, have had their licences revoked. They have been kept in prison on remand for anything from one to three years. Finally, they appear before the parole commissioners and are released. The time those people have lost has been lost to them and their loved ones for ever. That is also the case regarding whatever job or business the people affected may have had before the licence was revoked and they were imprisoned. It is fair and proper that people on bail would have the support of their families and other networks. That is something that does not happen when a bail restriction limits the movement of a person from leaving the jurisdiction where he or she is accused of a crime.

The research points out that non-citizens are often subject to pretrial detention in circumstances where citizens would not be. That again emphasises the need for legislation such as this to level the playing field, where bail can be decided by merit rather than geography or the likelihood of flight. As the Minister mentioned, the presumption of innocence is a cornerstone of our criminal justice system. This measure will ensure that a person charged with an offence in another member state will not suffer a disproportionate interference in his or her life before facing trial on those charges.

As Deputy Martin Kenny mentioned, this is apt legislation given the situation currently faced by Ken Mayers and Taraf Kauff. They are both retired US military men. One is 77 years old and the other is 82 years old. Their only crime was to stand up for peace and Irish neutrality. Like other Deputies, I have met the two men on several occasions. Due to their bail conditions, these whistleblowers are being punished before trial. They were trying to show Ireland's complicity in US war crimes via the use of Shannon Airport by the US military. The bail conditions for the two men include not being allowed to return to the United States before their trial. There is no date for that trial, if there is ever going to be one. It could, however, be up to two years from now if it were to happen. We have a prime example of disproportionate interference in lives before trial. These two elderly men are stuck in Ireland, away from their families, coming up to Christmas. They are war veterans and I would have thought that their word would have been acceptable.

If they are allowed to go home, the two men have been clear that they will return for trial. One man was a Marine Corps major and the other a US Army paratrooper. These men are peace activists. I am aware that this is a legal matter and is before the courts. We cannot interfere. It is good, however, that this debate provides an opportunity to highlight the unfairness of this situation. The bail conditions for the two men are very harsh. They have not been accused of murder or rape or physical assault. They have simply been arrested for opposing US wars and defending Irish neutrality, with which the majority of Irish people agreed. I welcome this Bill. It is a fair and practical approach, and it would be good to see that it can be applied to these two US military veterans.

Deputy Mattie McGrath: I am delighted to speak this evening on this legislation. As we have heard, the objective of the Bill is to allow persons who have been accused of an offence in Ireland and released on bail subject to supervision measures to be monitored in their country of ordinary residence. That seems simple enough. It also sets out the procedure for a person to be monitored in Ireland where he or she has been released on bail abroad. This Bill does not deal with supervision following conviction, however. The Bill is similar to the Criminal Justice (Mutual Recognition of Probation Judgments and Decisions) Act 2019, which I spoke on previously, in that both deal with national and international jurisdiction issues.

The Oireachtas Library and Research Service, which I thank, has noted that the Bill before us would allow Ireland to supervise bail conditions set by another member state on a person who ordinarily resides in Ireland but has been accused of a crime in that other member state and is awaiting trial. Currently, a person may only request to be returned to Ireland after sentencing. Before I go any further, I commend Ms Lianne M. Reddy, parliamentary researcher, who put together such a comprehensive overview of the Bill and the implications it will have for us. As I understand it, research has indicated that non-citizens are often subject to pretrial detention in circumstances where citizens would not be because they can be deemed a flight risk. This can be problematic where a person has spent a substantial amount of time in prison only to be subsequently found not guilty. That premise must always be upheld, as far as I am concerned. Of course, that is something we want to mitigate wherever possible. It is not always possible in these cases, however, and that is very unfair.

In fact, when the Minister spoke about the Bill in July, he noted that the proposals in this Bill revolve around protecting the presumption of innocence and how that is a cornerstone of our criminal justice system. Those are noble words. The Minister went on to say that the Bill's proposals allow an accused person to maintain ties with family and continue employment or education in his or her home country while awaiting trial. The Minister stated that by provid-

ing for the enforcement of bail conditions and return of the person for trial, the Bill also puts in place the necessary protections for victims and the public. That is very important. We are here to represent the public and we must be cognisant of them all of the time. Sometimes, however, I think that we are not. That is an essential element of this Bill and I would like firm assurances from the Minister. We need to ensure that the innocent are not disproportionately affected by having to spend long periods of time in jail or custody, but equally we need guarantees that those who will be allowed to return to their place of ordinary residence abroad will be compelled to return. How are we going to enforce that or indeed provide in legislation for that? We are not. This must be guaranteed. It is weak in this legislation.

The victims of crime deserve priority in terms of the protection of rights. They should be front and centre in this and all legislation, and indeed in our own country freisin. Sadly, they are not. We have victims' rights legislation and we have all these issues. I could give many examples. I have a woman on to me at present - a mother whose daughter was murdered and whose son was almost murdered. A person was convicted. This was probably 12 and a half years ago, as I was only elected to this House six months at the time. She cannot find out any information as to whether that prisoner has been released, is due for release or whatever else. There is a total lack of engagement and correspondence with the victim. We have the victims' rights charter and everything else, but it is not happening. The Minister's Department is sadly lacking in engagement and informing victims. I do not blame the local gardaí because they do not know. There is not proper communication, engagement and follow-up where somebody is convicted and sent away to prison.

The woman is petrified. I met her last Sunday morning in the shop after mass. She is petrified to think that she may meet that person. I cannot find out and nobody will tell me. That should not be. I am not saying that there would be a witch hunt or anything else. All I want is to be aware and the family to be aware. We have seen countless cases, as have the Minister and other Members, where they bump into a person in the street whom they thought was a prisoner. It is devastating.

The victims of crime must be front and centre in all this. While, of course, we must have rights for the accused as well and a person is innocent until proven guilty, we must ensure that the situation regarding prisoners and the revolving door around bail is addressed. The other countries that we are dealing with and to whom we are hoping to give jurisdiction and agreement in this legislation must all be laughing at us because we have a revolving door system. There is an amount of free legal aid and bail.

The Judiciary needs considerable reform. I took a small trip this morning down to the Four Courts on another issue. The game goes on. They are around there, wigs and all. There is no mess, but wigs. It is a merry-go-round. I met a good barrister friend of mine who defended me once. He asked what I was doing down there. I said I had come down to see how they were implementing the laws that we pass above in the place where I work at the moment, and he laughed. He might as well laugh. I do not know whether they are implementing them but they are playing the game certainly, kicking the ball across and back, and over and yonder. There are deep pockets as well. They are well paid for it. I am not saying a word to the man who defended me. He earned his money, and I hope he got well paid. He did a good job because I was innocent anyway.

An Ceann Comhairle: I hope it was not too big a challenge.

Deputy Mattie McGrath: It was challenge enough because I was fighting the system. Anyway, bhí an bua againn. I thanked him, and thanked the jury as well. But for jurors in this country we would be nowhere. Jurors are good people. They go in and they do not get anything. Often it is quite onerous on their employers to look after them. We need them. We need to be protected.

We must reform. We will pass this legislation and much other without looking at what is going on here - the revolving door and the complete abuse of free legal aid 107 times and 120 times. It is mad. I am not a lock them up and throw away the key merchant, but I am certainly saying that on the third strike on free legal aid, a person should be out. He or she should pay on the next occasion. That person should pony up and he or she might not be as anxious again.

I am supporting the Bill. In case the Ceann Comhairle thinks I have gone too far over the field, back the field or síos an bóithrín, I have not. There are significant issues around this. The Minister will know better than I do. He was a legal practitioner in his previous employment and he should understand it better than I do. The people are worried and scared. They are concerned that we are not supporting An Garda Síochána to enforce the law and not dealing properly with those issues. I wish this legislation well but there is much to be put right in our jurisdiction before we ever embrace legislation coming from the EU and elsewhere. I rest my case.

Minister for Justice and Equality (Deputy Charles Flanagan): I thank the Deputies for their contributions, their acknowledgement of the importance of this legislation, and the support that seems to be forthcoming from all sides of the House.

It is complex legislation. It has a simple objective, that is, to enable a person who is the subject of a supervision decision in one EU member state but who lives in another to return home and to continue his or her supervision there. While this legislation will not affect too many people, for those it will affect, it will have a considerable impact.

A number of issues were raised in the course of the debate. We will have a further opportunity on Committee Stage. Deputy O'Callaghan raised the spectre of a no-deal Brexit. Of course, the UK would then be outside of these arrangements. My officials are actively monitoring the potential impact of Brexit. It may be the case in the event of there being a no deal - perhaps that is less likely this week than a few weeks ago - that a separate arrangement may well be required.

Deputy Sherlock referred to bail. I assure the Deputy and others that the 2017 bail Act went as far as possible within the confines of the Constitution, which clearly affords an accused person the right to be considered innocent until proven guilty.

An individual case was referred to at some length by Deputy Martin Kenny. It would be imprudent of me to make mention of any particular case.

This is a complex and quite voluminous Bill. We will have an opportunity to come back to it on Committee Stage. I, therefore, commend the Bill to the House.

Question put and agreed to.

Criminal Justice (Mutual Recognition of Decisions on Supervision Measures) Bill 2019 [Seanad]: Referral to Select Committee

Minister for Justice and Equality (Deputy Charles Flanagan): I move:

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

Question put and agreed to.

Blasphemy (Abolition of Offences and Related Matters) Bill 2019 [Seanad]: Second Stage

Minister for Justice and Equality (Deputy Charles Flanagan): I move: "That the Bill be now read a Second Time."

I am pleased to be here with the Deputies to present the Blasphemy (Abolition of Offences and Related Matters) Bill 2019, which gives effect to the outcome of a referendum to amend the Constitution.

Deputies will recall that until late last year, Article 40.6.1°i of the Constitution specified that the publication or utterance of blasphemous, seditious or indecent matter was an offence that should be punishable in accordance with law. Members will also recall that in the autumn of last year, this House approved the Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Bill 2018.

The proposal in the referendum Bill was not brought forward in a vacuum. Over the years, there have been a number of reports where the constitutional reference to blasphemy was considered. All of those reports recommended that the reference be deleted.

Following the passage of the Bill, a referendum was held in October of last year on the proposition that the reference to "blasphemous" should be removed from the Constitution. That proposal was approved by the people in all 40 constituencies, and by 64.85% of voters nationally, in the referendum which took place on 26 October last year. The Bill was signed by the President on 27 November 2018. During the progress of the Thirty-seventh amendment Bill, and in the course of the referendum campaign, the Government made it clear that the implementing legislation would be advanced as quickly as possible. Subsequent prioritisation of Brexit-related legislation early this year, however, resulted in something of a delay in our being able to publish the present Bill.

The Bill before us is short and technical in nature. It reflects the outcome of last year's referendum. Its Title, the Blasphemy (Abolition of Offences and Related Matters) Bill 2019, describes, in precise terms, the purpose and intent which underlies this five-section Bill. It is important to bear in mind that the policy has already been settled by the result of the referendum and that the legislation we are discussing simply gives effect to that policy choice. At the time of publication of the Thirty-seventh amendment of the Constitution Bill last year, the Government also provided the text of a proposed general scheme to implement the consequential legislative changes that would be required if the referendum proposal was agreed. The key element

in that scheme was the repeal of the statutory offence of blasphemy, which was contained in the 2009 Defamation Act. That scheme does not vary materially from the Bill before the House, with one point of difference relating to section 1.

Section 1 of the Bill is an avoidance-of-doubt provision, which aims to make it absolutely clear that the common law offences of blasphemy and blasphemous libel no longer exist. This section is included on foot of advice from the Attorney General that, notwithstanding a view that such offences did not survive the enactment of the Constitution, it is desirable to include such a provision to ensure there is no possible doubt on this point.

Sections 2 and 3 provide for the deletion of the references to "blasphemous" in section 7 of the Censorship of Films Act 1923 and section 3 of the Censorship of Films (Amendment) Act 1925. These amendments are not strictly necessary to implement the referendum result but were included in the general scheme in order to remove all references to blasphemy in our primary legislation. In terms of historical background, surviving records from the Irish Film Classification Office do not always give a detailed reason for the initial prohibition of particular films, so it is not clear how much usage has ever been made of these sections down the years. Indeed, according to a search of surviving records, since 1968, only ten titles have been prohibited on grounds of blasphemy, sacrilege or heresy, or where offence to religious convictions was cited as a reason. The last such prohibition was in 1981, and it was successfully appealed within the same year.

Section 4 repeals sections 36 and 37 of the Defamation Act 2009. Deputies will remember the background to these provisions, which were included in the 2009 Act following the judgment of the Supreme Court in the case of Corway *v.* Independent Newspapers, in 1999. That case referred to a cartoon featuring a priest holding the Holy Sacrament, whose point was to suggest that Irish politicians were moving away from following the views of the Catholic Church on social issues such as the availability of divorce. A private individual whose religious convictions were offended by the cartoon sought to institute a private criminal prosecution for blasphemy against the newspaper. The possibility of individuals taking private prosecutions for blasphemy was afterwards abolished by the 2009 Act.

In the Supreme Court judgment, the late Mr. Justice Barrington considered the framework of our Constitution, which, at Article 40.6, states, "The publication or utterance of blasphemous . . . matter is an offence which shall be punishable in accordance with law", while also guaranteeing freedom of conscience, the free profession and practice of religion, and equality before the law for citizens of different religious beliefs, or of no such belief. The judgment underlined that the Constitution did not define what this offence of blasphemy involved. The common law offence of blasphemy, which the drafters of the Constitution seemed to have had in mind, was bound up with historical ideas of an established church and an established religion. The court held that it was difficult to see how such an offence could have survived the adoption of a Constitution that guaranteed freedom of conscience. The Supreme Court concluded therefore that, in the absence of any constitutional or legislative definition, it was impossible to say of what the offence of blasphemy consisted.

As we know, sections 36 and 37 were later included in the Defamation Act 2009, in an attempt to define an offence of blasphemy which could be consistent with the Supreme Court's judgment in the Corway case. Section 36 sets out the elements which characterise this new statutory offence of blasphemy, requiring grossly abusive or insulting statements that are intended to cause outrage to a substantial number of adherents of a religion, and providing a defence

where a reasonable person would find genuine artistic, literary, political, scientific or academic value in the statements. Upon conviction, a person is subject to a fine not exceeding €25,000. Section 37 provides powers for An Garda Síochána to enter premises and seize blasphemous statements, following a conviction under section 36.

The Government previously signalled its intention that sections 36 and 37 would be repealed in the event that the constitutional amendment was agreed to by the people, and we are now fulfilling that undertaking today. Section 5 is a standard citation and commencement provision.

It would be fair to say that the offence of blasphemy created by the 2009 Act is quite difficult to prove. There appears to have been no prosecution over the period to date. In fact, it seems that the last recorded prosecution in the State for blasphemy in Ireland took place in 1855 and, even then, it resulted in an acquittal. However, that analysis misses a more important and fundamental point, which was clearly underlined by the outcome of the referendum on this issue. It is that criminalising blasphemy, with the risk of a chilling effect on freedom of expression and public debate, has no place in the constitution or the laws of a modern republic. Ireland is a country of increasing diversity. The right to express differing viewpoints in a forceful and critical manner is a right to be cherished and at all times upheld.

I would like to emphasise that the removal of references to blasphemy from the Statute Book is not an attack on anybody's religious belief. Nor is it intended to privilege one set of values over another. It is a simple acknowledgement that the meaning of the concept of blasphemy is unclear in a modern state, and that the concept is rooted in a distant past where fealty to the state was conflated with fealty to a particular religion.

There is also the international dimension to which I wish to make brief reference. It may seem abstract to devote time to abolishing an offence which has not been prosecuted in practice, but not when we recall that a number of countries actively prosecute charges of blasphemy. Those charges can carry severe penalties, including terms of imprisonment, brutal physical punishments or even the death penalty. They have also been applied in a discriminatory manner to justify the persecution of dissidents, the socially excluded or religious minorities. Such countries justify these regimes by referring to the continuance of blasphemy as a criminal offence in Ireland and in the Constitution. That is a very disturbing reality, and another reason I am happy to propose a Bill which addresses it directly. The criminalisation of expression alone is not something we should stand over. It is a different matter if that expression is geared towards inciting hatred or violence and where that is the intention, in this regard or in these cases the criminal law must come into play.

Deputies will be aware that Minister of State, Deputy Stanton, and I recently launched a public consultation on hate speech which will run until 13 December this year. The outcome of that consultation will help to shape an amendment of our existing law on incitement to hatred. A separate consultation on the subject of hate crime will follow in the new year.

I acknowledge that the abolition of the offence of blasphemy is, on the face of it, a relatively small step. Nonetheless, it is both an important symbol, and a tangible expression, of our status as a modern and democratic society in which free speech is valued and multiculturalism embraced. It is with pleasure, therefore, that I commend the Bill to the House.

Deputy James Lawless: I will be sharing time with colleagues. I commend the Minister's contribution. It was an interesting tour of jurisprudence on the issue of blasphemy, how it came

into being, its position in Bunreacht na hÉireann and the small degree of case law which has prevailed on the article and, more recently, the offence in the past number of years. As the Minister outlined, very few cases ever arose and I am not sure if there were any prosecutions. We had the famous Corway *v*. Independent Newspapers case and a few others the Minister outlined. I commend him on a detailed, relevant and interesting tour of that jurisprudence.

Importantly, the people had their say on this matter. On 26 October 2018, the citizens of Ireland voted overwhelmingly in favour of removing the reference to blasphemy from the Constitution. Not only was that approved by a majority of the citizenry, it was approved by a majority of people in every constituency.

The issue had arisen when my party was last in government in 2009. At the time the then Minister, former Deputy Dermot Ahern, stated his view, which I adhere to, that as a republican his personal position was that church and State should be separate. Indeed, a republic is not a theocracy of any religion or none. That should be the case and this Bill is another step along the path of separating church and State. We must leave our beliefs at the door if we are to come into this Chamber and act as legislators for a republic and our citizens. We must do so free of dogma, religious or otherwise. When the debate took place at that time, the economic climate was such that spending on a referendum might not have been prudent or even financially feasible, so the Defamation Act 1961 was updated instead because there was a lacuna in which there was an offence defined in the Constitution, and I believe it is the only such offence, yet it did not have a place on the Statute Book. Constitutional offences are rare, and rightly so. Éamon de Valera did an excellent job, by and large, in enacting a constitution that was strong on civil and political liberties, particularly given the era in which it was drafted and enacted. However, perhaps this was one blind spot and the offence was created. Indeed, a constitutional offence is probably not appropriate for any offence and particularly this one. It would have been better had it never been included in the Constitution.

The Thirty-seventh Amendment of the Constitution (Repeal of offence of publication or utterance of blasphemous matter) Act 2018 gave effect to the referendum result. The legislation has been enacted since the referendum and that brings us to this point today. This Bill went before the Seanad before coming to this House. It gives effect to those provisions and related legislation. I presume it updates the Defamation Act 2009 and other measures. Fianna Fáil supported the referendum and will support the Bill in the House. To give the context for this, prior to 2018 Ireland was one of only seven countries in Europe in which blasphemy remained an offence. Article 40.6.1° of the Constitution provided that the offence of blasphemy was punishable according to law, although it did not say what the punishment was. It did not set out what type of offence or crime it was and whether it was indictable, summary or anything else. That constitutional lacuna is being addressed by this Bill. The Defamation Act 2009 defined the offence and provided for a significant penalty of a maximum fine of over €25,000.

It is worth reflecting on the fact that when there was an attempt to tackle that legislative anomaly with the Defamation Act 2009 it came in for criticism at the time. To be constitutionally coherent, it was necessary to legislate for it. Sometimes it was said that this was a one-faith State, a theocracy or in the throes of one religion or another. When the offence was defined it was defined as a statement or utterance that would offend against the large portion of adherents of any religion. It was not tied to a single religion, as is often stated or misrepresented. It applied to those who sought to offend the adherents of any religion and if they did so on scale. It was quite difficult to commit the offence, and it was possibly deliberately drafted in that way. It is worth putting on the record that there was an attempt at proportionality and to draft the of-

fence in such a way that it was quite difficult to satisfy, so perhaps it was not quite as outrageous or unreasonable as some have suggested. It did not adhere to a particular faith or theological viewpoint. It is agnostic across all of them. It is worth acknowledging that.

Thankfully, we are now in a position to remove the provision. Freedom of expression is a paramount cornerstone of a democratic society. Constraints on freedom of expression can be provided for by law. Again, all laws are proportional and all rights are proportional. The exercise of one right cannot impinge upon another right to the extent that it is negated. However, we must be very clear, limited and careful when we attempt to qualify the exercise of rights, and freedom of expression is paramount among them. Blasphemy impinged on that right and that is one of the reasons we are removing it. While I said the provision did not discriminate between religions, it discriminated against those of no religion. Atheists, agnostics and people of no faith were not included in the definition, so it could have been seen as a pro-religious article if not pro a particular religion. That was a form of discrimination as well.

In terms of social mores, demographics, education and outlook, Ireland is a very different country from what it was in 1937, when the Constitution was promulgated. While the most recent census figures show that the Roman Catholic religion remains the single biggest bloc, there are many others. The second largest category of respondents was those who chose no religion. There is a degree of inertia when people define themselves so one is not quite sure whether people default to a particular religion when doing so. I wonder about it. Sometimes there is a selective bias in terms of how we phrase these questions and answers and the results we get. However, the point is that this is a different country now, with different demographics and people, from the position in 1937 and our Constitution and laws must reflect that.

Another concern that emerged over the last decade and particularly when we defined blasphemy in primary legislation and highlighted its existence as an offence in 2009, unwittingly and unintentionally we had a situation where some autocratic and dare I say despotic regimes, in which people did not enjoy the same civil liberties and freedom of speech that we and European nations enjoy, began to point to Ireland as an exemplar. It was an unfortunate and unintended consequence. Indonesia was an Islamic state that began to cite Irish blasphemy law as a model to follow. That is not a path any of us expected or wished for, but this was the scenario that was unfolding. We began to see some of the more extreme fringes of some of the quite hard core religions elsewhere and some states that would have far less focus on civil liberties looking to us as a model to follow. That was certainly unintentional and undesirable.

We have tidied this up and moved forward. We held the referendum when time permitted and passed it. We are now about to pass the legislation. The negative I return to on the Government side, and the Minister mentioned a consultation on it in his speech, is that we still must enact hate crime legislation. While we are tidying up the constitutional situation and the legislative lacuna with this Bill, we still await the enactment of meaningful hate crime legislation. In fact, hate crime legislation might be far more effective than blasphemy laws ever could have been. Fianna Fáil introduced the Criminal Justice (Aggravation by Prejudice) Bill 2016 in July 2016. The Bill had cross-party support and passed Second Stage in October 2016. In spite of having launched pre-legislative scrutiny in May 2017, the Government still has not issued a money message on this matter.

There was a debate in the Chamber today on money messages. It is one to which I am sympathetic because one of the failures of new politics is that there has been a lost opportunity in this House. With the parliamentary arithmetic there was an opportunity for the Oireachtas to

do its job under Article 15 of the Constitution and for Members on any side of the House to put forward legislative ideas, have them debated and have the aspiration that they would be passed and become law. The parliamentary Chambers of the Oireachtas are the right and appropriate place for them to do so. Unfortunately, that has been stymied by the Government. I put the blame squarely on the Government's shoulders. It must answer for that, if not in the debate that is supposed to take place tomorrow or at some stage then before the people a few months hence.

8 o'clock

While we are supporting this Bill, I highlight that hate crime legislation is among more than 100 Bills introduced from the Opposition benches on this side of the House that have not had the opportunity to become law, despite enjoying majority support. That is entirely anti-democratic.

Debate adjourned.

Illegal Drugs: Motion [Private Members]

Deputy John Curran: I move:

"That Dáil Éireann:

notes that:

— individuals, families and communities throughout the country have been devastated by illegal drugs;

— drug-related harm consistently clusters in communities marked by poverty and social inequality;

— drug-related deaths in Ireland are at the highest figure ever, increasing from 431 in 2004 to 736 in 2016;

— new drugs appear regularly on the illicit market, while familiar drugs such as cannabis are becoming more potent; and

— too many people are living with the daily nightmare of drug-related intimidation and violence;

further notes:

— the significant increase in drugs offences recorded by An Garda Síochána;

— the increase in the value of drug seizures from €29,706,281 in 2016 to €71,859,695 in 2017;

— that not all drug users are addicts and there has also been a significant rise in casual and occasional drug use;

— that cocaine use in Ireland increased by 32 per cent in 2017;

— that Ireland is one of six European countries where crack cocaine abuse has

increased in the past five years;

— that every cent spent on illegal drugs funds organised crime; and

— the reduction in the number of Gardaí assigned to drug units;

agrees that:

— the importance of a public health approach to drug and alcohol misuse is paramount;

— there is widespread concern that the partnership approach, which has been at the heart of drugs strategies since 1996, is now in danger of collapse;

— community participation and interagency working is crucial to an effective response to an increasingly complex and challenging drugs problem;

— there is apprehension and frustration at the failure of Government to meet commitments on community involvement;

— investment in drugs task forces has stagnated in recent years with an increase of 1.7 per cent since 2015 compared to 28 per cent in overall health expenditure; and

— there is a need for comprehensive services in prevention, detoxification treatment and rehabilitation; and

calls for:

— the Government to act as a matter of urgency to restore confidence in the national drugs strategy;

— the Taoiseach to appoint representation at a senior level from the Department of the Taoiseach to the National Oversight Committee of the national drugs strategy;

— an increase in the level of funding for drugs task forces and treatment services;

— action to be taken against open drug dealing on city streets;

— the strengthening of criminal law against the use of children in drug trafficking;

— increased investment in the Garda Juvenile Diversion Programme; and

— a major education and information campaign to be undertaken on casual drug use."

I will share time with my colleagues, Deputies Breathnach, Cassells, Lawless, O'Keeffe, O'Loughlin, Cowen and Brendan Smith. It gives me no pleasure to say that we are facing a very significant and increasing drug problem in this country. For a long time, drugs were an issue that affected those of us in Dublin. It was particularly felt in our most disadvantaged communities in the 1970s and 1980s, after which the issue became more widespread. It now affects every village and town right across the country.

Sometimes when we say it in that fashion people say that it is only an off the cuff remark and

ask what we have to back it up but there is a great deal of evidence. From the point of view of the Minister's Department, the seizures made by An Garda Síochána have been increasing significantly every year. The queues for those presenting for treatment services are getting longer and longer. There was very interesting article by Liz Dunphy in yesterday's *Irish Examiner*. She took a very in-depth look at the drugs situation in Cork city, at the lives of people who are blighted by drugs, including some of those who manage to avail of services. A very interesting comment was made by a gentleman by the name of Michael Guerin, who spoke about Cuan Mhuire. He said the facility had six beds, adding that "Three years ago, we would have had between 50 to 75 people waiting for a place. Today, we have 250."

There has been a quantum leap in the scale of the problem. Those of us who sit on joint policing committees or policing fora listen to this on an ongoing basis. Problem drug use is growing at every level. Central Statistics Office figures back this up. CSO figures show that there were a little more than 20,000 controlled drug offences in the 12 months ending in June 2019. This is more than 3,000 more offences than in the comparable period last year. There has been a very significant increase within one year. The number of offences involving possession of drugs for sale increased from slightly under 4,000 to nearly 4,500. This is having a devastating impact on individuals, families and communities. No matter how hard we try to express the difficulties and trauma in the lives of the communities and families who are living with this problem, we will never adequately do so.

Last Wednesday, 30 October, all nine former Ministers of State who have had responsibility for the national drugs strategy called on the Taoiseach to intervene and restore confidence in the partnership framework which has traditionally underpinned our national drugs strategy. We launched that appeal across the road in Buswells Hotel, where seven of the nine former Ministers of State were physically present. We are concerned that there is a real epidemic in respect of the issue of drugs. We do not say that to scaremonger but all of us, having faced individual challenges in our time as Minister of State, are very concerned. When I was Minister of State with responsibility for this area, the big issue was a new national drugs strategy and confronting and dealing with the proliferation of head shops. Every Minister of State has had that problem. On the Minister of State, Deputy Byrne's watch, the problem is partnership. The national drugs strategy has always been underpinned by partnership between the community, voluntary and statutory sectors. I am concerned that partnership is no longer effective.

I do not blame the Minister of State. I have known her for a long time. I know where she is coming from. She is of the community and absolutely understands the importance of community involvement. I believe, however, that she has been let down by her colleagues in Cabinet. This Government has failed to support community initiatives with regard to the national drugs strategy. While I am talking about the community with regard to the national drugs strategy, the community sector wants to have meaningful and effective representation on the national oversight community. It does not want to be there only to rubber-stamp decisions. It does not want decisions made outside of that forum to which it is not party. For that to happen, the sector believes that a senior representative from the Department of the Taoiseach should also sit on the national oversight committee.

In addition, the whole area of funding for local and regional drugs and alcohol task forces needs to be addressed. It is not satisfactory that, for an extended period, projects funded by the task forces have received no increases in funding. As we have seen restoration of funding occurring, this would not be acceptable anywhere in any other Government Department. The Minister of State has been abandoned by her colleagues in Cabinet. Two weeks ago, I noted

with interest as the Minister for Children and Youth Affairs, Deputy Zappone, indicated that there would be a 5% increase in core funding for family resource centres for next year. Despite this, those projects funded under the national drugs strategy that come under the remit of the task forces have received no increases in funding. They have received no increases while their funders, the Department of Health and the HSE, have seen their funding increase from €13.1 billion or €13.2 billion to more than €17 billion. It is appalling that the projects supported by these task forces are in jeopardy. When working effectively, these projects play a really positive role in some of our most disadvantaged communities. I set out clearly that the drug problem is growing. Instead of consolidating the projects we have, we need to establish new projects in areas that have not traditionally had a drugs problem. The problem is now rampant across the country and we need annual funding to be fully restored for projects and programmes funded through the local and regional drug and alcohol task forces.

This issue has affected programmes in every constituency and every part of the country. One of the reasons there are so many people on the Fianna Fáil benches wanting to speak tonight is that they want to show the threat in their areas. I will give them some time at this point.

Deputy Declan Breathnach: I commend the motion. The drugs situation in this country is simply out of control. A total of 195 kg of cocaine and heroin were seized in 2018, compared with 27 kg in 2017. That speaks volumes. These figures represent only the seizures rather than what is actually being used. I attended a joint policing committee in Drogheda yesterday. I commend An Garda Síochána on the intensification of efforts in that area to deal with the situation. As the sale and supply of drugs has risen by 220%, a large number of people are appearing before the courts. I wish to mention comments by Chief Superintendent Christy Mangan who, earlier this year, said that, unless action is taken, we are at risk of losing a generation of youth. In that regard, I commend the work of local gardaí and the support given to them by the various national specialist units, including the Garda National Drugs and Organised Crime Bureau.

In a different debate earlier tonight, the Minister made reference to a seizure of cannabis worth €3.2 million in Ballymascanlon, Dundalk. There was also a murder last night. Members of the Garda are working tirelessly but the reality is that Garda drug units have had their resources stripped. In the period from 2011 to 2018, the number of gardaí working in drugs units in County Louth was halved. In this same period, there was a massive surge in drug use and drug offences. We need to get to grips with that or we will lose the generation to which the chief superintendent referred. I commend the various organisations working in the region, including the Family Addiction Support Network, and I ask that they be given greater support.

Deputy Shane Cassells: I commend my colleague, Deputy Curran, on bringing forward this motion and on all his diligent work in this area both now and when he was a Minister of State. I also commend the various Ministers of State with responsibility for the area of drugs from all parties who came together last week to show their solidarity and demonstrate that there is a united front across our Parliament in dealing with this scourge in our land. As a country, we have to ask whether we have lost the battle against this disease or whether we still have the fight in us to take control back from the drug lords who think they hold control of our streets.

It is fair to say that we have always had a problem with drugs in our society but what afflicts our country now is the fact that those who seek to profit from the sale and distribution of drugs are making their criminal presence an even wider danger to life. What is most worrying is how the scum involved in the sale of drugs have now taken to murdering each other as part of the turf wars between gangs dealing in these illicit products. This is now big business for these

thugs because of the millions of euro involved in the sale of drugs. The murder of a 39 year old man in Bettystown in County Meath last night, which is a result of the continuing feud in Drogheda, has brought this to new and dangerous levels. Why is that? It is because an automatic pistol was used in this shooting and, of the six shots that were fired, three struck nearby cars in the Castlemartin Drive estate. Innocent people could have been killed rather than the intended target.

Some years ago, when these incidents were starting to gather momentum in the Meath-Louth area, I distinctly remember the then Bishop of Meath, Michael Smith, delivering a homily in which he said that, as a society, we should not be dismissive of the lives of the people who are murdering each other because they are all God's children. I like and respect the former bishop, but I profoundly disagree with his assessment on that occasion. If these maggots want to murder each other, I do not really care. If it pleases God, may they all burn in hell. What I do care about, however, is when their presence results in threats to the lives of ordinary citizens, which it does. It not only presents a threat to life, but results in towns like Drogheda and Bettystown having to be almost shut down to police the impact of these feuds. Last night we saw how innocent people could have had their lives taken because of the scum and because of that lawlessness. I put it to the Minister that this cannot be allowed to prevail in the State. Let the scum burn. The ordinary decent people in Bettystown and Drogheda deserve to live their lives in safety.

Deputy James Lawless: I want to add to the words already spoken by my colleagues and I commend Deputy John Curran on bringing this motion forward. It is a very important motion, as highlighted last weekend by nine former Ministers of State who had responsibility for drugs and who called for urgent and further action on this scourge, which all Members see in their communities. While it is very much an urban issue and while Dublin is at the heart of it, it is not just confined to the capital city. The scourge of drugs affects communities in every corner of the country, not least in my constituency in Kildare North and across all of Kildare. We are fortunate to have the hardworking local drugs and alcohol task force in Kildare which is as effective as it can be with the limited resources available. I commend the Tiglin Centre and Aubrey McCarthy, who won the Kildare person of the year award for his work in rehabilitation and drug relief, of which we are very proud. They have had to make the best of a bad lot, however, given the resources available to them to assist.

Returning to the issue in the city, it is also the case that the blight continues on our capital's streets. I worked in Abbey Street in Dublin city centre for a long time and I have seen our main tourism trails and our main commercial city business districts ravaged by the scourge of addiction and open drug dealing, and with the petty crime, theft and violence that stems from this and spills over to affect passers by, tourists and everybody else. It has to be tackled. Firm action is required.

Deputy Kevin O'Keeffe: I thank my colleague, Deputy John Curran, for bringing this motion and I acknowledge the good work he has done previously on this. It has to be acknowledged that even though rural Ireland is in decline, with the local pubs closing down, we see a phenomenal increase in the use of hard drugs. That is a fact. For a nominal amount of €20 a person can go out and get a high.

I put it to the Minister of State, Deputy Catherine Byrne, that I was told lately about one of the drink brands that recently conducted a re-evaluation of its market share against other brands. It found that one of the biggest competitors to drink brands is cocaine usage in night-

clubs. This has to be a warning for us.

I served as a member of a local drugs task force. I commend and acknowledge the good work they do but we need to give them more funding. Deputy Rabbitte made a good point when referring to the consultation with the former Ministers of State that we need to devolve the power down to the regional task forces and to get their views.

I put it to the Minister of State also that prevention is the big issue that needs to be brought home to people, and especially in our schools. We thought it good enough to bring forward legislation on sex education for fifth and sixth class students. We need to educate them also on prevention and the illegal use of drugs.

Deputy Fiona O'Loughlin: I commend my colleague, Deputy John Curran, on bringing this motion forward. Substance misuse and, in this instance, drug abuse is a very complex issue. It affects not only the individuals who take the drugs but it also affects the people around them and the communities that are hugely impacted by drug abuse. Drugs are available everywhere. Drug abuse knows no socio-economic section of society and knows no class. Drugs are available on street corners, outside our schools and, in some cases, inside our schools, and on the Internet. They are available absolutely everywhere. Sadly, the age at which young people start to take drugs is lowering all the time. This is shocking. The use of young people as runners by drug gangs is frightening. The consequences of drug use is devastating, from people who take overdoses to the effects of drug use. For many people taking drugs can lead to a lifetime in mental health services. The impact of drug use is huge on family and friends. I have no doubt that we have all come across families who have been threatened, whose homes have been burned or who have been blackmailed for money owed by their sons, daughters or siblings to their dealers. Drug use leads to anti-social behaviour and to crime, directly and indirectly. Much more needs to be done. We have to tackle our crippling drug problem and we need major reform in our approach. There has been a fall in Garda drug personnel and investment in our drugs task forces has also stagnated. The last round of HSE funding for this area was very disappointing. In an unprecedented move nine former Ministers of State with responsibility for drugs came together last week to tell us as a society and those of us in the Oireachtas that we need to wake up and take urgent action. The issue is phenomenal and huge. We need to listen to that.

Deputy Barry Cowen: I thank my colleague for the opportunity to speak on this issue. Such is the extent of feeling on the issue, as my colleagues said, I and others are allowed only two minutes to speak. This is in every town and in every village. It is in my town and throughout every Member's constituency. After housing and health it is the most commonly raised issue at my clinics with regard to anti-social behaviour, the way it affects families and the devastation it causes in communities. As other speakers said, nine former Ministers of State highlighted from their perspective the lack of cohesive and penetrative type initiatives that can yield results, to the extent that they felt it necessary to come forward in the way they did.

In the last election, I was confronted for the first time on the doorsteps in my constituency by people who were looking for help and assistance with programmes to help with drug addiction. It is getting worse. My colleague, Deputy Cassells, spoke about the devastation in Drogheda and the east coast and the murder in Bettystown last night. I have seen this happening at close hand in my constituency, and I had never thought it would be the case. It is the case, however, and is the greatest issue and scourge facing us as representatives and facing those we represent, especially young kids. Students, for example, are looking for help from drugs to help them

stay up at night to study. The issue is everywhere. It cannot be ignored. I recognise that the initiative by the nine previous Ministers of State may be the wake-up call we need and that this Government needs to bring about initiatives that can help and assist communities and families because, unfortunately, despite what we hear, this issue is not being addressed.

Deputy Brendan Smith: Colleagues have said that the scourge of drugs is in every community. At one time we used to think it was only the major urban centres that were afflicted by this scourge. No longer are the problems confined to any particular age group or to persons in any socio-economic sector, they are now causing difficulties in all strata of society. We are all aware of individuals, families and communities that have been devastated by this scourge. The Government's response at present is a totally inadequate. This was very much highlighted by the intervention of the nine former Ministers of State who each had responsibility for the national drugs strategy. My colleague, Deputy John Curran, did an excellent job when he held that brief. The Government and the Minister must take seriously the concerns of the former Ministers of State. They have outlined very clearly their concern about the lack of engagement with community groups and about the centralisation of decision making. This is the exact opposite of what is needed to provide the necessary supports for person with addiction problems. I have been in contact directly with the Minister of State, Deputy Catherine Byrne, on the Cavan-Monaghan drug and alcohol service. It had forwarded the Minister of State a very detailed letter outlining that it would have to wind down operations and dissolve the company by the end of 2020. That organisation has provided excellent support to many individuals and families over the past years throughout Cavan and Monaghan. Garda management at senior level very much values the support this organisation has given to individuals, families and communities. I appeal to the Minister of State again, as I have done through correspondence. While I acknowledge the Minister of State's prompt reply, we must get a response to the effect that it will get the necessary financial support to continue the good work it has been doing over many decades with some of the most vulnerable people in our communities.

Minister for Justice and Equality (Deputy Charles Flanagan): I listened with interest to the comments of the Deputies proposing the motion and welcome the opportunity to have a discussion on this important issue. The use and misuse of drugs is an international issue that needs to be tackled in a co-ordinated way and addressed in a global context. I very much share the view of the UN General Assembly's special session on drugs in 2016 which stated:

> The world drug problem remains a common and shared responsibility that should be addressed in a multilateral setting through effective and increased international co-operation and demands an integrated, multidisciplinary, mutually reinforcing, balanced, scientific evidence-based and comprehensive approach.

Europe's drug problem is going through a particularly dynamic phase. Analysis by the European monitoring centre for drugs and drug addiction shows that people are using a wider range of substances than in the past. Many are poly-drug users, which increases the risk to their health. Although the use of heroin and other opioids in Europe remains relatively rare, these are the drugs that cause highest rates of fatal overdose in Europe. Europe has also experienced an increase in deaths and other harms from newer types of drugs. Ireland is not immune from these trends with 9% of the population using drugs in the last year.

The national drug strategy, Reducing Harm, Supporting Recovery, a health-led response to drug and alcohol use in Ireland 2017 to 2025, adopts a health-led approach to substance misuse. It commits to treating substance misuse and drug addiction as a public health issue, rather than

a criminal justice matter. Together with the Minister for Health and the Minister of State with responsibility for the national drugs strategy, Deputy Catherine Byrne, who is in attendance, I announced recently the introduction a health diversion programme for persons in possession of drugs for personal use. This is a hugely important step in developing this public health approach. I am very pleased that we are delivering on this key commitment in the national drugs strategy. I welcome Deputy Catherine Byrne's work as Minister of State in spearheading the matter within the Department of Health.

In adopting a health-led approach, it is important that we do not send out the message that drug use is acceptable or normal. It is not and never will be. Already this year, the HSE, through its *drugs.ie* website, has developed two campaigns aimed at the student population and festival goers. Next year, the Department of Health is providing additional funding of €100,000 to develop a national harm reduction campaign to raise awareness of the risks associated with drug use. This will include information about club drugs, festival drug use, newer drugs as well as cannabis.

The national drugs strategy represents a whole-of-Government response to the problem of drug and alcohol use in Ireland. It draws on a range of Government policy frameworks in order to reduce the risk factors for substance misuse. It also commits to addressing the harms of drugs markets and reducing access to drugs for harmful use. My Department has responsibility as the lead agency or partner in a number of actions, including keeping drugs legislation under review as the joint lead agency the Department of Health.

Tackling the sale and supply of drugs is a key priority for the Government and An Garda Síochána. A core focus of the work carried out by An Garda Síochána is aimed at tackling drugs and organised crime. The roll out of the new operating model of An Garda Síochána meets a key commitment in A Policing Service for the Future and will increase the number and visibility of front-line gardaí to combat criminal activity, including tackling drugs. This model is the norm in many other countries and I am confident that it will serve Ireland well by providing an agile, localised and responsive police service nationwide.

The operating model is being introduced at a time of record investment in An Garda Síochána. For 2019, €1.76 billion has been allocated to the Garda Vote along with capital investment amounting to €92 million this year. I am pleased to have secured an overall increase of €122 million to increase An Garda Síochána's budget for 2020 to an unprecedented €1.882 billion in addition to €116 million in capital investment. This investment is supporting the ongoing and sustained recruitment of Garda members and staff. We now have more than 14,200 gardaí nationwide, supported by over 2,800 Garda staff. The organisation is still growing and a programme of accelerated recruitment is ongoing with a view to reaching 15,000 gardaí in an overall Garda workforce of 21,000 by 2021.

Additional resources have enabled An Garda Síochána to continue to assign resources to specialist bureaus. These include the Garda national drugs and organised crime bureau, which leads in tackling all forms of drug trafficking and supply of illicit drugs in Ireland. Collaboration at an inter-agency and international level remain key in tackling this issue. The bureau also works with Garda divisional drugs units nationwide in demand reduction and supply reduction at local level. In addition to the 105 gardaí assigned to the Garda drugs and organised crime bureau as of 30 September 2019, the Garda divisional drug unit membership for the years 2017 to 2019 has been stable. Divisional drug unit staff numbers stood at 236,222 and 232 personnel in 2017, 2018 and 2019, respectively.

In addition, An Garda Síochána remains committed to tackling the supply of drugs by supporting local communities through preventative and detection initiatives and engagement with local and regional drug and alcohol task forces, the Garda youth diversion programme and projects, the Garda schools programme, joint policing committees and community policing fora. My Department's budget for Garda youth diversion projects has been steadily increased over the last number of years from €11.3 million in 2015 to €15.3 million this year. This provision includes funding to support the operation of 106 Garda youth diversion projects. These important projects are community-based multi-agency crime prevention initiatives which primarily seek to divert young people who have become involved in crime or anti-social behaviour. Moreover, the Minister of State, Deputy Stanton, is developing a new youth justice strategy with the assistance of an interdepartmental and inter-agency steering group. The new strategy will address the full range of issues relevant to youth justice, including how best to prevent young people getting involved in criminal activity, including drug dealing. Uniquely across EU member states' strategies, drug-related intimidation is also a focus of the new strategy in Ireland.

I listened to the passionate contribution of Deputy Cassells and assure him, as I assured Deputy Breathnach earlier, that I agree these are extremely serious issues in local areas and they need to be dealt with. Drug-related intimidation in communities is a very serious issue which involves the targeting of persons who use drugs or their family or friends in relation to a drug debt. An Garda Síochána will continue to take action in relation to drug-related intimidation, particularly where there is a risk of harm or to the life of a person. A drug-related intimidation reporting programme developed by An Garda Síochána and the National Family Support Network has been in place since 2013 to respond to the needs of drug users and family members experiencing drug-related intimidation. An Garda Síochána and the National Family Support Network have concluded separate evaluations of the reporting programme and jointly agreed a number of actions to enhance its effectiveness through training, knowledge-sharing and awareness raising.

I acknowledge the points raised by Deputies, all of which have been taken on board and noted by the Minister of State, Deputy Catherine Byrne and me. A number of Deputies raised concerns regarding the need to strengthen legislation relating to children involved in drug crime. I have stated previously that I consider the grooming of children by those who control criminal activity to be an extremely serious matter. I have asked my Department to consider an effective response, which may consist of policy, legislative or operational measures or a combination of all three. The national drugs strategy recognises the importance of supporting the participation of communities in key decision making structures so that their experience and knowledge informs the development of solutions to solve problems related to substance misuse in local areas. In addition the development of the strategy has involved a wide range of stakeholders and interests working together as working collaboratively, we can deliver on its ambitious goals. My ministerial colleague, Deputy Catherine Byrne, will address the House further on the strategy in the course of the debate. However, I acknowledge the initiative undertaken by Deputy Curran, who has some experience in this regard. I assure Members of the seriousness with which the Government is taking this motion and its content.

Deputy Dessie Ellis: I move amendment No. 1:

(*a*) To insert the following after "drug-related harm consistently clusters in communities marked by poverty and social inequality":

" , however, such harm is not exclusive to disadvantaged communities and is a problem that is evident across society;"

(*b*) To insert the following after "calls for:":

"— the restoration of local Garda Drugs Units;

— an increase in the number of adult and adolescent residential and medical detoxification beds;" and

(*c*) To insert the following after "a major education and information campaign to be undertaken on casual drug use":

" , with a special focus on the establishment of early intervention programmes to be made available in all schools and third level institutions beginning at primary level."

I dtús báire ba mhaith liom tacaíocht a thabhairt don rún seo ó Fhianna Fáil agus ón Teachta Curran. I also seek support for Sinn Féin's amendments which enhance this motion. It is important that as public representatives, we discuss such an important issue, particularly in the context of the statement issued last week and signed by several former Ministers of State with responsibility for drugs expressing their concern that the national drugs strategy is failing. While shocking to hear, this is not news to most of us who have spent years working with local and regional drugs task forces. I, along with my colleagues in Sinn Féin, have highlighted this fact on several occasions in the Dáil and we said as much in a similar Private Member's motion last March.

There has not been a noticeable or substantial change in the drugs crisis for many local communities. The recent budget was an opportunity to turn this deepening crisis around. However, the Government's priorities lay elsewhere and not with those areas most affected by the drugs crisis. It was also an opportunity for Fianna Fáil to press for additional funding for the task forces, which it failed to do.

While the drugs crisis affects every demographic across communities, it is felt most severely in disadvantaged areas and by vulnerable communities that have had many services and supports cut by this and previous Governments. The local drugs task forces established in the mid-1990s were a response to pressure from communities devastated by drugs and addiction. Drugs task forces became central to combatting the drugs crisis in our communities. They liaise with statutory agencies and local public representatives and help oversee strategies that help to develop responses to the various aspects of local drugs problems. They are responsible for many local initiatives to help people affected by drugs problems.

Task forces have developed many projects to address areas such as prevention, education, treatment, rehabilitation and so on. More recently, tackling the alcohol crisis has been added to their remit without corresponding funding or any additional resources. Drugs task forces have had their funding cut every year between 2008 and 2014, while funding has been frozen since 2014 without consideration of inflation. We are losing experienced and talented people from the task forces and from the various projects they run. It is detrimental to the fight against drugs.

Many local and regional task forces provide a focal point for the community and community representatives, thereby allowing discussion to take place on drugs issues. They provide

a crucial link to tenants' organisations, youth workers, An Garda Síochána, statutory agencies, community projects, public representatives and many more. Such interactions help task forces set and identify priorities and help to co-ordinate the implementation of plans and agreed actions Task forces are important in identifying and responding to the needs of those affected by the drugs problem.

In the past, I asked that funding be reinstated to 2008 levels with a comparative increase in funding to reflect the additional remit of alcohol. I ask again that this funding be reinstated. We need to keep the knowledge and experience the staff in task forces and community-based drug and alcohol projects have acquired over decades. To do this it is only reasonable to ask that those who work in these projects should have their pay restored and those who are entitled to increments should also have them restored.

Communities devastated by drugs problems are also being terrorised and intimidated by those involved in the drug trade. Families are also concerned about the increasing use of children, some as young as eight years, who are being groomed to be used as drug couriers.

Task forces need to be able to operate and function independently of the HSE. They should continue to draft and implement local strategies in consultation with the community. Other measures can be taken in conjunction with increasing the funding for the task forces. We need to re-establish the emergency needs fund and the young persons facilities and services fund. We need an inter-agency approach to tackle the drugs problems and such task forces must be supported by State and Government agencies, including the HSE, the Garda and local authorities. The national drugs strategy has created a disconnect with the communities most affected by the drugs crisis. Isolating or marginalising groups such as the drugs task forces will only exacerbate the drug problems, not help solve it.

Deputy Maurice Quinlivan: I am disappointed that the Minister for Justice and Equality has left the Chamber because I wanted to respond to some of his comments. He spoke of the drug-related information reporting programme and referred to analysis that would be done and reported back to him. He does not need that; it has failed completely. No one in communities will ring that number or will engage with it as they have no confidence in it, unfortunately. It has not worked and he should save his time in respect of an analysis. The Minister should have stayed to listen to what people are saying. Deputies are making honest contributions on what is going on in their local communities.

I have been a member of the Mid-West Regional Drugs and Alcohol Forum for about ten years. I am both a community representative on it and a director of it. Our funding was cut in 2008 by the then Fianna Fáil Government and it has not been reinstated. Any tiny increases have been wiped out by inflation. People who work in the projects we support have not had a pay increase since 2008. The Northstar Family Support Group, which I have supported and of which I am a long-time member, recently held a service of hope to remember those who died in our communities. The message of that service is always one of hope but it is a stark reminder of the number of people who we have lost in recent years.

I commend the Minister of State, Deputy Catherine Byrne, who did a good job of going out to the communities and talking to people but whether it is her colleagues, or perhaps the Minister of State herself, someone has failed miserably to deliver the funding that is needed to make it a success. I said that to the Minister of State at the time and I think it is my sixth time stating it in the House. I wish they would work but I have no confidence they will, because we have

not delivered any of the money.

I wished to raise some comments with the Minister for Justice and Equality but he has left the Chamber. Limerick has a brilliant CCTV system by which we can see exactly what is going on. We know exactly where people are dealing drugs from, who is moving the drugs and who is buying them. We see the taxis in queues outside houses, while people wait to go in and buy drugs. The guys who operate the CCTV tell me one even can see the colour of a person's eyes from the footage, yet these people are not being prosecuted because there are not sufficient gardaí to so do. Recently, an inspector in Limerick told me that it takes eight to ten months to come back with an analysis of drugs and no charges can be brought until those results have been received. As those people know they will be charged, they deal morning, noon and night because they expect to receive the same sentence at the end. That is something we must examine urgently. It is a huge problem in Limerick and the whole area. As a member of a drugs task force, I speak to my colleagues across the State. The same issues arise everywhere, namely, lack of funding or support. They are left to their own devices and families are left with drug debts, with people coming to their doors demanding money. Families do not know where to go, and the Garda is totally under-resourced. In Limerick in 2007, when a massive gangland war was going on, John Fitzgerald came in and said we needed an extra 100 gardaí for the four regeneration areas alone. They were never delivered and we now have fewer gardaí than in 2007 during that crisis. Drugs are becoming more prevalent in every community across the State. We are seeing a huge increase in the use of cocaine, especially among younger people. Cocaine is everywhere and I estimate that 70% to 80% of people in any nightclub are taking cocaine. Those are not my figures. I expressed these concerns at a recent joint policing committee meeting, where the chief inspector of the Garda in Limerick said cocaine was the biggest problem facing the force there.

Without funding, we are on a hiding to nothing. The Government needs to step up and deliver the funding in order that drug and alcohol forums can do the work they need to do, that is, dealing with the issue of drugs as a health issue, while taking out those people who are profiting from their use. We can see them in communities driving around in fancy cars, living in fancy houses and putting two fingers up to the rest of us because they know there is little sanction for them. We need urgent funding for those areas.

Deputy Seán Crowe: It is a lucky family that has not been affected by the drugs crisis. We all need to accept that the crisis is out of control. Somebody has already mentioned the number of drug deaths, which stands at its highest ever. This relates to the amount of drugs being seized and the open drug dealing in our communities. I went on the first anti-drugs march in Dublin 37 years ago. At that time I was involved with Concerned Parents and the Coalition of Communities against Drugs, COCAD, was the group that emerged a number of years later. I have been on the drugs task forces since their establishment but I have never seen the problem as bad in my area and in the city as a whole in all that time.

I agree that alcohol addiction measures must form part of the work but the Minister should explain to the House how resources can be cut while we expect the same positive outcomes. It is a big question. We also need to be told what we will do differently, what new supports will be made available to communities and what additional resources will be forthcoming.

Through my years attending drug task force meetings, I have seen how representatives from the voluntary and community sectors attend in abundance. They attend every meeting. However, those who are supposed to support the pillars in the drugs strategy are not usually

seen around the table. In many cases, we might not have a representative from the Departments dealing with justice, social protection or education. All those elements are supposed to push the strategy but they are not around the table to discuss it while members of the community, including politicians in many cases, are doing so. We need to do things differently so if the Minister of State is to speak about being a driver for change, it is something simple that can be done tomorrow. She could instruct the Departments, which are key to rolling out the strategy to support the communities, to attend task force meetings.

We are 37 years on and the problem persists. The Minister spoke about drug-related intimidation, which is getting worse. People want support and answers in this regard.

Deputy Aengus Ó Snodaigh: Like some of the other Deputies, I want a bit of honesty in the debate. Like Deputy Crowe, for many years I have been involved with community organisations and the local drugs task force. At this stage we must admit the national drugs strategy is failing and not delivering what it should. It will continue to fail unless proper resources are put into it and there is proper engagement by some of the statutory agencies. For far too long on many task forces, certain statutory agencies could not be bothered to take part. The representatives just sit there but will not partake. Sometimes, it is the Department of Education and Skills but it is the HSE in most cases. Unless such parties engage, much of the work that should be done by local drugs task forces will not happen in the holistic manner in which it should.

That is why community and voluntary organisations have all been involved with task forces over the years and it is why I got involved. When I joined, there was a vibrancy or energy in the task forces and people wanted to help and look after their communities. Now a task force meeting is dominated by drudgery and strangled by bureaucracy. The people in the community can see day in and day out what the scourge of drugs is doing to those communities and their families. They understand the issues; if we ask, they will give the details, chapter and verse. The Minister of State knows this. I am not criticising her but rather bureaucracy, the Civil Service and a Government that has continuously failed to properly resource the drugs task forces and a strategy to tackle one of the worst scourges in society. It is not just in working-class communities but it is right across the spectrum. We can see it clearly on the streets of Ballyfermot, Inchicore and the south inner city.

We can also see it when people arrive in taxis dressed in suits who go off to snort cocaine and the like. They are as responsible in this as those who deal the drugs. Without them feeding their habits, the money would not go to the drug gangs that wreak havoc in communities. We saw again last night some of the consequences of that. Unless we get real in tackling the issue properly by putting in the required resources, we will leave another generation in misery. The Minister of State should please see this as the urgent matter that it is.

Deputy Alan Kelly: I welcome tonight's motion from Fianna Fáil and I know Deputy Curran is passionate about the area. I appreciate that the motion has been put forward with real sincerity.

I was very much struck by a headline last month in *The Irish Times* indicating that the average consumer of cocaine is a farmer or a nurse. I am from Tipperary, which is a pretty rural county with many small and medium-sized towns. As a public representative and Deputy from Tipperary, I can tell the Dáil that it is an absolutely accurate statement because cocaine is available anywhere now. The comment came from a garda and I suppose it was made to have an effect, which it had. I am not saying every nurse or farmer in Tipperary is doing cocaine but

this demonstrates how far the problem has gone that drugs are so freely available. This is not just an urban problem and it is very much a rural problem now. Even when out or about in a social setting in Tipperary, one can feel the problem. We do not even have to physically see the drug being taken as we can sense it by seeing how people act when they have taken drugs. This is in small rural villages and other Deputies from Tipperary can verify what I am saying. It is happening in towns and the most rural of areas. It is a measure of how widespread is the issue.

I and other Deputies from Tipperary met the Garda Commissioner recently about the decision, which we all feel is wrong, to move the divisional headquarters from Thurles to Ennis. At the meeting, a number of us made the point that there has been a major increase in social policing across the county, whether it is right or wrong. This relates to drink-driving and related matters, which is fine. However, this has led to a negative impact on the volume of gardaí trying to root out who is pushing or delivering drugs and ensuring those drugs are so widely available in the county. I would like this balanced so we can see the impact the Garda can and should have with the proper resources in dealing with those who are pushing this drug into my village and every other village across Tipperary.

The drugs unit in Tipperary does not have the required resources. All of us in public life in the county know this. Everybody at a joint policing committee meeting knows the manpower is not there but we keep saying it. We do not have the capacity to deal with these matters. Members of the Garda will say to our faces that they know about the scale of the problem. To be honest, many of us even know who is dealing the drugs but we cannot do anything about it. If the resources were available to An Garda Síochána, those responsible would be able to deal with it. That is one point I really want to get across in this debate. First, I want to emphasise that this is not simply an urban thing; it is very much a rural thing. Second, I wish to get across the point that the resources required in rural areas need to be targeted and specific not only because of the wider geographical area but because the impact is as devastating as anywhere else.

The next issue is the type of drugs available. It is not only cocaine. I am saying as much representing my county. Speed, ecstasy, methylenedioxymethamphetamine, and even the veterinary medicine, ketamine, are all available. What is more, we know deaths associated with drug-taking are on the rise. The statistics have been stated unilaterally here.

We all know what the problems are, so it is really a case of how we are going to deal with them. We all know about the criminal gangs and how they are funding this lucrative business as well as the contract killings.

We know that addiction is a medical problem and a mental health problem that needs expert medical intervention. In that context I welcome the health-led approach to addiction in the Government's new drugs and alcohol addiction strategy, Reducing Harm, Supporting Recovery. Yet, two years on there are clearly significant gaps. I respect the bona fides of the Minister of State on this issue above all issues as well as her passion for it, but it is really a question of resources and making an impact.

My former colleague, Mr. Pat Rabbitte, led the first ministerial review into drug misuse which led in turn to the establishment of the drugs task force. Across all politics I imagine people would acknowledge how that was a positive move. Based on the motion before the House, we probably need to relook and refresh our whole attitude towards this area. That is the spirit in which many of us are here.

The impact of drugs task forces inside communities across many years has been striking in some cases more than in others. As other speakers said, it tended to depend on the people who actually got involved, the way the relevant agencies got involved and the spirit in which they got involved. In many cases the effects were highly impactful. From the outset the task forces involved community leaders who convinced people of the benefits of having services and supports on hand. In the vast majority of cases they were welcomed in their areas because someone was finally doing something about this major problem.

The drugs task forces also joined the dots in terms of economic reality. People in the poorest communities were more vulnerable to illegal drugs, especially heroin. They have now moved on to a wide range of drugs and the problem does not only affect the poorest people. The task forces not only dealt with addiction but with childcare, education, training and community employment, although often that aspect is less highlighted. The idea was to help people not only to deal with addiction, mental health issues and so on but to actually pull everything together in a holistic way and get their lives back together.

In recent years a far more centralised approach has been taken by the HSE to the funding and governance of community-led addiction services. To a degree this has made them more semi-detached from the local task forces and the links to the community. That division is a problem. Addiction services have been put into a medical model. Community-based training and job services, which I referenced earlier, dealing with the social and economic aspects of addiction have been sidelined by the HSE in favour of purely medial services. We believe strongly this is a failure to see the whole problem holistically and all the issues. It is not only about addiction. It is about peoples' lives, the components of their lives and the multitude of services needed to deal with this complex issue.

The remit of the task forces has been expanded to include alcohol. Yet, there has been no increase in funding since it was cut in 2008. We have the additional issues relating to the whole curse of alcohol addiction on top of the issues we spoke about but no additional resources. Is it any wonder it has gone into a silo that is HSE-led or medical-led without dealing with the whole problem? This means little or nothing can be done in terms of new projects or services because no more money is available.

I will sum up. First, this issue is no longer simply an urban issue; it is a rural one, as I stated clearly. Second, it is an issue in respect of which we need to restate our objectives. Third, we need to refuel the drugs task forces and reorient them to a more holistic model of dealing with all the issues in people's lives as well as addiction. Fourth, it is obvious that the whole funding model needs to be looked at again.

Deputy Mick Barry: I intend to share time with Deputy Gino Kenny. I will speak briefly and Deputy Kenny will make the main points.

In 2016, there were more than 700 drug-related deaths in the State. In fact, the figure was 736. The number of people who died on our roads that year - the number of road fatalities - was fewer than 200. The figure was 186. Thus there were almost four drug-related deaths for every fatality on the road. At the same time, the budgets for the drugs and alcohol task forces were slashed. The budgets were cut by 80% for some local drugs task forces and 90% for others in the period from 2008-2014. They were cut by a Fianna Fáil-Green Party Government and a Fine Gael-Labour Party Government. The budgets have been effectively frozen since then.

The motion and the comments from the Government are only hypocrisy unless it commits to reversing those cutbacks immediately. In fact, we need more than that. We need an increase the budget from 2008 levels to take account of the fact that we no longer have simply drugs task forces but drugs and alcohol task forces. We need to take account of the fact that there have been real demographic changes and major increases in the population in the interim. The rest is in large measure only talk unless we see action. This is not the only action needed - not by a long shot. However, a significant point is that the funding for the task forces must be reversed. Sin é.

Deputy Gino Kenny: I welcome this important debate on the issue. It has been debated numerous times since I became a Deputy. The drugs industry is one of demand and supply and the demand will always exist in society whether we like it. The recent debate on decriminalisation of drugs for personal use was beneficial but it did not go far enough. Anyway, that is probably for another debate. Policy change in recent times favours a health-led approach rather than a criminal justice approach and that is welcome.

The drugs task forces have been around for the past 20 years. Those involved have been at the coalface of dealing with issues relating to drugs in communities. There is a major concern among those involved in the drugs task forces that their involvement is being overlooked in favour of a more centralised approach. I believe this would be a retrograde approach.

Another aspect of this is class. Working class communities have been disproportionately affected by drug use. When I was growing up in Clondalkin, I had many friends at school who began to dabble with drugs when they were teenagers. That led to devastation for individuals, families and communities and the legacy lives on today. The scale of the devastation can only be measured in terms of the destruction of lives. The policy of using the criminal justice system to tackle drug use has largely failed.

I wish to express an opinion about drugs with which people may disagree. We must have a completely different approach to drug use and how we deal with people who use drugs. Some people use rather than abuse drugs and live perfectly happy lives. There are people who use drugs recreationally who have both jobs and families. As Deputy Kelly said earlier, the level of cocaine use at the moment is incredible. The demand for cocaine is incredible and all the laws in the world will not stop people supplying drugs to those who want them, including cocaine. Recreational drug users exist. There are many people in every sphere of life, from every class and background, whether rural or urban, who will use drugs but they are not criminals and should not be criminalised. It is their choice to use drugs and they should not be morally judged for doing so.

9 o'clock

We need to have a major discourse about the deregulation of all drugs. That is probably not palatable to some people but the prohibition on certain drugs has largely been a failure. The drug laws in this country are completely out of date. Cannabis is a widely used plant and drug that should be regulated, taxed and legalised. This would take it out of the hands of criminal gangs. We should regulate, tax and control it as other countries, like Canada, have done. New Zealand is to hold a referendum on the regulation of cannabis. Certain states in the USA have regulated and legalised it and the sky has not fallen in. We must have a debate on the legalisation of cannabis because anything that takes people out of the criminal justice system is worth considering. The vacuum of prohibition and non-regulation has created an alternative economy where vast profits can be made by criminal gangs who use absolutely grotesque violence and intimidation against their own communities. That is the vacuum in which we live, where illicit

drugs, which are illegal, are still readily available and people are using them. There is something wrong here and no law under the sun can tackle this.

We need to look at taking a radically different approach in terms of the law, health and society itself and public opinion is ahead of politicians on this issue. Ireland has matured and is more liberal in its outlook, particularly with regard to the use of drugs. I am not trying to glamorise this in any way because I have seen from my own family how drugs can destroy lives but we need a completely different approach. It is not necessarily going to be nice because there is a dark side to all of this but we need to do something different. Legalisation is not a panacea by any means but if it saves one life, then it is worth doing because at the moment, we are losing the war on drugs.

Deputy Maureen O'Sullivan: It is very positive that we are having another discussion in Private Members' time on drugs. This debate follows on from a motion tabled by Deputy Joan Collins previously and one I tabled prior to that. I wish to acknowledge the work of Deputy Curran on this motion and his work on a strategy for drugs in a previous Government. This debate is opportune because of the CityWide event that took place last week where the urgent need to restore confidence in the national drugs strategy was stressed, particularly because of the threat to and undermining of the partnership approach that was at the heart of drug policies and strategies since the mid-1990s. The drugs problem started in the north inner city when heroin appeared in the late 1970s and early 1980s. It was no coincidence that heroin first appeared in an area of poverty with very poor facilities, low progression in education and high unemployment. It was the community that led the response, whether it was to supply by way of marches on the homes of known drug dealers or to treatment. The consequence was that many community led and community driven projects were set up in the north inner city and out of that came the drugs task forces. It is the north inner city drugs task force that I know the best but all the task forces have in common an inter-agency, partnership approach with voluntary, statutory and community voices at the table. The approach was very much bottom-up which was really important for the communities because they were the ones who were living with the drugs problem. It was their families and friends who were caught up in addiction, in the criminality that is associated with drugs and in trying to find recovery. We are all aware of the number of drug-related deaths in communities and that number is increasing.

What is happening now is that decision-making is being taken away from the partnership structure. Now the Department of Health and the HSE are making the decisions in a top-down manner. I am not disputing the decisions but am questioning the way they are being made. It is getting to the point where the drugs task forces are almost irrelevant but it is the task forces which have everybody at the table. I went back to the national drugs strategy and in the foreword recognition is given to the importance of community experience and knowledge in terms of reducing harm and supporting recovery and it is vital that we get back to that. We must consider the extent of the public consultation that contributed to the strategy, including six regional events and all the questionnaires that were filled in. The strategy is very clear on what needs to be done. The vision is clear, as are the values which include compassion, inclusion and partnership. The goals are very clear, with a national oversight committee to give leadership and direction and to measure performance. What is being stressed is the health-led, person-centred approach. I reread chapter 10 today in advance of this debate. It sets out the action plan, the lead agency and the partners who are to deliver. We know what to do, why we are doing it and how to do it. It is really important that we get on with it and at the core of that is the inter-agency, partnership approach. It is not just about community participation but about communities being

at the heart of the decision making.

It would be most unusual for somebody presenting to an addiction service to have only an addiction issue. It is estimated that between 50% to 80% of those who present to addiction services will also have a mental health issue. Therefore, an holistic approach is absolutely vital in treatment. The work is challenging but the integrated approach is more cost effective in the long run in terms of recovery. The recent opening of the Inclusion Health Hub in the north inner city was a very positive development in that context.

Drug-related intimidation is a reality for many communities. I attended an interesting conference last year entitled Lives without Fear hosted by the North Inner City Drugs and Alcohol Taskforce. At the heart of intimidation was fear and the role of the community policing forum was so relevant in that context. It provided a space for communities to bring their fears to the co-ordinator who could then liaise with gardaí and Dublin City Council. We have lost our community policing forum in the north inner city. It needs to be reformed and a new funding stream needs to be found for it. The community policing forum is much more effective than the joint policing committee, JPC, system.

Prevention and education was a heading under the strategy. It was always the Cinderella of the strategy but it is vital that we work with young people. We have done that in the north inner city and have produced two reports based on discussions with young people entitled Just Saying and Let's Get Specific. More recently, a programme was rolled out in one of the schools. An outside group came in and worked with the school through the SPHE stream. While countrywide well-being is very good, those areas where there are serious drug problems need something extra.

Deputy Joan Collins: I welcome the Private Members' motion which has prompted this discussion. As has been said, a number of different Private Member's motions have been tabled on this issue recently. The last one was in March of this year when myself and my Independents 4 Change colleagues tabled a motion with the backing of CityWide which was concerned at the direction in which the drugs task forces were moving. That motion was overwhelmingly supported by everyone in the House. I accepted amendments from Fianna Fáil, Sinn Féin and the Labour Party. The Minister of State said she would be willing to debate the issues raised at the health committee. I submitted that motion to the health committee on 4 April to put it on the agenda and have heard nothing since, besides an acknowledgement that it had been accepted. I ask everyone on that health committee to raise this and ask why we are not debating the issues raised in more detail. We should put it to the Minister of State in a more direct way at a committee, in order that the way the task forces are developing can be made more robust and answerable.

I was delighted that CityWide Drugs Crisis Campaign called a meeting in Buswell's Hotel last week, and that nine previous Ministers have raised concerns about how the task forces are developing. When the new strategy came out the task forces welcomed and supported it. I am a member of a drugs and alcohol task force in my area, and over the last two years it has become absolutely obvious that the HSE and the Department of Health are becoming more dominant. This does not represent the interagency, bottom-up model that was set up in 1997. The task forces were set up in 1997 because it was recognised that the statutory bodies did not know what was happening on the ground. The communities knew what was happening on the ground and were able to utilise the interagency forces, as my colleague, Deputy Maureen O'Sullivan, mentioned in her contribution. That is absolutely crucial.

Rather than debating this for an hour and a half in the Dáil Chamber, I would like to bring this issue before a committee where we can hear a detailed analysis of what is going on with the task forces. The motion I previously moved on this issue called for the Government to "cease the Health Service Executive reviews of drug and alcohol task forces, with immediate effect, as these reviews are being carried out without any discussion or consultation with the national NDS committees that are responsible for supporting and monitoring the task forces, and it is incompatible with the interagency partnership approach that underlies the NDS for one agency to carry out a review and present it as a *fait accompli*". A review was carried out on the drugs and alcohol task force I am on, the result of which was confidential. However, that report has led to one of the projects closing down. We are losing very good community activists with great experience in the community. The projects discussed it with the task force, and asked why the evidence in the report was taken outside of the Irish context. It was not within the Irish context. They also asked how the marking system was formulated and implemented, and raised the issue of confidentiality. The report could not be challenged. It is just accepted as a *fait accompli* and no one can appeal it. In the task force I am on, it was recognised that the approach to the report was very hurtful to the projects. This has to stop. Murtagh and Partners is going on to another drugs task force and are doing another few already. These issues must be raised with the committee, because it is undermining the task forces and the interagency approach the task forces should be taking.

Deputy Mattie McGrath: I too compliment an Teachta Curran and Fianna Fáil for bringing forward this very important motion. The numbers involved are truly staggering. As the motion indicates, individuals, families and communities throughout the country have been devastated by illegal drugs. Drug-related deaths in Ireland are at their highest ever, increasing from 431 in 2004 to 736 in 2016. The value of drug seizures has also increased from €29,706,000 in 2016 to €71,859,000 in 2017. We all know of communities blighted by this scourge. The Garda and the health services do not have adequate resources or personnel to deal with the crisis. What is going on is shocking. A man was recently arrested in Tipperary after €110,000 worth of cocaine and cannabis were found in his car. He was travelling in the vehicle on Wednesday in the Kilcommon area when gardaí stopped the car before discovering cocaine and cannabis estimated to be worth €70,000 and €40,000, respectively. There is no doubt that this is just the tip of the iceberg.

Our society and culture are in free fall. Young people and many more ordinary people are now living in a culture where casual drug use is normalised and even expected. We have allowed a perception to be created where if people do not drink or take drugs there is something wrong with them. The European Monitoring Centre for Drugs and Drug Addiction's 2018 report on Ireland observed the following:

> Available data suggest that drug use has become more common among the adult general population aged 15-64 years in Ireland over recent years. Fewer than 2 in 10 adults reported use of any illicit drug during their lifetime in 2002-03, but this figure increased to approximately 3 in 10 in 2014-15.

The most recent survey from 2014-15 confirms that cannabis remains the most commonly used illicit drug, followed by MDMA, ecstasy and cocaine. All of these statistics indicate that urgent action needs to be taken to pursue a robust anti-drug strategy. What is going on is shocking. Deputy Cahill and I sat with the new Garda Commissioner for three and a half hours last week and he closed his eyes to all of this. He says that there is no problem. There are six gardaí on the drugs task force in Tipperary. We would need six in Clonmel alone, and 60 for

the county.

This is an epidemic. Deputies such as Deputy Gino Kenny say drugs are social and recreational. They are trying to sanitise this epidemic. It cannot be sanitised because it has devastating impacts. People want to legalise all sorts of drugs, which the Deputy has in a list here. People think this is lovely, sexy and dandy, but it is not. It is wreaking havoc on our communities up and down the country and a blind eye is being turned by this Department. Seven or eight of the Minister's predecessors got together last week and expressed horror and shock at what is going on. I have worked closely with some of them, such as former Minister Pat Carey. The Garda is not turning a blind eye to this, but it does not have the numbers, resources, or wherewithal to deal with it. I am not blaming the Minister but he is in charge. Three and half years into its term, the Government has allowed this to mushroom and take hold because of the posh boys in the Government. I will not say what I was going to say, but the posh guys think that everything is fine and dandy. They say "Let them eat cake in the country", while Rome burns.

We are devastated. I have children and grandchildren who have just been born and I am proud, lucky and privileged to have them. What are they born into? What is going on with the drugs, the corruption, the money, the deprivation and the bullying is devastating. We do not have gardaí in my own town in Clonmel in Tipperary, or in Carrick-on-Suir. I gave the rosters to the Commissioner last week. I even gave them to the Minister and the Taoiseach recently. They do not care or want to know. They say things are fine down in Carrick-on-Suir, and it does not bother them. It is disgraceful that ordinary tax-paying, law-abiding citizens are left to deal with this. There have been suicides, threats and intimidation because of this. Bullying also happens because of small drug debts. Families come to my clinic on a weekly basis whose loved ones are in their graves, and they are being bullied and threatened to pay their debts. It is all going on under the radar and everyone thinks it is all fine. It is not fine. It is an epidemic that is going to engulf us and drag us down.

The so-called liberal left - I will not call them loony lefties - want to legalise these drugs. They do not know what they are playing with. They have problems here in Dublin but we have them as big down the country and they are getting bigger. It is going to get worse than the plague. It is a plague. There are gangs terrorising people in Clonmel and no one can touch them because they have ethnic status. People are terrorised but the Garda cannot touch them. Even worse, when the Garda go to raid them after several pleas from people to do so, the gangs have already been tipped off. It is a dirty, murky underworld. The Ceann Comhairle can tell me to calm down if he likes. It is going on in front of my eyes. I am living through it, and we are going to suffer the consequences. Nobody can challenge these marauding gangs of thugs and bullies with their sulkies and bikes, and the Garda does not have the resources to tackle them. It is the same in every other town and village in the country, where one finds gangs, warfare and money. It is all about power. If we do not deal with it very soon, there will be no way to deal with it.

An Ceann Comhairle: In his contribution Deputy Mattie McGrath said the Garda Commissioner was turning a blind eye.

Deputy Mattie McGrath: I did.

An Ceann Comhairle: The Deputy did not mean that, I am sure.

Deputy Mattie McGrath: I did mean it. I spoke to him last week. I sat with him for three

hours and he told me that he had enough resources.

An Ceann Comhairle: I thought the Deputy did not mean it.

Deputy Mattie McGrath: I did mean it. He told me that he had adequate resources to deal with it.

An Ceann Comhairle: That is okay. I thought the Deputy did not mean it.

Deputy Mattie McGrath: I did mean it.

Deputy Danny Healy-Rae: I am glad to have a small amount of time to talk about this very important matter. I thank Deputy Curran and the Fianna Fáil Party for giving us the opportunity to discuss the drugs problem because it is a fact that drugs are available in every town and small village in County Kerry. I am sorry that I have to admit it, but it is a fact. It is also a fact that we are losing the battle and many families are affected, as it has resulted in many suicides and deaths. The closure of Garda stations on both sides of Kenmare Bay is an issue I have raised several times as it has given drug gangs endless opportunities to bring drugs into the county. Garda stations have been closed along the Beara and Iveragh peninsulas. In places like Sneem and Laraugh vast tracts of water are open to bring in drugs. They have to be brought in somewhere and they are. The closure of local Garda stations has denied gardaí the opportunity to accumulate the information they were able to accumulate in previous years. Gardaí in patrol cars are working to the best of their ability, but the loss of gardaí in local areas has been immense and had a disastrous effect.

I do not believe cannabis or any other drug should be legalised. I am disappointed with the Deputy who suggested they should because they should not be. The Minister for Health has relaxed some rules. Individuals who are apprehended for the first or a second time for drugs now have to be let go by gardaí, which is absolutely ridiculous. No one in the Chamber asked for this, yet the Minister for Health introduced that policy. We are very disappointed with him. If a young person is stopped in Killarney today, how will gardaí know that he or she was let go somewhere else? How do gardaí know how many times the same person has been caught and released? It is a joke. Thugs are being let go. I feel for young parents today who are raising children because they have a serious task ahead of them.

Deputy Seamus Healy: I welcome the opportunity to speak to this very important motion and commend Deputy Curran for bringing it forward. I support both it and the Sinn Féin amendment.

There is no doubt that drugs are to be found in every town and village across the country. I hesitate to say this in case there might be an inference that it is normal or acceptable. Of course, it is not and it is being driven by criminal elements. I support the Sinn Féin amendment which states the harm caused is not exclusive to disadvantaged communities. It is clear that it is a problem that is evident across society. There is drug dealing openly taking place on the streets, in nightclubs and outside and, in some cases, inside schools. Families and communities have been devastated. There is major bullying and intimidation and assaults and deaths have happened. As others said and as most Members in the Chamber and I are aware, even after a death drugs dealers do not stop intimidating bereaved families into paying outstanding debts. That is terrible and it is happening on a regular basis. In 2016 there were 736 drug-related deaths, four times the number in road traffic accidents. We do not seem to have an effective deterrent or strategy for dealing with the problem. In fact, in recent years the budget to tackle it has,

unfortunately, been cut. For a number of years the budget has effectively been frozen, having been cut in previous years.

The numbers of gardaí in local drug units have been reduced. There are six gardaí in the unit in County Tipperary, which is unbelievable but true. County Tipperary is 120 miles long and that number of gardaí is simply not adequate to deal with the problem. Unfortunately, the partnership model for dealing with it is under pressure and at risk. It is quite clear to everybody that this epidemic can only be dealt with through co-operation between voluntary, community and statutory organisations. I commend all of the voluntary and community organisations involved, not just in my constituency but also across the country because they do Trojan work.

Mental health and the level of homelessness are impacted on by drugs. Mental health services are under pressure. This is an area in which mental health and homelessness services simply do not cope well with. To some extent, they consider they are not able to or do not have the resources to cope with it.

Like other public representatives in County Tipperary, I met the Garda Commissioner at the meeting of the JPC in Thurles last Friday. Having attended the meeting, I am not confident that the absolute necessity to deal with this issue is appreciated at senior Garda level. We were given generalised promises and little or no specific data for this or any other issue. It was indicated that this is happening, that it should not be happening and that the Garda is dealing with it. Unfortunately, it is not dealing with it. I was also concerned at what I believed was an indication from the Commissioner that the community policing service, which is absolutely vital in dealing with drugs, drug misuse and alcohol abuse, would not get the priority it deserves into the future. I am worried about those areas.

This issue needs community policing, partnership between the community, voluntary and statutory agencies, more financial resources and more manpower. I hope this debate will at least start a discussion, a debate and some action on this area because what we are doing now is simply not working and we are simply not doing enough.

Deputy Jackie Cahill: Tackling the country's crippling drug problem requires major reform of our approach. Every day we hear stories of individuals, families and communities around the country that have been devastated by drugs. It is a problem in every village, town and city in the country and, at this stage, every crossroads, yet the Government's response is inadequate and underwhelming. According to the latest report by the Health Research Board, cocaine use in Ireland increased by 32% in 2017 and, unfortunately, that trend has continued on an upward curve since.

Commissioner Drew Harris attended the Tipperary JPC last Friday. He commented on the large number of drug seizures in my county of Tipperary in recent months, pointing to Garda successes. These are welcome but also point to the vulnerability of Tipperary, which has the largest motorway mileage of any county in the country. Coupled with over 5,000 km of national roads, mostly rural, this makes policing very difficult and offers easy access to those who profit from drug distribution. This is why I have expressed my deep concerns to the Commissioner about the recent amalgamation of Tipperary and Clare into one Garda division. The Commissioner is adamant his new plan will work. However, there is an onus on us all to be vigilant and to ensure that policing on the ground improves following these changes. To effect real change in drug crime, we require gardaí on the ground and the resources and technology to support them. In Tipperary Town, for instance, the detective with responsibility for drugs

is without a squad car. We have only six gardaí in Tipperary in our drugs squad. This is a real David *v*. Goliath situation.

Mental health issues among our youth are made even worse because of drug use, and there is a complete lack of resources in Tipperary to deal with this issue. Mental health clinics are understaffed and, unfortunately, lack of access to specialised psychiatric courses is the norm. This must change. It will require extra Garda resources and, significantly, extra resources for counselling and education for those battling addiction.

Deputy Niamh Smyth: I congratulate Deputy Curran on bringing forward this very timely motion on drug problems, which we see right across the country. It is with a very heavy heart that I stand before the Minister of State to concur with everything that has been said tonight and to tell her that my rural constituency of Cavan-Monaghan, which includes parts of north Meath, faces the same crippling drug problems and challenges we have heard about all evening. Only last night I chaired my local Bailieborough community alert committee meeting, at which we discussed local matters. The elephant in the room is the blatant drug dealing that is happening daily, in broad daylight, in towns right across Cavan, Monaghan and north Meath, including my little town of Bailieborough. People think that a lot of these things happen in the big urban areas, but there is a real concern because they are a regular, daily occurrence, and we are only fooling ourselves saying otherwise. This is in the top three issues that are raised at my clinic. Parents are very frightened about what the future holds and what they see before them in broad daylight. They are very frightened to go to the authorities and to say they saw such and such delivering a package. They are afraid for their own safety and their children's safety and unwilling to go to the authorities with the information because of that.

I commend the work of Superintendent Gordon Englishby and Detective Michael Kearney, who work in the drugs unit in Cavan-Monaghan. These are exemplary people doing a wonderful job against a backdrop of very limited resources. They are fighting a raging scourge of drug dealing across Cavan-Monaghan and Meath. Of course, this drug dealing leads to anti-social behaviour and communities being literally under siege from these thieves who are stealing the lives of young people and their parents and families. The bottom line is resources. My district of Bailieborough - I do not believe I am wrong or inaccurate in saying this - is one of the most under-resourced in Cavan-Monaghan. I would like the Minister of State to come back to me on this and bring it to the Minister's attention. How in the name of God can one of the most under-resourced divisions fight this scourge?

The other thing I would like to bring to the Minister of State's attention is Cavan-Monaghan's CDA Trust, which I know wrote to her on 11 October about the fact that it is considering winding down its operations and is having to dissolve the company after years without any increase in funding. It actually cannot continue. I am sure the Minister of State has this letter in front of her too. These are the people who are faced with the scourge of drugs and the families trying to do something about it and to address it. Not only do we have gardaí with no resources but we have no sign of the new Garda station in Bailieborough, which was promised to be started last September. As the Minister of State knows, the Minister, Deputy Flanagan, and the Government rolled out CCTV to huge fanfare, but my information is that Ballyjamesduff, which put in an application for CCTV many months ago, still has not had that application ratified. I know myself from working on the Bailieborough community alert scheme that it takes months. There is huge bureaucracy and paperwork involved and there is the stalemate as to who will hold on to the data - will it be the Garda or the local authority? My understanding is that it is the role of the local authority, but perhaps the Minister of State could confirm that for us tonight.

I cannot talk any longer. I have lots more I could say on the issue. Cavan-Monaghan is no different from any other constituency. The bottom line is resources.

Deputy James Browne: I welcome this Fianna Fáil motion on the very serious and debilitating issue of drugs and our drug problem and compliment my colleague, Deputy John Curran, on bringing it forward. The number of gardaí committed to drug units across the country has fallen significantly since 2011, and this is having a very real impact on enforcement. Extra resources are badly needed. In Rosslare Europort, in my county of Wexford, drug seizures are a regular occurrence. Additional gardaí are needed to deal with this scourge. It also highlights the vulnerabilities around our country. Rosslare Europort still bases its activities on paper. It shows the weakness in our justice system, port system and enforcement system that the second-busiest passenger port in the country still operates on a paper-based system. It is totally unacceptable because, as I understand it, it really impacts our ability to enforce our borders in terms of drug importation. It is a real vulnerability.

I also wish to touch on the issue of dual diagnosis and mental health. There is a real issue in this country of a lack of understanding of drugs and mental health issues and the links between them. Research has shown that there is a very serious connection between substance abuse and mental health issues, but this country is simply not taking that matter seriously and not protecting the most vulnerable people who are addicted to drugs.

I will hand over to Deputy Butler.

Deputy Mary Butler: Drugs are a reality and, because the crisis is so prevalent, nine former Ministers who have held responsibility for the national drug strategy came together this week and called on the Taoiseach to intervene to restore confidence in the strategy. Figures published recently show that the most significant increases in recorded drug crime nationally are occurring outside Dublin, leading to warnings that the country is undergoing a drugs boom, most of it centred on regional towns and cities. In Waterford, offences for possession and intent to supply have risen by one third in the past year, which is a very worrying trend. Towns in County Waterford are no exception. CSO data show increases in controlled drug offences in Dungarvan, where the number of offences rose by 142% between 2015 and last year. The equivalent figure for Tramore was 144%.

Recently 30 publicans gathered in a co-working space in Waterford for a masterclass on drugs. The meeting was held as part of the Waterford safe city and purple flag initiative. It was attended by Sergeant Sheehan from the divisional drugs unit who went through the signs that drugs or dealers were on the premises. The questions asked included what the most popular drugs were, how drug use on premises could be minimised and what should be done in the event of an overdose. Sergeant Sheehan was able to tell the publicans present that coins left in the toilets or on the sides of washbasins were signals to potential customers that a dealer was on the premises. Publicans heard that cocaine use had almost become like having a packet of Tayto crips with a pint. Publicans are operating a zero tolerance approach, but, unfortunately, there is no typical drug user. An increased Garda presence on the streets and high levels of engagement between the force, the community and business owners are crucial in tackling the issue. Much good work is being done by the Garda, but it is rowing against the tide as the problem continues to grow at an alarming rate.

Minister of State at the Department of Health (Deputy Catherine Byrne): There was a wish to have more time and I have the same desire, but, unfortunately, my time is also limited.

I will, however, try to be brief and cover some of the issues which have been raised.

I acknowledge all of the speakers who have raised concerns with great passion regarding the scourge of drugs in their communities, not only in towns and villages but also in communities throughout the country. I commend previous Ministers of State for the work they did during their time in this post. I know many of them, including former Deputy Pat Carey and Deputy Lahart.

I welcome the opportunity Deputy Curran has given me to speak about the national drugs strategy, Reducing Harm, Supporting Recovery. I do not, however, agree with his assessment that as a Minister of State, I have been abandoned by my colleagues. Nothing could be further from the truth. In response to many of those who spoke about Garda issues, the Minister for Justice and Equality, Deputy Flanagan, was here earlier, but, unfortunately, he could not stay. I acknowledge all of the issues raised and will bring the details back to the Minister. I also disagree that the national drugs strategy has failed.

I acknowledge the work of the drugs policy unit, the people who work in it for their commitment to it and the work done throughout the years. I also acknowledge some of the Deputies who spoke. I am glad that Deputy Maureen O'Sullivan spoke about the review of the north inner city task force. Deputy Collins spoke about the reviews happening in task forces in communities like my own. The reviews are within the remit of the HSE and carried out in partnership with the task forces. I know that some problems have arisen in the reviews completed of some of the task forces. The HSE is working constructively to resolve the issues in some of the projects that have not reached their potential. I acknowledge the difficulties in some task forces and I am not objecting to reviews being carried out. There is accountability for the moneys being spent on task forces. It is the public's money. I also refer to governance and accountability and how task forces are managed, which is also important.

I am pleased to address the House on the very important matter of the national drugs strategy, Reducing Harm, Supporting Recovery: A Health-led Response to Drug and Alcohol Use In Ireland 2017 to 2025, and to take the opportunity to reiterate my commitment and that of the Government to the strategy which was launched by me, the Taoiseach and the Minister for Health, Deputy Harris, in July 2017. It has support at the highest levels and represents an important shift in public policy on drugs towards a health-led and person-centred approach. It centres on prevention, harm reduction and recovery. At its core are the values of compassion, respect, equity, inclusion and partnership, values also mentioned by Deputy Maureen O'Sullivan. The vision of the strategy is to create a healthier and safer Ireland and its 50 actions, up to 2020, will contribute towards improving the health, well-being and safety of the population in the coming years.

From the day I first took up the position as Minister of State with responsibility for the national drugs strategy, I have been steadfast in my commitment to addressing the serious issue of substance misuse, to delivering a new strategy in partnership with communities and to implementing the important actions it sets out. Coming from a community development background and having had experience of working at local level with community groups, I do not for one moment underestimate the important role of communities and the need for partnership at every level. From my regular visits to projects throughout the country, it is crystal clear to me that working together is vital in bringing about real and positive change for those affected by drugs and addiction. In working together, however, it is crucial that we all respect one another and, where differences occur, that we resolve them in a constructive way. There is a saying, "give

respect, get respect". That is a motto by which we should all live.

The national drugs strategy promotes the idea of partnership between statutory, community and voluntary sectors to deliver better health outcomes for those who use drugs. Just this morning, I had the privilege of opening the second annual national drugs forum. Under the strategy, Reducing Harm, Supporting Recovery, we are committed to organising a yearly national forum on evidence-based and effective practice in drug and alcohol education. It provides an opportunity for all stakeholders working in the sector to come together, network, share their knowledge and experience and, most of all, listen to each other. I was very encouraged by the attendance at last year's event and delighted to see another 200 delegates attending this morning from across all sectors who were listening to and learning from one another, me included. It is a real example of working in partnership.

One of the key goals of the strategy is to support the participation of individuals, families and communities. Action 39 of the strategy commits to promoting and supporting community participation in all local, regional and national structures. There are 11 community and voluntary representatives in the oversight structures of the strategy who give leadership and direction in the implementation of the strategy. The national oversight committee which I chair has representatives from all relevant Departments, State agencies, drug and alcohol task forces and voluntary organisations, as well as community representatives. I assure the House that progress under the strategy has been reviewed on an ongoing basis during 2019 through the national oversight committee and the standing sub-committee. This has enabled all of the relevant stakeholders to account for and report on individual and shared key actions outlined in the strategy. The Department of Health also reports periodically on progress under the national drugs strategy to the Cabinet committee on social policy and public services which is chaired by the Taoiseach.

Next year, if I am still around, I hope to launch a mid-term evaluation of the strategy. It will allow all stakeholders the opportunity to reflect on progress in implementing the strategy and identify the new actions that may be required in period up to 2025.

On funding, I am pleased to report that expenditure on HSE addiction services increased from €94 million in 2016 to over €100 million in 2018. The funding is used by the HSE to deliver on a wide range of national policy objectives as outlined in the national drugs strategy. It includes a focus on early intervention, treatment and rehabilitation. This, in turn, helps people with substance misuse issues to achieve better health outcomes. In addition to the €100 million allocated by the HSE for addiction services in 2018, my Department provided €28 million for drug and alcohol task forces through various funding channels, including the HSE. The funding supports over 280 community projects in local areas and communities throughout the country to support initiatives to tackle drug and alcohol use and misuse. One of our main priorities is the continued expansion of community-based healthcare services to minimise the harm caused by misuse of substances which are said to promote rehabilitation and recovery in line with the Reducing Harm, Supporting Recovery document.

I was delighted to secure additional funding of €1 million in 2019 to strengthen implementation of the national drugs strategy. It included an additional €20,000 for each of the 24 task forces this year, €10,000 of which will be provided on a permanent recurring basis. It also helps to fund 13 strategic health initiatives identified by task forces to respond to emerging trends in substance misuse and improve access to services for people with complex needs. The new health initiatives reflect regional priorities agreed between the HSE community health organisa-

tions, CHOs, and the drug and alcohol task forces and ensure resources will be targeted at the groups most in need. I have a list of the initiatives. If I have time, I might go through them.

The strategy initiatives have been targeted at the following groups, across the nine CHO areas: young people affected by substance misuse; women who use drugs and alcohol; families and services users; and homeless and others with complex needs. I am confident these new health initiatives, which are aligned with the objectives of Sláintecare, will have a positive impact and make a difference to people's lives as they journey to recovery. It is not correct to say that task forces are not being supported nor is it correct to say that funding is not given to them.

On awareness campaigns, a core objective of the national drugs strategy is to promote and protect the health and well-being of our population by delaying the use of alcohol and other drugs among young people.

An Ceann Comhairle: The Minister of State must stop there because her time is up. We move now to-----

Deputy Catherine Byrne: Am I finished?

An Ceann Comhairle: The Minister of State's time is finished anyway.

Deputy John Lahart: No, the Minister of State's speech is finished.

Deputy Catherine Byrne: I did not get to the important bits.

An Ceann Comhairle: Deputy Rabbitte is sharing with Deputies Lahart and Curran.

Deputy Anne Rabbitte: I thank my colleague, Deputy Curran, for bringing forward this Private Members' motion and affording me the opportunity to speak on it. I listened with great interest to the Minister of State's speech and I will read the rest of it later on. The Minister of State is well intentioned but, unfortunately, her party has abandoned her on this. In abandoning the Minister of State, they have abandoned the parents and children of the country.

In my speech, I will focus on three little parts. The first is my own personal experience of two weeks ago in Loughrea when I dropped my child off to a disco. What I experienced in relation to drugs and alcohol on the streets of Loughrea between 8.30 p.m. and midnight was unforgiving. Those children were exposed to alcohol and drugs and they were all under 16 years of age. The fear that parents have in this day and age is unbelievable and we do not feel that we are supported.

Mr. Joe Treacy from the HSE spoke last week on the Ivan Yates show. He was asked about drugs in the west of Ireland and he said that we have a blizzard in Galway. He also spoke about the fact that we do not look at dual addiction. Deputy Maureen O'Sullivan addressed that earlier on. Normally when people present, be it with alcohol or drug addiction, there are other underlying issues and those are mental health issues. Unfortunately, we do not resource the HSE to address both of those aspects of it.

As a member of a joint policing committee, my view is we do not have enough gardaí on the ground. We need to have more community policing to assist. All the funds the Minister of State, Deputy Catherine Byrne, is investing are no good unless we have the boots on the ground to address it. We also need to have social workers going into the schools because there must be a three-pronged approach on this. There must be the gardaí and social workers and we must

have the addiction services. If we can combine all that together and support the parents, we might have a healthier future.

Deputy John Lahart: I thank my colleague, Deputy Curran, for bringing forward this Private Members' motion. I have heard the Minister of State, Deputy Catherine Byrne, speak here on many occasions on this and many other topics. I have no doubt about her personal commitment to this, and her own personal experience and background in it. I echo the Minister of State's comments in relation to her officials who no doubt work tirelessly on this. What is missing is leadership. There is clearly no appetite on the part of the Government to invest the kind of resources that are necessary to not only solve this problem but to assist and support those who are trying to address it and those who are trying to make better the lives of those who are affected by it, be it either the drug users or alcohol users themselves, and their families who are subject, as the Minister of State will be aware, to everything from debt intimidation to all the anti-social and other associated issues that come with being connected with drug misuse.

When can the Ceann Comhairle, who is here much longer than I, remember nine previous Ministers for anything coming together to combine and make a statement expressing their deep disappointment at the Government's approach to the drugs issue? It is not a personal issue about the Minister of State, but I refer to nine previous Ministers with responsibility, including my colleague, Deputy Curran, and at least two other former Fianna Fáil Ministers of State, but by no means exclusively former Fianna Fáil Ministers of State - a former Labour Party leader was among them. What is crying out to me is that the Government does not take it seriously.

I am a member of my local drugs and alcohol task force in Tallaght. I note Deputy Curran is in Clondalkin and our colleague, Deputy Darragh O'Brien, is in Fingal. We see the work of the projects and the groups and how they are the glue that holds the little fabric of their communities together in terms of the supportive work they do. The Minister of State will be very familiar with them. There is no Government representative sitting on the Tallaght drugs task force attending meetings. There are five Deputies and three of us attend. There are two Government Deputies but they do not attend Tallaght drugs task force meetings, and they never have.

Time is so limited. If there are even a few members of the public watching, I would say to them that one of the difficulties with Dáil speaking time is that while all my colleagues would like to expend a great deal more time on this debate, we are limited by the structures of the Dáil that enable Members from smaller groupings make more extended speeches on it.

I will focus on two issues. I commend all the work that those associated with the Tallaght drugs task force do in my community stretching from Tallaght to Whitechurch. As well as the drugs squads, I commend the local gardaí in Tallaght who have made significant findings.

I will focus on a couple of figures. The north-inner city area gets close to €2.5 million in funding. The south-inner city gets more than €2 million. Tallaght, which has a population of 150,000 and is the size of Limerick, gets half of what those drugs task forces get. The Ballyfermot drugs task force, which is in the Minister of State, Deputy Catherine Byrne's constituency, gets €300,000 more than the Tallaght drugs task force. Can the Minister of State explain that for a town the size of a city, somehow these other areas are more important proportionately in terms of the funding that they receive? That is a question the Minister of State and her officials need to dwell on.

Bray in the Minister for Health's constituency is a fine town. I know not what its population

is, but it is nowhere near 150,000 and it is not a city. It gets €200,000 more per annum than the Tallaght drugs and alcohol task force. I ask the Minister of State to reflect on that, and maybe take some action to address it.

Deputy John Curran: I thank all my colleagues and the Members of the House who contributed to this debate, and the Minister of State, Deputy Catherine Byrne, and the Minister, Deputy Flanagan, for their attendance. The Minister of State will have to recognise the fact that so many Members wanted to contribute to the debate. There is a real issue there. I set out at the beginning the growth of this problem, and the evidence behind it, both in terms of illicit drugs and those trying to access services. One can see it quite clearly.

There are a number of issues I want to refer to quickly. The Minister, Deputy Flanagan, stated that next year, the Department of Health would provide additional funding of €100,000 to develop a national harm reduction campaign. It is not large enough. We need to think much, much larger.

Deputy Barry from Cork indicated correctly, in terms of the drugs-related death index, that 736 people died in 2016, four times as many people as in road fatalities. That damage drugs are doing to our communities is monumental and our public education and information and awareness campaigns need to be of that scale.

The Minister, Deputy Flanagan, mentioned that previous speakers spoke about children being used and said he was open to legislation in that regard. I would encourage him to move on that. It is a new feature that we have seen in recent years, that young children are being used to either sell or distribute drugs. I would encourage the Minister to move in terms of a legislative solution or we, on this side of the House, will do so and, hopefully, the Minister would support us. This has happened and we need to deal with it.

The Minister, Deputy Flanagan, concluded by stating that working collaboratively, we can deliver on the ambitious goals of the strategy. That is exactly what the community sector wants. It wants partnership and a collaborative approach. I have asked parliamentary questions and received the replies so I am aware that frequently the statutory agencies are not attending in a meaningful way the meetings. I have asked the question, Department by Department. It is not happening.

It is not correct to say that there is additional funding. In 2019, each task force got an additional €20,000 after years and years of the figure remaining the same.

Next year, they will get only €10,000 of that. It is insufficient. The Minister of State heard the two Deputies from Cavan-Monaghan, Brendan Smith and Niamh Smyth, plead with her to ensure additional funding was made available to keep projects alive. Every Deputy who spoke meets regularly in his or her community to discuss projects and programmes that are just about surviving. At the same time, the Minister is saying we have to have governance and oversight. I agree with that but she is measuring organisations having starved them of funding. They are on their knees. They need realistic financial support.

10 o'clock

An Ceann Comhairle: Thank you, Deputy.

Deputy John Curran: This debate was not just about a funding issue. It is a real plea from Members. I stated at the outset that I do not doubt the Minister of State's sincerity and integrity

but I observed that with the exception of the Minister for Justice and Equality, her colleagues did not come into the House to support her. She has been let down in terms of the budgetary process. They have not received the funding but the community sector very much wants to work in partnership and collaboration. That needs to be done.

I ask the Ceann Comhairle to indulge me for one final moment. I will conclude on this point. Deputy Joan Collins made a point with which I agree. She said this debate should continue at committee, which we tried previously. I would welcome and support that. I thank the Ceann Comhairle for his tolerance.

An Ceann Comhairle: We must first consider amendment No. 1 in the name of the Sinn Féin Deputies.

Deputy John Curran: I am sorry, a Cheann Comhairle. I should have said during the debate that we are accepting the amendment.

Amendment agreed to.

Motion, as amended, agreed to.

The Dáil adjourned at 10 p.m. until 10.30 a.m. on Wednesday, 6 November 2019.